

1917  
LEGISLATIVE  
MANUAL

# Joint Rules, Rules of the Senate

AND

# Rules of the House

OF THE

# State Legislature of Washington

TOGETHER WITH THE

Constitution of the U. S., Enabling Act, State  
Constitution, Members of Congress, Supreme  
Court, State Officers, Boards, Commis-  
sions, Members of the Legislature,  
Standing Committees and Em-  
ployees, Classification of  
Counties, Population,  
and Assessed  
Valuation

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SESSION OF 1917

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LOUIS F. HART,

*Lieutenant Governor*

GUY E. KELLY,

*Speaker of the House*

FRANK M. DALLAM, Jr.,

*Secretary of the Senate*

C. R. MAYBURY,

*Chief Clerk*

**SENATE CONCURRENT RESOLUTION  
NO. 4.**

By the Committee on Printing.

*Resolved*, by the Senate, the House concurring, that the secretary of the Senate and the chief clerk of the House be authorized and directed to cause to be printed six hundred copies of the Legislative Manual for the Session of 1917, said manual to be published on a page 6 x 3 $\frac{1}{4}$  inches, printed in 17 ems pica; the standing committees, joint rules, Senate and House rules to be set in eight-point leaded and the remainder to be set in six-point solid, with head notes only; and that said secretary and chief clerk be authorized and instructed to cause a sufficient number of said manuals to be bound in limp leather to supply all members of the Senate and House of Representatives and the assistant clerks of said houses; the remainder of the total edition of six hundred copies to be in paper binding.

## TABLE OF CONTENTS.

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	<i>Page</i>
Resolution Authorizing Manual.....	2
Text of United States Constitution.....	5
Preamble .....	7
Constitution of the United States.....	7
Amendments to the Constitution of the U. S...	19
Enabling Act .....	25
State Constitution and Amendments.....	38
Index to State Constitution.....	107
Suggestions as to Form of Legislation.....	151
Joint Rules .....	154
Senate Rules .....	159
Senate Roster .....	180
Senate Standing Committees.....	183
Senate Employees.....	187
Index to Senate Rules.....	189
House Rules .....	191
House Roster .....	210
House Standing Committee.....	214
House Employees .....	220
Members of the Press.....	220
Index to House Rules.....	221
Members of the U. S. Senate and Congress....	227
Supreme Court Judges (non-partisan).....	227
State officers (executive).....	227
State Boards and Commissions.....	229
State Boards and Commissions <i>ex-officio</i> .....	230
Controlling Boards of State Institutions.....	231
Counties, Classification, Population and As- sessed Valuation .....	232

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FRANK M. LAMBORN, PUBLIC PRINTER.

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# CONSTITUTION OF THE UNITED STATES.

## ARTICLE I.

Section 1. Legislative powers; in whom vested.

Sec. 2. House of Representatives, how and by whom chosen—Qualifications of a Representative—Representatives and direct taxes, how apportioned—Consensus—Vacancies to be filled—Power of choosing officers, and of impeachment.

Sec. 3. Senators, how and by whom chosen—How classified—State Executive to make temporary appointments, in case, etc.—Qualifications of a Senator—President of the Senate, his right to vote—President pro tem., and other officers of Senate, how chosen—Power to try impeachment—When president is tried, Chief Justice to preside—Sentence.

Sec. 4. Times, etc., of holding elections, how prescribed—One session in each year.

Sec. 5. Membership—Quorum—Adjournments—Rules—Power to punish or expel—Journal—Time of adjournments limited, unless; etc.

Sec. 6. Compensation—Privileges—Disqualification in certain cases.

Sec. 7. House to originate all revenue bills—Veto—Bill may be passed by two-thirds of each house notwithstanding, etc.—Bill not returned in ten days—Provisions as to all orders, etc., except, etc.

Sec. 8. Powers of Congress.

Sec. 9. Provision as to migration or importation of certain persons—Habeas Corpus—Bills of attainder, etc.—Taxes, how apportioned—No export duty—No commercial preference—No money drawn from treasury, unless, etc.—No title of nobility—Officers not to receive presents, unless, etc.

Sec. 10. States prohibited from the exercise of certain powers.

## ARTICLE II.

Section 1. President; his term of office—Electors of President; number and how appointed—Electors to vote on same day—Qualification of President—On whom his duties devolve in case of his removal, death, etc.—President's compensation—His oath.

Sec. 2. President to be commander-in-chief—He may require opinion of, etc., and may pardon—

Treaty-making power—Nomination of certain officers—When President may fill vacancies.

Sec. 3. President shall communicate to Congress—He may convene and adjourn Congress, in case, etc.; shall receive ambassadors, execute laws, and commission officers.

Sec. 4. All civil offices forfeited for certain crimes.

### ARTICLE III.

Section 1. Judicial power—Tenure—Compensation.

Sec. 2. Judicial power; to what cases it extends—Original jurisdiction of Supreme Court—Appellate—Trial by jury, except, etc.—Trial where.

Sec. 3. Treason defined—Proof of—Punishment of.

### ARTICLE IV.

Section 1. Each State to give credit to the public acts, etc., of every other State.

Sec. 2. Privileges of citizens of each State—Fugitives from justice to be delivered up—Persons held to service having escaped, to be delivered up.

Sec. 3. Admission of new States—Power of Congress over territory and other property.

Sec. 4. Republican form of government guaranteed—Each State to be protected.

### ARTICLE V.

Constitution; how amended—Proviso.

### ARTICLE VI.

Certain debts, etc., adopted—Supremacy of Constitution, treaties, and laws of the United States—Oath to support Constitution, by whom taken—No religious test.

### ARTICLE VII.

What ratification shall establish Constitution.

### AMENDMENTS.

- I. Religious establishments prohibited—Freedom of speech, of the press, and right to petition.
- II. Right to keep and bear arms.
- III. No soldier to be quartered in any house, unless, etc.
- IV. Right of search and seizure regulated.
- V. Provisions concerning prosecutions, trial, and punishment—Private property not to be taken for public use, without, etc.

- VI. Further provisions respecting criminal prosecutions.
- VII. Right of trial by jury secured.
- VIII. Excessive bail or fines and cruel punishments prohibited.
- IX. Rule of construction.
- X. Same subject.
- XI. Same subject.
- XII. Manner of choosing President and Vice President.
- XIII. Slavery abolished.
- XIV. Citizenship.
- XV. Right of suffrage.

#### PREAMBLE.

We, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

#### ARTICLE I.

##### Section 1.

1. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

##### Section 2.

1. The house of representatives shall be composed of members chosen every second year by the people of the several states; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

2. No person shall be a representative who shall not have attained the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of repre-

representatives shall not exceed one for every thirty thousand, but each State shall have at least one representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three; Massachusetts, eight; Rhode Island and Providence Plantations, one; Connecticut, five; New York, six; New Jersey, four; Pennsylvania, eight; Delaware, one; Maryland, six; Virginia, ten; North Carolina, five; South Carolina, five; and Georgia, three.

4. When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

5. The house of representatives shall choose their speaker and other officers, and shall have the sole power of impeachment.

### Section 3.

1. The senate of the United States shall be composed of two senators from each State, chosen by the legislature thereof, for six years; and each senator shall have one vote.

2. Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the legislature of any State, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies.

3. No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen.

4. The vice-president of the United States shall be president of the senate, but shall have no vote unless they be equally divided.

5. The senate shall choose their other officers, and also a president pro tempore in the absence of the vice-president or when he shall exercise the office of president of the United States.

6. The senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and

disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment, according to law.

#### Section 4.

1. The times, place, and manner of holding elections for senators and representatives shall be prescribed in each State by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

2. The congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

#### Section 5.

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

2. Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

3. Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

4. Neither house, during the session of congress, shall without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

#### Section 6.

1. The senators and representatives shall receive a compensation for their services, to be ascertained by law and paid out of the treasury of the United States. They shall, in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place.

2. No senator or representative shall during the time for which he was elected, be appointed to any civil office under the authority of the United

States, which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either house during his continuance in office.

#### Section 7.

1. All bills for raising revenues shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

2. Every bill which shall have passed the house of representatives and the senate shall, before it become a law, be presented to the president of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated; who shall enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that house 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 that house, it shall become a law. But in all such cases, the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the congress, by their adjournment, prevent its return, in which case it shall not be a law.

3. Every order, resolution or vote, to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment), shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

#### Section 8.

The congress shall have power:

1. To lay and collect duties, imposts and excises; to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

2. To borrow money on the credit of the United States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

4. To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

5. To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the United States.

7. To establish post-offices and post-roads.

8. To promote the progress of science and useful arts, by securing for limited times, to authors and inventors, the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the supreme court; to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations.

10. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

11. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

12. To provide and maintain a navy.

13. To make rules for the government and regulation of the land and naval forces.

14. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections and rebel invasions.

15. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the United States; reserving to the States respectively the appointment of the officers and the authority of training the militia according to the discipline prescribed by congress.

16. To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance by congress, become the seat of government of the United States; and to exercise like authority over all places purchased, by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other useful buildings; and

17. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

#### Section 9.

1. The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the

congress prior to the year one thousand eight hundred and eight; but a tax or duty may be imposed on such importation not exceeding ten dollars for each person.

2. The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion, or invasion, the public safety may require it.

3. No bill of attainder, or ex post facto law shall be passed.

4. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration herein before directed to be taken.

5. No tax or duty shall be laid on articles exported from any State. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear or pay duties in another.

6. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

7. No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office, or title of any kind whatever, from any king, prince, or foreign state.

### Section 10.

1. No State shall enter into any treaty alliance or confederation, grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the net produce of all duties and imposts laid by any State on imports or exports shall be for the use of the treasury of the United States, and all such laws shall be subject to the revision and control of the congress. No State shall, without the consent of congress, lay any duty on tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

## ARTICLE II.

## Section 1.

1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years; and, together with the vice-president chosen for the same term, be elected as follows:

2. Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors equal to the whole number of senators and representatives to which the State may be entitled in the congress, but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

3. (The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and the house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot, one of them for president; and if no person have a majority, then, from the five highest on the list, the said house shall, in like manner, choose the president. But in choosing the president, the vote shall be taken by States, the representation from each State having one vote: a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them, by ballot, the vice-president.)\*

\*This paragraph has been superseded and annulled by the 12th amendment.

4. The congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same throughout the United States.

5. No person, except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be

eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

6. In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president; and the congress may, by law, provide for the case of removal, death, resignation or inability, both of the president and vice-president, declaring what officer shall then act as president; and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

7. The president shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the United States, or any of them.

8. Before he enter on the execution of his office, he shall take the following oath or affirmation:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States; and will, to the best of my ability, preserve, protect, and defend the constitution of the United States."

### Section 2.

1. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States. He may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices; and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate shall appoint, ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law. But the congress may, by law, vest the appointment of such inferior officers as they think proper, in the president alone, in the courts of law, or in the heads of departments.

3. The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

**Section 3.**

1. He shall, from time to time, give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. He may, on extraordinary occasions, convene both houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper. He shall receive ambassadors and other public ministers. He shall take care that the laws be faithfully executed; and shall commission all the officers of the United States.

**Section 4.**

1. The president, vice president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of treason, bribery or other high crimes and misdemeanors.

**ARTICLE III.****Section 1.**

1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior; and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

**Section 2.**

1. The judicial power shall extend to all cases in law and equity arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between a State and citizens of another State; between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions and under such regulations as the congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall

be held in the State where the said crimes shall have been committed; but when not committed within any State, the trial shall be at such place or places as the congress may by law have directed.

### Section 3.

1. Treason against the United States shall consist only in levying war against them or in adhering to their enemies, 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 on confession in open court.

2. The congress shall have power to declare the punishment of treason; but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

## ARTICLE IV.

### Section 1.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State; and the congress may, by general laws, prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

### Section 2.

1. The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States.

2. A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due.

### Section 3.

1. New States may be admitted by the congress into this union; but no new State shall be formed or created within the jurisdiction of any other State, nor any State be formed by the junction of two or more States or parts of States, without the consent of the legislatures of the States concerned, as well as of the congress.

2. The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any

claims of the United States, or of any particular State.

#### Section 4.

1. The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

#### ARTICLE V.

1. The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution; or, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several States, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the congress; provided that no amendment, which may be made prior to the year one thousand eight hundred and eight, shall in any manner affect the first and fourth clauses in the nine section of the first article; and that no State, without its consent, shall be deprived of its equal suffrage in the senate.

#### ARTICLE VI.

1. All debts contracted and engagements entered into before the adoption of this constitution shall be as valid against the United States under this constitution, as under the confederation.

2. This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

3. The senators and representatives before mentioned, and the members of the several State legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

#### ARTICLE VII.

1. The ratification of the conventions of nine States shall be sufficient for the establishment of

this constitution between the States so ratifying the same.

Done in convention by the unanimous consent of the States present, the seventeenth day of September, in the year of our Lord one thousand seven hundred and eighty-seven, and of the Independence of the United States of America the twelfth. In witness whereof we have hereunto subscribed our names.

GEO. WASHINGTON.

Presidt. and Deputy from Virginia.

**New Hampshire.**

John Langdon, Nicholas Gilman.

**Massachusetts.**

Nathaniel Gorman, Rufus King.

**Connecticut.**

Wm. Saml. Johnson, Roger Sherman.

**New York.**

Alexander Hamilton.

**New Jersey.**

Will: Livingston, David Bearley,  
Wm. Paterson, Jona: Dayton.

**Pennsylvania.**

B. Franklin, Thomas Mifflin,  
Robt. Morris, Geo. Clymer,  
Thomas Fitzsimons, Jared Ingersoll,  
James Wilson, Gov: Morris.

**Delaware.**

Geo: Read, Richard Bassott,  
John Dickinson, Gunning Bedford, Jun.  
Jaco: Broom.

**Maryland.**

James McElroy, Dan of St. Thos. Jenifer  
Daul. Carroll,

**Virginia.**

John Blair, James Madison, Jr.

**North Carolina.**

Wm. Blount, Richd. Dobbs Spaight,  
Hu Williamson,

**South Carolina.**

J. Rutledge, Charles Cotesworth  
Charles Pinckney, Pinckney,  
Pierce Butler.

**Georgia.**

William Few, Abr. Baldwin.

Attest: WILLIAM JACKSON, Secretary.

**AMENDMENTS  
TO THE CONSTITUTION OF THE UNITED  
STATES.**

The following amendments were proposed at the first session of the first congress of the United States, which was begun and held at the city of New York on the 4th of March, 1789, and were adopted by the requisite number of States. Laws of the U. S., vol. 1, page 82.

(The following preamble and resolution preceded the original proposition of the amendments, and as they have been supposed to have an important bearing on the construction of those amendments, they are here inserted. They will be found in the journals of the first session of the first congress.)

**CONGRESS OF THE UNITED STATES.**

Began and held at the city of New York, on Wednesday, the 4th day of March, 1789.

The conventions of a number of states having, at the time of their adopting the constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added, and as extending the ground of public confidence in the government will best insure the beneficent ends of its institution:

Resolved, By the Senate and House of Representatives of the United States of America, in congress assembled, two-thirds of both houses concurring, that the following articles be proposed to the legislatures of the several States, as amendments to the constitution of the United States; all or any of which articles, when ratified by three-fourths of the said legislatures, to be valid to all intents and purposes, as part of the said constitution, namely:

**ARTICLE I.**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

**ARTICLE II.**

A well regulated militia being necessary to the security of a free State the right of the people to keep and bear arms shall not be infringed.

**ARTICLE III.**

No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

**ARTICLE IV.**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized.

**ARTICLE V.**

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

**ARTICLE VI.**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

**ARTICLE VII.**

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.\*

**ARTICLE VIII.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**ARTICLE IX.**

The enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people.

**ARTICLE X.**

The powers not delegated to the United States by the constitution, nor prohibited by it to the

\*This affects only United States Courts.

States, are reserved to the States respectively, or to the people.

(The following amendment was proposed at the second session of the third congress. It is printed in the Laws of the United States, vol. 1, p. 73, as article 11.)

#### ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

(The three following sections were proposed as amendments at the first session of the eighth congress. They are printed in the Laws of the United States as article 12.)

#### ARTICLE XII.

1. The electors shall meet in their respective States, and vote by ballot for president and vice-president, one of whom at least shall not be an inhabitant of the same State with themselves. They shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice president, and of the number of votes for each; which lists they shall sign and certify and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes for president shall be president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the house of representatives shall not choose a president, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president as in the case of the death or other constitutional disability of the president.

2. The person having the greatest number of votes as vice-president shall be the vice-president, if such number be a majority of the whole number

of electors appointed, and if no person have a majority, then from the two highest numbers on the list the senate shall choose the vice-president. A quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

### ARTICLE XIII.

#### Section 1.

Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

#### Section 2.

Congress shall have power to enforce this article by appropriate legislation.

### ARTICLE XIV.

#### Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

#### Section 2.

Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

**Section 3.**

No person shall be a senator or representative in congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may, by a vote of two-thirds of each house, remove such disability.

**Section 4.**

The validity of the public debt of the United States authorized by law including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.**

The congress shall have power to enforce, by appropriate legislation, the provisions of this article.

**ARTICLE XV.****Section 1.**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.

**Section 2.**

The congress shall have power to enforce this article by appropriate legislation.

**ARTICLE XVI.**

The congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

**ARTICLE XVII.**

(In lieu of the first paragraph of section 3 of article 1 of the constitution of the United States and in lieu of so much of paragraph 2 of the same section as relates to the filling of vacancies.)

**Section 1.**

The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

**Section 2.**

When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: Provided, That the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct.

**Section 3.**

This amendment shall not be so construed as to effect the election or term of any senator chosen before it becomes valid as part of the constitution.

## ENABLING ACT.

An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states.

Section 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled: That the inhabitants of all that part of the area of the United States now constituting the Territories of Dakota, Montana and Washington, as at present described, may become the States of North Dakota, South Dakota, Montana and Washington, respectively, as hereinafter provided.

Sec. 2. The area comprising the Territory of Dakota shall, for the purpose of this act, be divided on the line of the seventh standard parallel produced due west to the western boundary of said territory; and the delegates elected as hereinafter provided to the constitutional convention in districts north of said parallel shall assemble in convention, at the time prescribed in this act, at the city of Bismarek; and delegates elected in districts south of said parallel shall, at the same time, assemble in convention at the city of Sioux Falls.

Sec. 3. That all persons who are qualified by the laws of said territories to vote for representatives to the legislative assemblies thereof, are hereby authorized to vote for and choose delegates to form conventions in said proposed states; and the qualifications for delegates to such conventions shall be such as by the laws of said territories, respectively, persons are required to possess to be eligible to the legislative assemblies thereof; and the aforesaid delegates to form said conventions shall be appointed within the limits of the proposed states, in such districts as may be established as herein provided, in proportion to the population of each of such counties and districts, as near as may be, to be ascertained at the time of making said apportionments by the persons hereinafter authorized to make the same, from the best information obtainable, in each of which districts three delegates shall be elected, but no elector shall vote for more than two persons for delegates to such conventions; that said apportionments shall be made by the governor,

and chief justice, and the secretary of said territories; and the governors of said territories shall, by proclamation, order an election of the delegates aforesaid in each of said proposed states, to be held on the Tuesday after the second Monday in May, eighteen hundred and eighty-nine, which proclamation shall be issued on the fifteenth day of April, eighteen hundred and eighty-nine; and such election shall be conducted, the returns made, the result ascertained, and the certificates to persons elected to such convention issued in the same manner as is prescribed by laws of said territories regulating elections therein for delegates to congress; and the number of votes cast for delegates in each precinct shall also be returned. The number of delegates to said conventions, respectively, shall be seventy-five; and all persons residents in said proposed states, who are qualified voters of said territories as herein provided, shall be entitled to vote upon the election of delegates, and under such rules and regulations as said conventions may prescribe, not in conflict with this act, upon the ratification or rejection of the constitutions.

Sec. 4. That the delegates to the conventions elected as provided for in this act shall meet at the seat of government of each of said territories, except the delegates elected in South Dakota, who shall meet at the city of Sioux Falls, on the fourth day of July, eighteen hundred and eighty-nine, and, after organization, shall declare, on behalf of the people of said proposed states, that they adopt the constitution of the United States; whereupon said conventions shall be, and are hereby, authorized to form constitutions and state governments for said proposed states, respectively. The constitutions shall be republican in form, and make no distinction in civil or political rights on account of race or color, except as to Indians not taxed, and not be repugnant to the constitution of the United States and the principles of the Declaration of Independence. And said convention shall provide, by ordinance irrevocable without the consent of the United States and people of said states: First: That perfect toleration of religious sentiment shall be secured, and that no inhabitant of said states shall ever be molested in person or property on account of his or her mode of religious worship. Second: That the people inhabiting said proposed states do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries thereof, 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; that the lands belonging to the citizens of the United States residing without the said state shall never be taxed at a higher rate than the lands belonging to residents thereof; that no taxes shall be imposed by the states on lands or property therein belonging to or which may hereafter be purchased by the United States or reserved for its use. But nothing herein, or in the ordinances herein provided for, shall preclude the said states 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 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, but said ordinance shall provide that all such lands shall be exempt from taxation by said states so long and to such extent as such act of congress may prescribe. Third: That the debts and liabilities of said territories shall be assumed and paid by said states, respectively. Fourth: That provision shall be made for the establishment and maintenance of systems of public schools, which shall be open to all the children of said states and free from sectarian control.

Sec. 5. That the convention which shall assemble at Bismarck shall form a constitution and state government for a state to be known as North Dakota, and the convention which shall assemble at Sioux Falls shall form a constitution and state government for a state to be known as South Dakota. Provided, That at the election for delegates to the constitutional convention in South Dakota, as hereinbefore provided, each elector may have written or printed on his ballot the words "For the Sioux Falls Constitution" or the words "Against the Sioux Falls Constitution," and the votes on this question shall be returned and canvassed in the same manner as for the election provided for in section three of this act; and if a majority of all votes cast on this shall be "For the Sioux Falls Constitution," it shall be the duty of the convention which may assemble at Sioux Falls, as herein provided, to re-submit to the people of South Dakota, for ratification or rejection at the election hereinafter provided for in this act, the constitution framed at Sioux Falls, and adapted November third, eighteen hundred and eighty-five, and also the articles and propositions separately submitted at that election, including the question of locating the temporary seat of government, with such changes only as relate to the name and

boundary of the proposed state, to the reapportionment of the judicial and legislative districts, and such amendments as may be necessary in order to comply with the provisions of this act, and if a majority of the votes cast on the ratification or rejection of the constitution shall be for the constitution, irrespective of the articles separately submitted, the State of South Dakota shall be admitted as a state in the Union under said constitution as hereinafter provided; but the archives, records and books of the Territory of Dakota, until an agreement in reference thereto is reached by the states. But if at the election for delegates to the constitutional convention in South Dakota a majority of all the votes cast at that election shall be "Against the Sioux Falls Constitution," then and in that event it shall be the duty of the convention which will assemble at the City of Sioux Falls on the fourth day of July, eighteen hundred and eighty-nine, to proceed to form a constitution and state government as provided in this act the same as if that question had not been submitted to a vote of the people of South Dakota.

Sec. 6. It shall be the duty of the constitutional conventions of North Dakota and South Dakota to appoint a joint commission, to be composed of not less than three members of each convention, whose duty it shall be to assemble at Bismarck, the present seat of government of said territory, and agree upon an equitable division of all property belonging to the Territory of Dakota, the disposition of all public records, and also adjust and agree upon the amount of the debts and liabilities of the territory which shall be assumed and paid by each of the proposed states of North Dakota and South Dakota; and the agreement reached respecting the territorial debts and liabilities shall be incorporated in the respective constitutions, and each of said states shall obligate itself to pay its portion of such debts and liabilities the same as if they had been created by such states respectively.

Sec. 7. If the constitutions formed for both North Dakota and South Dakota shall be rejected by the people at the elections for the ratification or rejection of their respective constitutions as provided for in this act, the territorial government of Dakota shall continue in existence the same as if this act had not been passed. But if the constitution formed for either North or South Dakota shall be rejected by the people, that part of the territory so rejecting its proposed constitution shall continue under the territorial government of the present Territory of Dakota, but shall, after the state adopting its constitution is admitted into the Union, be called by the name of the

Territory of North Dakota, or South Dakota, as the case may be: Provided, That if either of the proposed states provided for in this act shall reject the constitution which may be submitted for ratification or rejection at the election provided therefor, the governor of the territory in which such proposed constitution was rejected shall issue his proclamation reconvening the delegates elected to the convention which formed such rejected constitution, fixing the time and place at which said delegates shall assemble; and when so assembled they shall proceed to form another constitution or to amend the rejected constitution, and shall submit such new constitution or amended constitution to the people of the proposed state for ratification or rejection, at such time as such convention may determine; and all the provisions of this act, so far as applicable, shall apply to such convention so reassembled and to the constitution which may be formed, its ratification or rejection, and to the admission of the proposed state.

Sec. 8. That the constitutional convention which may assemble in South Dakota shall provide by ordinance for resubmitting the Sioux Falls constitution of eighteen hundred and eighty-five, after having amended the same as provided in section five of this act, to the people of South Dakota for ratification or rejection at an election to be held therein on the first Tuesday in October, eighteen hundred and eighty-nine, but if said constitutional convention is authorized and required to form a new constitution for South Dakota, it shall provide for submitting the same in like manner to the people of South Dakota for ratification or rejection at an election to be held in said proposed state on the said first Tuesday in October. And the constitutional conventions which may assemble in North Dakota, Montana and Washington shall provide in like manner for submitting the constitutions formed by them to the people of said proposed states, respectively, for ratification or rejection at elections to be held in said proposed states on said first Tuesday in October. At the elections provided in this section the qualified voters of said proposed states shall vote directly for or against the proposed constitutions and for or against any articles or propositions separately submitted. The returns of said elections shall be made to the secretary of each of said territories, who, with the governor and chief justice thereof, or any two of them, shall canvass the same; and if a majority of the legal votes cast shall be for the constitution the governor shall certify the result to the president of the United States together with a statement of the votes cast thereon and upon separate articles or propositions, and a copy

of said constitution, articles, propositions and ordinances. And if the constitutions and governments of said proposed states are republican in form and if all the provisions of this act have been complied with in the formation thereof, it shall be the duty of the president of the United States to issue his proclamation announcing the result of the election in each, and thereupon the proposed states which have adopted constitutions and formed state governments as herein provided shall be deemed admitted by congress into the Union, under and by virtue of this act, on an equal footing with the original states, from and after the date of said proclamation.

Sec. 9. That until the next general census, or until otherwise provided by law, said states shall be entitled to one representative in the house of representatives of the United States, except South Dakota, which shall be entitled to two; and the representatives to the fifty-first congress, together with the governors and other officers provided for in said constitutions, may be elected on the same day of the elections for the ratification or rejection of the constitutions; and until said state officers are elected and qualified under the provisions of each constitution and the states, respectively, are admitted into the Union, the territorial officers shall continue to discharge the duties of their respective offices in each of said territories.

Sec. 10. That upon the admission of each of said states into the Union, sections numbered sixteen and thirty-six in every township of said proposed states, and where such section, or any part thereof, have been sold or otherwise disposed of by or under the authority of an act of congress, other lands equivalent thereto, in legal subdivisions of not less than one-quarter section, and as contiguous as may be to the section in lieu of which the same is taken, are hereby granted to said states for the support of common schools, such indemnity lands to be selected within said states in such manner as the legislature may provide, with the approval of the secretary of the interior; Provided, That the sixteen and thirty-six sections embraced in permanent reservations for national purposes shall not, at any time, be subject to the grants nor to the indemnity provisions of this act, nor shall any lands embraced in Indian, military or other reservations of any character, be subject to the grants or to the indemnity provisions of this act until the reservation shall have been extinguished and such lands be restored to, and become a part of, the public domain.

Sec. 11. That all lands herein granted for educational purposes shall be disposed of only at public sale, and at a price not less than ten dollars per

acre, the proceeds to constitute a permanent school fund, the interest of which only shall be expended in the support of said schools. But said lands may, under such regulations as the legislatures shall prescribe, be leased for periods of not more than five years, in quantities not exceeding one section to any one person or company, and such land shall not be subject to pre-emption, homestead entry, or any other entry under the land laws of the United States, whether surveyed or unsurveyed, but shall be reserved for school purposes only.

Sec. 12. That upon the admission of each of said states into the Union, in accordance with the provisions of this act, fifty sections of the unappropriated public lands within said states, to be selected and located in legal subdivisions, as provided in section ten of this act, shall be, and are hereby, granted to the states for the purpose of creating public buildings at the capital of said states for legislative, executive and judicial purposes.

Sec. 13. That five per centum of the proceeds of the sales of public lands lying within said states which shall be sold by the United States subsequent to the admission of said states into the Union, after deducting all the expenses incident to the same, shall be paid to the said states, to be used as a permanent fund, the interest of which only shall be expended for the support of common schools within said states, respectively.

Sec. 14. That the lands granted to the territories of Dakota and Montana by the act of February eighteenth, eighteen hundred and eighty-one, entitled "An act to grant lands to Dakota, Montana, Arizona, Idaho and Wyoming for university purposes," are hereby vested in the states of South Dakota, North Dakota and Montana, respectively, if such states are admitted into the Union, as provided in this act, to the extent of full quantity of seventy-two sections to each of said states, and any portion of said land that may have been selected by either of said territories of Dakota or Montana may be selected by the respective states aforesaid; but said act of February eighteenth, eighteen hundred and eighty-one, shall be so amended as to provide that none of said lands shall be sold for less than ten dollars per acre, and the proceeds shall constitute a permanent fund to be safely invested and held by said states severally, and the income thereof be used exclusively for university purposes. And such quantity of the lands authorized by the fourth section of this act of July seventeenth, eighteen hundred and fifty-four, to be reserved for university purposes in the Territory of Washington, as, together with the lands confirmed to the vendees of the territory by the act of March fourteenth, eighteen hundred and

sixty-four, will make the full quantity of seventy-two entire sections, are hereby granted in like manner to the State of Washington for the purpose of a university in said state. None of the lands granted in this section shall be sold at less than ten dollars per acre; but said lands may be leased in the same manner as provided for in section eleven of this act. The schools, colleges and universities provided for in this act shall forever remain under the exclusive control of said states, respectively, and no part of the proceeds arising from the sale or disposal of any lands herein granted for educational purposes shall be for the support of any sectarian or denominational school, college or university. The section of land granted by the act of June sixteenth, eighteen hundred and eighty, to the Territory of Dakota for an asylum for the insane shall, upon the admission of said state of South Dakota into the Union, become the property of said state.

Sec. 15. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in "An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March second, eighteen hundred and eighty-one, together with the buildings thereon, be and the same is hereby granted, together with any unexpended balances of money appropriated therefor, by said act, to the said State of South Dakota, for the purposes therein designated; and the states of North Dakota and Washington shall, respectively, have like grants for the same purpose, and subject to like terms and conditions as provided in said act of March second, eighteen hundred and eighty-one, for the Territory of Dakota. The penitentiary at Deer Lodge City, Montana, and all lands connected therewith and set apart and reserved therefor, are hereby granted to the State of Montana.

Sec. 16. That ninety thousand acres of land, to be selected and located as provided in section ten of this act, are hereby granted to each of said states, except to the State of South Dakota, to which one hundred and twenty thousand acres are granted, for the use and support of agricultural colleges in said states, as provided in the act of congress making donations of lands for such purposes.

Sec. 17. That in lieu of the grant of land for purposes of internal improvements made to new states by the eighth section of the act of September fourth, eighteen hundred and forty-one, which act is hereby repealed as to the states provided for by this act, and in lieu of any claim or demand by the said states, or either of them, under the act of September twenty-eight, eighteen hundred and fifty, and section twenty-four hundred and seventy-

nine of the revised statutes, making a grant of swamp and overflowed lands to certain states, which grant it is hereby declared is not extended to the states provided for in this act, and in lieu of any grant of saline lands to said states, the following grants of lands are hereby made, to-wit: To the State of South Dakota: For the school of mines, forty thousand acres; for the reform school, forty thousand acres; for the deaf and dumb asylum, forty thousand acres; for the agricultural college, forty thousand acres; for the university, forty thousand acres; for state normal schools, eighty thousand acres; for public buildings at the capital of said state, fifty thousand acres, and for such other educational and charitable purposes as the legislature of said state may determine, one hundred and seventy thousand acres; in all five hundred thousand acres. To the state of North Dakota a like quantity of land as in this section granted to the State of South Dakota; and to be for like purposes and in like proportions as far as practicable. To the State of Montana: For the establishment and maintenance of a school of mines, one hundred thousand acres; for state normal schools, one hundred thousand acres; for agricultural colleges, in addition to the grant hereinbefore made for that purpose, fifty thousand acres; for the establishment of a state reform school, fifty thousand acres; for the establishment of a deaf and dumb asylum, fifty thousand acres; for public buildings at the capital of the state, in addition to the grant hereinbefore made for that purpose, one hundred and fifty thousand acres. To the State of Washington: For the establishment and maintenance of a scientific school, one hundred thousand acres; for state normal schools, one hundred thousand acres; for public buildings at the state capital, in addition to the grant hereinbefore made for that purpose, one hundred thousand acres; for state charitable, educational, penal and reformatory institutions, two hundred thousand acres. That the states provided for in this act shall not be entitled to any further or other grants of land for any purpose than as expressly provided in this act. And the lands granted by this section shall be held, appropriated and disposed of exclusively for the purposes herein mentioned, in such manner as the legislatures of the respective states may severally provide.

Sec. 18. That all mineral lands shall be exempted from the grants made by this act. But if sections sixteen and thirty-six or any subdivisions or portion of any smallest subdivision thereof in any township shall be found by the department of the interior to be mineral lands, said states are hereby authorized and empowered to select, in legal subdivisions, an equal quantity of other unappropriated lands in said states, in lieu thereof,

for the use and benefit of the common schools of said states.

Sec. 19. That all lands granted in quantity or as indemnity by this act shall be selected, under the direction of the secretary of the Interior, for the surveyed, unreserved and unappropriated public lands of the United States within the limits of the respective states entitled thereto. And there shall be deducted from the number of acres of land donated by this act for specific objects to said states the number of acres in each heretofore donated by congress to said territories for similar objects.

Sec. 20. That the sum of twenty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money in the treasury not otherwise appropriated, to each of said territories for defraying the expenses of said conventions except Dakota, for which the sum of forty thousand dollars is so appropriated, twenty thousand dollars each for South Dakota and North Dakota, and for the payment of the members thereof, under the same rules and regulations and at the same rates as now provided by law for the payment of the territorial legislatures. Any money hereby appropriated not necessary for such purpose shall be converted into the treasury of the United States.

Sec. 21. That each of said states, when admitted as aforesaid, shall constitute one judicial district, the names thereof to be the same as the names of the states, respectively; and the circuit and district courts therefor shall be held at the capital of such state for the time being, and each of said districts shall, for judicial purposes, until otherwise provided, be attached to the eighth judicial circuit, except Washington and Montana, which shall be attached to the ninth judicial circuit. There shall be appointed for each of said districts one district judge, one United States attorney and one United States marshal. The judge of each of said districts shall receive a yearly salary of three thousand five hundred dollars, payable in four equal installments, on the first day of January, April, July and October of each year, and shall reside in the district. There shall be appointed clerks of said courts in each district, who shall keep their offices at the capital of said state. The regular terms of said courts shall be held in each district, the place aforesaid, on the first Monday in April and the first Monday in November of each year, and only one grand jury and one petit jury shall be summoned in both said circuit and district courts. The circuit and district courts for each of said districts, and the judges thereof, respectively, shall possess the same powers and jurisdiction, and perform the same duties required to be performed

by the other circuit and district courts and judges of the United States, and shall be governed by the same laws and regulations. The marshal, district attorney and clerks of the circuit and district courts, of each of said districts, and all other officers and persons performing duties in the administration of justice therein, shall severally possess the powers and perform the duties lawfully possessed and required to be performed by similar officers in other districts of the United States; and shall, for the services they may perform, receive the fees and compensation allowed by law to other similar officers and persons performing similar duties in the State of Nebraska.

Sec. 22. That all cases of appeal or writ of error heretofore prosecuted and now pending in the supreme court of the United States upon any record from either of said courts, may be heard and determined by the supreme court of the United States. And the mandate of execution or of further proceedings shall be directed by the supreme court of the United States to the circuit or district court hereby established within the state succeeding the territory from which such record is or may be pending, or to the supreme court of such state, as the nature of the case may require: Provided, That the mandate of execution or of further proceedings shall, in cases arising in the Territory of Dakota, be directed by the supreme court of the United States to the circuit or district court of the district of South Dakota, or to the supreme court of the State of South Dakota, or to the circuit or district court of the district of North Dakota, or to the supreme court of the State of North Dakota or to the supreme court of the Territory of North Dakota, as the nature of the case may require. And each of the circuit, district and state courts, herein named, shall, respectively, be the successor of the supreme court of the territory, as to all such cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne of final process therein; and that from all judgments and decrees of the supreme court of either of the territories mentioned in this act, in any case arising within the limits of any of the proposed states prior to admission, the parties to such judgment shall have the same right to prosecute appeals and writs of error to the supreme court of the United States as they shall have had by law prior to the admission of said state into the Union.

Sec. 23. That in respect to all cases, proceedings and matters now pending in the supreme or district courts of either of the territories mentioned in this act, at the time of the admission

into the Union of either of the states mentioned in this act, and arising within the limits of any such state, whereof the circuit or district courts by this act established might have had jurisdiction under the laws of the United States had such courts existed at the time of the commencement of such cases, the said circuit and district courts, respectively, shall be the successors of said supreme and district courts of said territory; and in respect to all other cases, proceedings and matters pending in the supreme and district courts of any of the territories mentioned in this act at the time of admission of such territory into the Union, arising within the limits of said proposed state, the courts established by such state shall, respectively, be the successor of said supreme and district territorial courts; and all the files, records, indictments and proceedings relating to such cases, shall be transferred to such circuit, district and state courts, respectively, and the same shall be proceeded with therein in due course of law; but no writ, action, indictment, cause or proceeding now pending, or that, prior to the admission of any of the states mentioned in this act, shall be pending in any territorial court in any of the territories mentioned in this act, shall abate by the admission of any such state into the Union, but the same shall be transferred and proceeded with in the proper United States circuit, district or state court, as the case may be: Provided, however, That in all civil actions, causes and proceedings, in which the United States is not a party, transfer shall not be made to the circuit and district courts of the United States, except upon written request of one of the parties to such action or proceeding filed in the proper court; and in the absence of such request such cases shall be proceeded with in the proper state courts.

Sec. 34. That the constitutional conventions may, by ordinance, provide for the election of officers for full state government, including members of the legislature and representatives in the fifty-first congress; but said state governments shall remain in abeyance until the state shall be admitted into the Union, respectively, as provided in this act. In case the constitution of any of the said proposed states shall be ratified by the people, but not otherwise, the legislature thereof may assemble, organize and elect two senators of the United States; and the governor and secretary of state of such proposed state shall certify the election of the senators and representatives in the manner required by law; and when such state is admitted into the Union, the senators and representatives shall be entitled to be admitted to seats in congress, and to all the rights and privileges of senators and representatives of other states in

the congress of the United States; and the officers of the state governments formed in pursuance of said constitutions, as provided by the constitutional conventions, shall proceed to exercise all the functions of such state officers; and all laws in force made by said territories at the time of their admission into the Union, shall be in force in said state, except as modified or changed by this act or by the constitutions of the states, respectively.

Sec. 25. That all acts or parts of acts in conflict with the provisions of this act, whether passed by the legislatures of said territories or by congress, are hereby repealed.

Approved February 22, 1889.

# STATE CONSTITUTION.

In notes under heading "Cited" the reference is to exact page in volume on which section is mentioned; under heading "Construed" or otherwise the reference is to volume and page on which case commences.

## 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.

### Supreme Law.

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.

### Political Power.

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

In so far as it applies to the states—1 W. 386; 7 W. 506; 15 W. 15. State cannot prescribe kind of money debts to be paid in—18 W. 537.

See 30 W. 439.

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

Cited: 18 W. 595; 19 W. 208.

Acts Upheld: Selling of imbound animals—5 W. 304; Preferred claims of certain laborers—16 W. 412. Loggers' liene—13 W. 158. Notice by publication in tax foreclosure—17 W. 447; 35 W. 271. Grain inspection—18 W. 77. Restitution in forcible entry and detainer—19 W. 337. Drainage law—28 W. 38. Eight hour law—36 W. 308; 36 W. 449; 41 W. 448.

Invalid Acts: Horseshoers' Law—36 W. 308. Plumbers' law—42 W. 237.

Generally: 39 W. 160; 41 W. 174; 36 W. 503; 33 W. 451.

### Right of Petition.

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

### Free Speech Guaranteed.

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

Contemporaneous publications—19 W. 238.

**Oaths, How Administered.**

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.

**Private Affairs Sacred.**

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

38 W. 449.

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

Cited: 21 W. 523.

**Immunity from Self Conviction.**

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. 535; 32 W. 7; 36 W. 411; 36 W. 485; 40 W. 217; 40 W. 480.

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

Cited: 16 W. 575.

**Religious Liberty.**

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.

(This section was amended to authorize a chapel at state penitentiary and other state reformatories. See amendment 4.)

**Special Privileges Shall Not Be Granted.**

Sec. 12. No law shall be passed granting to any citizen, class of citizens, or corporation 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; 24 W. 53.

Construed: 4 W. 424; 18 W. 77; 15 W. 431; 19 W. 57; 21 W. 547; 24 W. 26; 28 W. 628; 38 W. 393; 41 W. 234; 42 W. 215; 42 W. 237; 31 W. 191; 35 W. 26; 35 W. 338; 35 W. 503; 37 W. 428.

#### **Writ of Habeas Corpus.**

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.

#### **Excessive Bail.**

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

Sec. 15. No conviction shall work corruption of blood, or forfeiture of estate.

#### **Taking of Private Property.**

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 as such without regard to any legislative assertion that the use is public.

Cited: 2 W. 155; 21 W. 194.

Construed: As to street grades—35 W. 69; 38 W. 514; 5 W. 1; 6 W. 35; 5 W. 571; 23 W. 109. Condemnation—40 W. 414; 39 W. 355; 6 W. 1; 11 W. 633; 6 W. 163; 31 W. 558. Public benefit not public use—33 W. 400. Furnishing power for electric railway public use—42 W. 632. For commercial purposes not—39 W. 648. For light in city—42 W. 660. Light and air as property—26 W. 278; 27 W. 520. Private ways of necessity—7 W. 267.

Acts Invalidated: Road law '93, p. 301—13 W. 48. Dike law, '05, p. 304—15 W. 215; same, '88, p. 90—11 W. 429. Road law, '93, p. 237—9 W. 85. Drainage act, '90, p. 652—9 W. 1; 10 W. 388.

Generally: 20 W. 80; 27 W. 121; 3 W. 228; 6 W. 393; 30 W. 219; 30 W. 244; 31 W. 558; 32 W. 218; 33 W. 380; 34 W. 347; 35 W. 69; 36 W. 113; 37 W. 14; 38 W. 514; 38 W. 684; 39 W. 355; 41 W. 60; 41 W. 486; 42 W. 491.

**No Imprisonment for Debt.**

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

Cited: 2 W. 155.

Construed: 19 W. 347; 3 W. 135; 21 W. 194; 25 W. 630; 26 W. 213. Holding imprisonment in contempt for refusing to pay amount ordered not prohibited.

**Military Subordinate.**

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

**Elections Be Free and Equal.**

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.

**Bail.**

Sec. 20. All persons charged with crimes shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great.

**Right of Trial by Jury.**

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. 650.

Construed: 12 W. 259; 15 W. 443; 16 W. 383; 22 W. 139; 25 W. 621; 30 W. 318; 33 W. 635; 30 W. 199. No right to jury on question of sanity under federal guarantee—97 Fed. 987. Number of jurors may be fewer than twelve—See Maxwell vs. Dow, 176 U. S. 586.

**Right of Defense in Court—Right of Appeal.**

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: 8 W. 462.

Construed: 2 W. 124; 3 W. 114; 7 W. 257; 8 W. 230; 9 W. 336; 9 W. 204; 12 W. 297; 13 W. 485;

15 W. 15; 17 W. 563; 18 W. 47; 19 W. 464; 22 W. 1; 23 W. 578; 27 W. 528; 30 W. 134; 32 W. 80; 35 W. 149; 39 W. 199; 41 W. 241.

#### **Ex post facto Law.**

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

14 W. 536; 17 W. 611; 18 W. 558; 19 W. 207; 38 W. 627.

#### **Right to Bear Arms.**

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.

#### **Prosecution by Information.**

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

Construed: 1 W. 377; 2 W. 552; 15 W. 509; 15 W. 18; 7 W. 506. (Preliminary examination not necessary)—13 W. 386; 20 W. 240.

#### **Grand Jury.**

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

Construed: 2 W. 562.

#### **Treason.**

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.

#### **Constitution Mandatory.**

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

Construed: 11 W. 435; 25 W. 264.

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

Construed: 18 W. 571; 30 W. 430.

#### **Standing Army.**

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 with-

out 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: 18 W. 571.

#### Recall.

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.

#### Per Cent. Required.

Sec. 34. The legislature shall pass the necessary laws to carry out the provisions of section thirty-three (23) 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 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, fifty-five per cent.

Secs. 33 and 34 adopted 1912.

## ARTICLE II.—LEGISLATIVE DEPARTMENT.

### Legislature.

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.

**Initiative.—Takes Precedence.—Choice in Voting.**

(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.

**Referendum.**

(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.

**In Effect 90 Days After.**

(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.

**Time of Filing.—Title of Bills.**

(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.

#### **Publicity.**

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. 1 adopted 1912.

Legislature may supplement constitutional power of cities to frame charters; authorize counties to employ deputies—13 W. 17; 11 W. 435. Legislative power defined—2 W. T. 3. Enrolled law regular on its face is conclusive of the regularity of passage—6 W. 453.

#### **Limited Membership.**

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.

#### **State Census.**

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.

#### **First Election of Representatives.—Tenure of Office.**

Sec. 4. Members of the House of Representatives shall be elected in the year eighteen hundred and eighty-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.

#### **Second and Subsequent Elections.**

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.

#### **Election of State Senators.**

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.

#### **Eligibility.**

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.

#### **Election Returns.**

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.

#### **Rules.**

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.

#### **Officers of Each House.**

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.

#### **Journal.—Adjournment.**

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.

#### **Meetings of the Legislature.—Limit of Session.**

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.

Legislature shall meet on second Monday of January, laws of '91, p. 38.

#### **Ineligibility of Members to Certain Offices.**

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.

#### **Who Are Ineligible to Membership in the Legislature.**

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 post-masters, whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.

#### **Vacancies.**

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

**Immunity From Arrest.**

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 for fifteen days next before the commencement of each session.

**Free Speech.**

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

**Style of Laws.**

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.

**But One Subject in Bill.**

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

Law cannot be amended by mere reference to section of a Code—28 W. 317; 3 W. 367. Sufficiency of titles construed—38 W. 305; 30 W. 117; 32 W. 294; 15 W. 9; 16 W. 480; 24 W. 255; 21 W. 371; 10 W. 147; 19 W. 306; 19 W. 441; 1 W. 290; 1 W. 306; 1 W. 308; 1 W. 387; 25 W. 122; 17 W. 450; 17 W. 626; 28 W. 542; 40 W. 403; 41 W. 1; 42 W. 102; 42 W. 401; 30 W. 177; 38 W. 309; 36 W. 529; 36 W. 31; 35 W. 101; 31 W. 101.

**Either House May Amend.**

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.

**Yeas and Nays.**

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.

**Yeas and Nays in Passage of Bill.**

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.

**Compensation of Members.**

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.

**Lottery.—Divorce.**

Sec. 21. The Legislature shall never authorize any lottery or grant any divorce.

Lotteries prohibited though authorized prior to the State Constitution—19 W. 36.

**Extra Compensation Forbidden.**

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.

Additional duties may carry extra compensation if specifically provided for—19 W. 486; 22 W. 347; 31 W. 437. Fees may be changed during term of office—7 W. 445.

Cited: 4 W. 91.

**Suit Against State.**

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

State not liable for damage by negligence or malfeasance of its officers—27 W. 288.

Cited: 2 W. 497.

**Private Laws Forbidden in Certain Cases.**

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

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

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,

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

Law giving boom companies right of eminent domain not contrary—15 W. 139.

Construed: 33 W. 490.

Cited: 3 W. 7.

#### **Labor of Convicts.**

Sec. 29. 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.

#### **Corrupt Solicitation.—Members Shall Not Vote in Certain Cases.**

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 proceedings—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.

#### **Laws Take Effect When.**

Sec. 31. No law, except appropriation bills, shall take effect until ninety days after the adjournment

of the session at which it was enacted, unless in case of an emergency (which emergency must be expressed in the preamble or in the body of the act) the legislature shall otherwise direct by vote of two-thirds of all the members elected to each house: said vote to be taken by yeas and nays and entered on the journals.

#### **Presiding Officers to Sign Bill.**

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.

#### **Ownership of Lands by Aliens.**

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 acquired 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 purpose of this prohibition.

Construed: 33 W. 542; 18 W. 664; 12 W. 95; 18 W. 165; 16 W. 373; 33 W. 542.

#### **Bureau of Statistics.**

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.

#### **Laws Relating to Mines and Factories.**

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.

#### **Introduction of Bills Limited.**

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 yeas and nays and entered upon the journal, or unless the same be at a special session.

**Amending Laws.**

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.

Construed: 32 W. 471; 32 W. 279; 14 W. 482; 9 W. 63; 20 W. 481; 32 W. 279; 32 W. 471; 40 W. 455.

**Amendment to Bills.**

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

**Passes Forbidden.**

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.****Executive Department Consists of Whom.**

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.

Cited: 28 W. 488.

Member board of regents not state officer—6 W. 496. Others may be created—1 W. 19.

**Governor.—Tenure of Office.**

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.

28 W. 46. Quo warranto to be by—28 W. 488.

**Other Officers.—Tenure of Office.**

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.

4 W. 26.

**Election of Executive Officers; Returns.—Certificates of Elections.—Contested Elections.**

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 Sec-

retary 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 the 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.

#### **Duties of Governor.**

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.

19 W. 634; 23 W. 498.

#### **Message.**

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.

#### **May Convene Legislature in Extra Session.**

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.

35 W. 137.

#### **Commander-in-Chief.**

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.

#### **Pardoning Powers.**

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

3 W. 809; 20 W. 78.

#### **Duties Shall Devolve on Lieutenant Governor, When.—Succession in Office.**

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 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.

Sec. 10 adopted 1910.

Lieutenant Governor Does not become Governor, but acts as—29 W. 335.

**Governor May Remit Fines, Etc.**

Sec. 11. The Governor shall have the 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 reasons for the remission.

30 W. 78.

**Duties of Governor in Regard to Enactment of Laws.—Veto.—May Veto One or More Items or Sections.**

Sec. 12. Every act which shall have passed the Legislature shall be, before it becomes a law, pre-

sent 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 general adjournment shall prevent its return, in which case it shall become a law, unless the Governor within ten days next after the adjournment, Sunday 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.

#### **Fill Vacancies by Appointment.**

Sec. 10. 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 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.

9 W. 195; 85 W. 168.

#### **Salary of Governor.**

Sec. 11. 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.

35 W. 168.

#### **He Shall Issue All Commissions.**

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.

**Duties of Lieutenant Governor.—Salary.**

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.

35 W. 168.

**Duties of Secretary of State.—Salary.**

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 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.

20 W. 78.

**Shall Keep State Seal.**

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."

**Duties of State Treasurer.—Salary.**

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.

35 W. 168.

**Duties of State Auditor.—Salary.**

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.

35 W. 168.

**Duties of Attorney General.—Salary.**

Sec. 21. The Attorney General shall be 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.

Not entitled to fees—35 W. 168. No power to institute quo warranto—28 W. 488. Cannot employ expert witness—12 W. 653.

**Duties of Superintendent of Public Instruction.—Salary.**

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.

**Land Commissioner.**

Sec. 23. The Commissioner of Public Lands shall perform such duties and receive such compensation as the Legislature may direct.

**Certain Offices to Be Kept at Capital.**

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.

**Eligibility to State Office.—Certain Offices May Be Abolished.**

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.

3 W. 407.

**ARTICLE IV.—THE JUDICIARY.**

**Supreme Court.—Inferior Courts.**

Section 1. The judicial power of the state shall be vested in a Supreme Court, Superior Court, justices of the peace, and such inferior courts as the Legislature may provide.

3 W. 609; 7 W. 223; 10 W. 20; 10 W. 306; 20 W. 53.

**Supreme Court Consists of Whom.**

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.

(Now nine judges. See Session Laws '09, p. 32.)  
May be temporarily increased—28 W. 335. See Session Laws '01, p. 344.

**Supreme Judges.—Election.—Tenure of Office.—Chief Justice.—Vacancy, How Filled.**

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 thereat 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 a 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 cause 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 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 the 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.

**Jurisdiction of Supreme Court.—Powers of Judges.**

Sec. 4. The Supreme Court shall have original jurisdiction in habeas corpus and quo warranto 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. 226; 18 W. 693.

Construed: Amount in controversy—1 W. 306; 6 W. 166; 3 W. 77; 9 W. 637; 29 W. 94; 13 W. 160; 8 W. 271; 15 W. 668; 21 W. 604; 10 W. 266; 22 W. 631; 28 W. 706; 20 W. 197; 28 W. 474; 28 W. 170; 5 W. 760; 5 W. 383; 4 W. 382; 16 W. 30; 20 W. 97; 21 W. 21; 17 W. 4; 32 W. 450; 41 W. 150; 41 W. 357; 35 W. 148; but see 35 W. 282, in mandamus prohibition and certiorari—40 W. 474; 40 W. 682; 37 W. 682; 15 W. 666; 24 W. 540; 28 W. 700; 28 W. 1; 21 W. 108; 9 W. 349. In equity—21 W. 21. Liability of stockholder—30 W. 253. Construction of statute—41 W. 448; 14 W. 255; 41 W. 150; 17 W. 606. Ordinance—37 W. 509. In habeas corpus—1 W. 382; 7 W. 237.

Generally: 41 W. 357; 16 W. 382; 32 W. 508; 20 W. 278; 16 W. 284; 20 W. 403; 32 W. 50; 31 W. 638; 12 W. 536; 10 W. 160; 2 W. 158; 6 W. 496; 19 W. 8; 3 W. 57; 3 W. 696; 26 W. 555; 30 W. 219; 31 W. 638; 22 W. 50; 32 W. 450; 33 W. 608; 37 W. 258; 37 W. 609.

**Superior Courts.—Sessions of Court.—Tenure of Office of Superior Judges.**

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 Klallam; one judge for the counties of Clarke, Skamania, Pacific, Cowitz, and Wahkiakum; one judge for the counties of Thurston, Chelan, 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; 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 such 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 office 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.

(There is now one judge for Adams and Benton counties combined, one for Asotin, Columbia and Garfield counties combined, two for Chehalis county, one for Chelan county, one for Island, Jefferson and Clallam counties combined, one for Clarke county, one for Cowlitz, Killekitat and Skamania counties combined, one for Douglas and Grant counties combined, one for Ferry and Okanogan counties combined, one for Franklin county, nine for King county, one for Kitsap county, one for Kittitas county, one for Lewis county, one for Lincoln county, one for Mason and Thurston counties combined, and one for Thurston county, one for Pacific and Wahklakum counties combined, one for Pend Oreille county, four for Pierce county, one for San Juan and Skagit counties combined, two for Snohomish county, five for Spokane county, one for Walla Walla county, two for Whatcom county, one for Whitman county and two for Yakima county.)

Legislature may group counties and abolish districts—15 W. 403. See 4 W. 715; 20 W. 221; 19 W. 20.

### **Jurisdiction of Superior Courts.—Powers of Judges and Courts.**

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; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The Superior Court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization, and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in 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.

2 W. 1; 2 W. 543; 2 W. 662; 3 W. 92; 3 W. 67; 13 W. 48; 16 W. 111; 16 W. 353; 16 W. 368; 12 W. 428; 14 W. 262; 14 W. 604; 15 W. 668; 24 W. 540; 27 W. 175; 31 W. 305; 31 W. 6; 31 W. 219; 32 W. 50; 33 W. 166; 37 W. 258. Court commissioners, powers of territorial court at chambers—27 W. 78. But see *State v. Phillip*, decided Dec. 8, 1906, holding court commissioner has no power to impose sentence. Justice courts—2 W. 1; 3 W. 92; 31 W. 305.

### **Judges May Hold Court in Any County by Request, —Pro Tempore Judges.**

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.

12 W. 169; 42 W. 17.

#### **Leave of Absence of Judges.**

Sec. 8. Any judicial officer who shall absent himself from the state for 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.

#### **Removal of Judicial Officer by Legislature.—Proceedings.**

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 ayes and nays shall also be entered on the journal.

#### **Justices of the Peace.**

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 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.  
2 W. 1; 4 W. 91; 15 W. 17; 31 W. 305; 41 W. 45.

#### **Courts of Record.**

Sec. 11. The Supreme Court and the Superior Court 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.

#### **Inferior Courts, Jurisdiction of.**

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.

### Compensation of Judicial Officers.—Salary of Superior Judge, How Paid.

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.

### Salaries of Judges, Amount Per Annum.

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.

### Judges Ineligible to Any Other Office.

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.

### Charge to Jury.

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

3 W. 34; 3 W. 120; 4 W. 328; 4 W. 420; 5 W. 125; 6 W. 488; 7 W. 246; 7 W. 330; 7 W. 681; 9 W. 333; 14 W. 077; 15 W. 121; 15 W. 176; 16 W. 219; 20 W. 234; 20 W. 250; 21 W. 6; 22 W. 245; 23 W. 34; 23 W. 656; 24 W. 514; 24 W. 648; 26 W. 264; 28 W. 104; 29 W. 373; 30 W. 325; 30 W. 530; 31 W. 274; 31 W. 506; 32 W. 7; 32 W. 64; 32 W. 74; 34 W. 221; 35 W. 328; 35 W. 558; 36 W. 108; 36 W. 365; 37 W. 42; 37 W. 385; 39 W. 144; 39 W. 199; 39 W. 200; 41 W. 644.

### Eligibility to Judgeship.

Sec. 17. No person shall be eligible to the office of judge of the Supreme Court or judge of a Super-

rior Court unless he shall have been admitted to practice in the courts of record of this State or of Territory of Washington.

#### **Reporter for Supreme Court.**

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.

#### **Judges Shall Not Practice Law.**

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

#### **Decisions of Cases by Superior Judge, Limit of Time.**

Sec. 20. Every cause submitted to a judge of the 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.

Not mandatory—33 W. 200.

#### **Publication of Opinions of Supreme Court.**

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.

#### **Clerk of Supreme Court.—Salary Of.**

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.

#### **Court Commissioners, Powers Of.**

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.

27 W. 78. But see *State v. Phillip*, decided Dec. 8, 1896.

#### **Rules of Courts.**

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

**Superior Judges to Report to Supreme Judges.**

Sec. 5. 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.

**Clerk of Superior Court.**

Sec. 26. The county clerk shall be, by virtue of his office, clerk of the Superior Court.

**Style of Processes.**

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

Does not apply to prosecutions under city ordinances—14 W. 326; 19 W. 38. Void warrant in evidence—20 W. 484.

**Oaths of Office of Judges.**

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.****Proceedings in Impeachment Cases.**

Section 1. The House of Representatives shall have the sole power of impeachment. The concurrence of a majority of all 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.

**Impeachment for What Offenses.**

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, never-

theless, be liable to prosecution, trial, judgment, and punishment according to law.

6 W. 496.

#### **Removal from Office.**

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.

6 W. 498. Not entitled to hearing—8 W. 412. Removable at pleasure of appointing power—19 W. 320.

### **ARTICLE VI.—ELECTIONS AND ELECTIVE RIGHTS.**

#### **Qualifications of Electors.—Equal Suffrage.**

Section 1. All persons of the age of twenty-one years or over possessing the following qualifications, shall be entitled to a 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 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. There shall be no denial of the elective franchise at any election on account of sex.

Adopted 1919.

13 W. 141; 12 W. 17.

#### **In School Elections.**

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

13 W. 380; 13 W. 696.

#### **Certain Persons Not Electors.**

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

#### **Residence Not Gained or Lost by Military Service.**

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.

#### **Immunity from Arrest on Election Days.**

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.

#### **Elections by Ballot.**

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.

12 W. 377.

#### **Registration Laws.**

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.

12 W. 140.

#### **First Election of Officers; Subsequent Elections.**

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.

4 W. 715; 6 W. 548; 9 W. 530.

**ARTICLE VII.—REVENUE AND TAXATION.****All Property Taxed According to Value; Annual Levies.**

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 of personal property of the head of a family. See amendment No. 3.)

3 W. 296; 18 W. 252; 20 W. 674. Inheritance tax constitutional—30 W. 439. License tax valid—23 W. 70. Franchises—21 W. 49. Migratory stock—35 W. 26. Ad valorem fees on estates is a tax—39 W. 177.

**Uniform and Equal Rates of Taxation.—Exemptions.**

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.

Exemptions strictly construed—14 W. 264; 17 W. 111. (Recent case on special assessment.) What taxable—20 W. 150; 20 W. 675; 8 W. 648; 18 W. 250; 18 W. 271. Uniformity—21 W. 99; 28 W. 250; 17 W. 450; 7 W. 101. How collected—6 W. 250.

See 20 W. 439; 35 W. 576; 37 W. 14; 39 W. 177.

**Assessment of Corporation Property.**

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.

28 W. 250.

**Same.**

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.

**No Tax Except in Pursuance of Law.**

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; 28 W. 38; 30 W. 439; 31 W. 141; 36 W. 449.

**All Taxes Paid in Money.**

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

Applies only to state—11 W. 591.

**Statement of Receipts and Expenditures.**

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.

**Deficiencies in Revenue Provided for.**

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.

**Rights of Cities and Towns to Levy Special Taxes.**

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.

No limit on—25 W. 300. Exemptions—20 W. 272 (recent case).

Generally: 2 W. 667; 4 W. 126; 6 W. 250; 15 W. 215; 30 W. 439; 35 W. 576; 36 W. 449; 39 W. 177; 40 W. 144; 42 W. 35; 42 W. 491.

**ARTICLE VIII.—STATE, COUNTY AND MUNICIPAL INDEBTEDNESS.****State Indebtedness Limited.**

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.

12 W. 611. Bonds sold to school funds to replace warrants not increase of debt—21 W. 206. No limit on necessary expenses—16 W. 568.

#### **Exceptions to Limitation.**

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.

#### **Special Provision for Incurring Indebtedness.**

Sec. 3. Except the debts specified in sections one and two of this article, no debt shall hereafter be contracted by, or on behalf 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. 201; 25 W. 582.

See 25 W. 503.

#### **Appropriations.**

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 reviving 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.

Amount need not be specified—19 W. 657. Authorization sufficient 7 W. 191. Special funds—3 W. 125; 12 W. 311.

### Credit of State Shall Not Be Pleaded in Aid of Corporations.

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.  
35 W. 503.

### Limit of Indebtedness of Counties, Cities and School Districts.

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.

21 W. 208; 1 W. 318; 1 W. 297; 2 W. 676; 4 W. 299; 5 W. 452; 13 W. 646; 17 W. 8; 14 W. 59; 14 W. 100; 19 W. 447; 26 W. 237; 8 W. 396; 26 W. 578; 42 W. 653. Cities may use five per cent for special in addition to five per cent general—1 W. 297. No limit on necessary expenses—13 W. 648; 30 W. 608; 16 W. 668; 25 W. 272. Water debt not a part—2 W. 667; 12 W. 624. Does not apply to local assessments—25 W. 300; but applies to street improvements by city—17 W. 215. Nor to irrigation districts—4 W. 147. Valuation to be at time debt incurred—5 W. 152; 5 W. 406; 8 W. 127. Lake Washington caught a county purpose—16 W. 2. See *Terry v. King County*, decided July 16, 1906. Repayment not debt—15 W. 267. Validation—12 W. 369. Cash and uncollected and delinquent taxes are assets in fixing limit of amount—14 W. 59; 10 W. 447. Benefits of county road may be offset to damages—37 W. 10. Assessing means listing by assessor—42 W. 290.

### Counties and Municipalities Shall Not Aid Corporations, Etc.

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. 571; 19 W. 624.

Construed: 29 W. 525; 35 W. 119; 37 W. 11. Does not apply to state or United States—15 W. 9. See *Terry v. King County*, decided July 16, 1906.

## ARTICLE IX.—EDUCATION.

### Education of Children.

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.

Cited: 13 W. 699; 16 W. 576; 17 W. 139.

Construed: 40 W. 95.

### Uniform System of Public Schools, Includes What; Support of.

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.

School districts are municipal corporations—6 W. 142; 7 W. 271.

Construed: 40 W. 95.

### Common School Fund: Derived from What Sources—Legislature May Provide for Increase.

Sec. 3. The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to-wit: Appropriations and donations 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 13 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 revenues 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.

Construed: 40 W. 95. Proceeds from sale of normal school lands can be used only for investment—31 W. 132.

#### **Schools Non-Sectarian.**

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

#### **Losses to Permanent School Fund Become a Debt on State.**

Sec. 5. All losses to the permanent common school or any other state educational fund, which shall be occasioned by defalcation, 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 six 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.

Cited: 21 W. 393.

Construed: 40 W. 95.

### **ARTICLE X—MILITIA.**

#### **Military Duty. Who Are Liable to.**

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.

**Organization of Militia.**

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

§ W. 386.

**Soldiers' Home.**

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

**Arms.**

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

**Immunity from Arrest.**

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.

**Exemption from Military Duty.**

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

**ARTICLE XI.—COUNTY, CITY, AND TOWNSHIP ORGANIZATION.****County Organizations Recognized.**

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.

**Removal of County Seats.**

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. 583. Elections—8 W. 45; 12 W. 428.

#### **Organization of New Counties.—Change of Boundaries.**

Sec. 3. No new county shall be established which shall reduce any county to a population of less than four thousand (4000), nor shall a new county be formed containing a less population than two thousand (2000). 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.

24 W. 549.

#### **System of County Government.**

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.

#### **County Officers, Compensation of.**

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 popula-

tion. 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. 461; 6 W. 163; 10 W. 573. Deputies may be appointed—11 W. 435. County commissioners shall classify counties—25 W. 264.

Generally: 7 W. 114; 9 W. 377; 9 W. 630; 24 W. 426; 24 W. 694; 37 W. 428.

### **Vacancies.**

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.

Cited: 6 W. 161; 7 W. 115.

Construed: 5 W. 398; 7 W. 115; 37 W. 271.

### **Ineligibility for More Than Two Terms.**

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. 161; 12 W. 59; 24 W. 426.

### **Salaries.**

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. 429; 25 W. 265.

As to salaries—4 W. 707; 9 W. 229; 13 W. 201; 14 W. 255; 14 W. 482; 19 W. 306; 22 W. 367; 35 W. 168. Term of office may extend beyond two years—24 W. 426.

### **All Counties Liable for State Taxes.**

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.

35 W. 26.

**Municipal Corporations, Not Created by Special Acts.—Charters for Cities of 20,000 or More.—Adoption of Charter.—Amendment of Charter.**

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 for 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 amendments 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. 588.

See 1 W. 482; 1 W. 287; 2 W. 137; 2 W. 576; 3 W. 7; 4 W. 85; 4 W. 135; 4 W. 773; 6 W. 138; 6 W. 250; 7 W. 226; 8 W. 278; 8 W. 668; 13 W. 17; 14 W. 288; 14 W. 604; 16 W. 382; 19 W. 38; 26 W. 501; 28 W. 717; 35 W. 576; 42 W. 17.

#### **Privileges of Cities.**

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. 276; 28 W. 722. Legislative act supersedes ordinance—14 W. 288 (recent case automobiles in Bellingham).

See saloon case from Chehalis County.

#### **Local Taxation Governed by General Laws.**

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, for county, city, town, or other municipal purposes, but may by general laws vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

Cited: 2 W. 586; 15 W. 317; 26 W. 276; 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.

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.

Cited: 4 W. 154.

#### **Unlawful Use of Public Money a Felony.**

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.

Cited: 18 W. 624.

See 12 W. 295; 18 W. 624.

#### **All Public Money to Be Deposited With Treasurer.**

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 depositary, to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

Cited: 4 W. 154.

Construed: 35 W. 506; 37 W. 14.

**ARTICLE XII.—CORPORATIONS OTHER THAN MUNICIPAL.****Not Created by Special Laws.**

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.

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.

**Legislature Shall Not Extend Franchise or Remit Forfeiture.**

Sec. 3. The Legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing or which shall hereafter exist under the laws of this state.

**Liability of Stockholders.**

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.

**Corporation Construed to Include What.**

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.

**Corporation Stock, Pleditions Issue Void.**

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 labor done. 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.

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 prescribed by law to similar corporations organized under the laws of this state.

Cited: 18 W. 454.

Construed: 35 W. 238.

#### **Lending or Alienation of Franchises.**

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.

S. W. 281; 35 W. 503.

#### **State Shall Not Loan Its Credit to Corporations.**

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.

32 W. 586.

#### **Eminent Domain, State May Exercise Right.**

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.

#### **Corporations and Individuals Shall Not Issue Money, Except Lawful Money of U. S.—Liability of Stockholders.**

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.

Stockholders' liability—13 W. 676; 19 W. 233; 24 W. 378; 36 W. 253; 86 Fed. 54. Liable only while stockholder—21 W. 223.

Generally: 36 W. 253.

#### **Insolvent Banks Shall Not Receive Deposits.**

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

12 W. 819; 30 W. 140; 76 Fed. 388.

#### **Common Carriers; Rights; Duties.**

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.

7 W. 150; 31 W. 446; 36 W. 858.

#### **Certain Combinations of Forbidden.**

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.

#### **Discrimination in Rates Forbidden.**

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 of any more distant station, port or landing. Excursions and commutation tickets may be issued at special rates.

Not self executing—32 W. 218

**Shall Not Consolidate.**

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

**Rolling Stock, etc., Considered to Be Personal Property.**

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.

Cited: 14 W, 361.

**Regulation of Fares and Freight by Legislature.**

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.

**Telegraph and Telephone Companies.**

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.

City may refuse a franchise—24 W. 68.

**Free Passes, Discrimination Forbidden.**

Sec. 20. No railroad or other transportation company shall grant free passes, or sell tickets or

passes at a discount, other than as sold to the public generally, to any member of the Legislature, or to any person holding any public office within this state. The Legislature shall pass laws to carry this provision into effect.

10 W. 311.

#### **Railroads Shall Not Discriminate Against Any Express Companies.**

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.

#### **Trusts and Monopolies Forbidden.**

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.

Consolidation of street railways is valid—  
23 W. 1.

Generally—32 W. 218; 35 W. 503.

### **ARTICLE XIII.—STATE INSTITUTIONS.**

#### **Educational, Reformatory and Penal 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 all 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 nom-

inations made by the Governor, the question shall be taken by the ayes and nays, and entered upon the journal.

9 W. 195.

#### ARTICLE XIV.—SEAT OF GOVERNMENT.

##### Permanent Location of Seat of Government, How Chosen.—Temporary Seat.

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.

##### How Changed.

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 question of location of the seat of government shall have been submitted by the Legislature.

Cited: 25 W. 682.

##### Capitol Building.

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 capital in pursuance of law.

## ARTICLE XV.—HARBORS AND TIDE WATERS.

### Harbor Line Commission.—Areas Reserved for Wharves and Landings.

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 control 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.

Lines once established cannot be changed—13 W. 65. Improvement by individual—2 W. 98. "Navigation and Commerce"—19 W. 44. "City"—4 W. 6

### Leasing of Sites for Wharves and Docks.

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. 260.

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.

See 5 W. 32; 6 W. 379; 7 W. 150; 10 W. 458; 19 W. 428.

## ARTICLE XVI.—SCHOOL AND GRANTED LANDS.

### Shall Not Be Sold at Less Than Market Value.

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.

#### **Lands for Educational Purposes Sold to Highest Bidder at Public Auction.**

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 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.

As to proviso sec 7 W. 215.

#### **School Lands, How Sold.**

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.

#### **Subdivision of.**

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.

#### **Investment of Funds.**

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.

(Amended to include school district. See amendment No. 1.)

Cannot be invested in warrants—21 W. 391. Nor special water works bonds—10 W. 96. State bonds—21 W. 206. School district bonds—7 W. 370.

## ARTICLE XVII.—TIDE LANDS.

### Claim of State.

Section 1. The State of Washington asserts its ownership to the beds and shores of any 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.

See 2 W. 630; 5 W. 156; 24 W. 493; 24 W. 636; 40 W. 369. Navigable water—40 W. 114; 42 W. 43.

### Ownership Disclaimed to Certain Lands.

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, That same is not impeached for fraud.

Cited: 3 W. 245; 2 W. 259; 2 W. 279; 2 W. 615; 7 W. 152; 11 W. 233. Meander line above high water mark later is boundary—26 W. 126; 27 W. 490. But otherwise where meander was below high water mark in grants prior to adoption of constitution—4 W. 468; 14 W. 1. Though patent issued after—4 W. 369. See also 1 W. 9; 1 W. 11; 1 W. 12. Lands reserved by President's proclamation—32 W. 610. Grant binding on grantor—19 W. 298. Litoral owners—40 W. 114; 42 W. 43.

## ARTICLE XVIII.—STATE SEAL.

### Design of.

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.

### Homestead.

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.

14 W. 615; 20 W. 1.

## ARTICLE XX.—PUBLIC HEALTH AND VITAL STATISTICS.

### Board of Health.

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.

### Practice of Medicine.

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.

### Water Rights.

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

Cited: 20 W. 458.

When used for a private purpose cannot be deemed public—39 W. 648. Navigable water—42 W. 43.

## ARTICLE XXII.—LEGISLATIVE APPOINTMENT-MEN'S.

### First Apportionment, Senatorial Districts.

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 Stevens 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 Wahkiakum 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 shall 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.

#### First Apportionment, Representative Districts.

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 Knapall 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 of 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 rep-

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.

See Rem. & Bal. Code, secs. 6883-6885 for present list.

### ARTICLE XXIII.—AMENDMENTS.

#### State Constitution, How Amended.

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 yeas and nays 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.

Cited: 1 W. 301; 25 W. 583.

#### Convention to Amend Constitution, How Called.— Voters Must Ratify.

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.

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.

#### Boundaries of State Defined.

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 Kopskookkia 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 a southerly course and parallel with the coast line, keeping one marine league off shore, to place of beginning.

#### ARTICLE XXV.—JURISDICTION.

##### United States to Have Jurisdiction Over Certain Tracts and Parcels of Land.—Exception.

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 of 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 reservation, may be served and executed thereon in the

same mode and manner, and by the same officers, as if the consent herein had not been made.

Common reservations—40 W. 244.

## **ARTICLE XXVI.—COMPACT WITH THE UNITED STATES.**

### **Religious Toleration Guaranteed.**

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,

### **Rights to Unappropriated Public Lands Disclaimed.**

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 relation, 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.

### **Debts of Territory Assumed.**

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

### **System of Public Schools Guaranteed.**

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

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

Cited: 28 W. 672; 32 W. 613.

#### ARTICLE XXVII.—SCHEDULE.

In order that no inconvenience may arise by 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.

Cited: 198 U. S. 473.

#### Laws of Territory of Washington Valid.

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 Territory granting shore or tide lands to any person, company, or any municipal or private corporation.

Cited: 2 W. 258; 4 W. 26; 8 W. 472; 11 W. 233; 13 W. 362; 22 W. 548; 28 W. 498.

See cases 14 W. 310; 22 W. 129; 81 Fed. 356.

#### Debts, Fines, Etc., Inure to State.

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.

#### Recognizances Taken Under Territorial Government Valid Under State Government.

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.

#### **Penal Actions.**

Sec. 5. All criminal prosecutions 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.

Cited: 2 W. 3; 6 W. 169.

#### **Public Officers.**

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.

Cited: 6 W. 181; 28 W. 10; 28 W. 498.

#### **First Election of Officers.**

Sec. 7. All officers provided for in this 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.

#### **Courts, Transfer of Cases.**

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 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 cus-

tody 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 cases 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 with 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.

#### **Court Seals.**

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.

#### **Probate Court Cases to Be Transferred to Superior Court.**

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, 1891, 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 revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

34 W. 200.

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.

#### **Contests at First Election.**

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.

#### **Representative in Congress.**

Sec. 13. 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.

#### **District, County and Precinct Officers to Hold Office Until 1891.**

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 is changed by law.

Cited: 5 W. 400.

**Election to Adopt Constitution, How Conducted.**

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 capital, 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.

**State Constitution in Effect, When.**

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.

Cited: 2 W. 3.

**Separate Articles Submitted.—Female Suffrage.—Prohibition Article.**

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.

**Form of Ballot.**

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.)

#### Appropriation Authorized to Pay Debts.

Sec. 19. 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 herewith set our hands, this twenty-second day of August, anno domini one thousand eight hundred and eighty-nine.

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,
E. H. SULLIVAN,	GEORGE W. TIBBETTS,
GEORGE TURNER,	E. W. FALMOUTH,
AUSTIN MIBBS,	THOMAS C. GRIFFITHS,
M. M. GOODMAN,	G. H. WARNER,
GWIN HICKS,	J. P. T. McCROSBY,
WM. F. PROSSER,	S. G. COSGROVE,
LOUIS SOHNS,	THOS. HAYTON,
A. A. LINDSLEY,	SAM'L H. HERRY,
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. COBY,	THEODORE L. STILES,
ROBT F. STURDEVANT,	JAMES A. BIRK,
JOHN A. SHOUDY,	JOHN McREAVY,
ALLEN WEIR,	R. O. DUNBAR,
W. H. GRAY,	MORGAN MORGANS,
TRUSTEN 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 SCHOGLBY,	J. T. DSHELMAN,
H. C. WILLISON,	ROBERT JAMIESON,
T. M. REED,	HERAM B. ALLEN,
S. H. MANLY,	H. F. SUKSDORF,
RICHARD JEFFS,	J. C. KELLOOG.

Attest:

JNO. L. BOOGE, Chief Clerk.

# CONSTITUTIONAL AMENDMENTS.

## AMENDMENT 1.

Art. 16. Sec. 6. 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, 1901.

#### AMENDMENT 5.

Art. 3. 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 even 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.

APPROVED NOVEMBER, 1910.

#### AMENDMENT 6.

Art. 6. Sec. 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 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. There shall be no denial of the elective franchise at any election on account of sex.

APPROVED NOVEMBER, 1910.

#### AMENDMENT 7.

Art. 2. Sec. 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 thirty 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.

APPROVED NOVEMBER, 1912.

## AMENDMENT 8.

Art. 1. 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 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.

APPROVED NOVEMBER, 1912.

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# INDEX TO STATE CONSTITUTION

A	Sec.	Art.
ABSCONDING DEBTORS .....	17	1
<b>ABSENCE:</b>		
Of governor, duties devolve upon lieutenant and governor .....	10	3
Of governor and lieutenant governor, duties devolve upon secretary of state..	10	3
Of judicial officer, shall work forfeiture of office .....	8	4
Of other persons in certain cases, shall not affect residence for purpose of voting or election to office.....	4	6
ACCEPTANCE of certain offices under U. S. to vacate seat in legislature.....	14	2
<b>ACCUSED:</b>		
Rights of, to defense in criminal prosecutions .....	22	1
Rights of, in removal from office by legislature .....	9	4
<b>ACT:</b>		
Not to be revised or amended, unless set forth in full.....	37	2
May become a law, how.....	12	3
<b>ACTIONS, SUITS, CONTRACTS, ETC.:</b>		
Not to be affected in change of form of government .....	1	27
Pending, to be transferred to state courts	6	27
All pending actions, with papers, etc., to be transferred to proper courts.....	8	27
Pending actions in supreme court of territory transferred to supreme court of state .....	8	27
<b>ADJOURNMENT OF LEGISLATURE:</b>		
For want of quorum.....	8	2
Powers restricted as to time and place..	11	2
ADOPTION OF CHILDREN shall not be authorized by special acts of legislature.	28	2
ADVICE AND CONSENT OF SENATE—Appointment of officers for state institutions to be by and with.....	1	13
<b>AFFIRMATION: (See Oath).</b>		
<b>ALIENATION OF FRANCHISE—Not to relieve corporations from liabilities.....</b>		
	8	12
<b>ALIENS:</b>		
Ownership of land by, prohibited except in certain cases .....	33	2
Corporations aliens, when.....	33	2
AMENDMENT TO CHARTER OF TOWN, by special legislation, prohibited.....	28	2

AMENDMENTS TO CONSTITUTION:	Sec.	Art.
Proposed in either house.....	1	23
Two-thirds vote necessary in each house.	1	23
Must be ratified by electors at general election .....	1	23
Must be voted upon separately.....	1	23
Must be published three months before election .....	1	23
<b>AMENDMENTS TO BILLS:</b>		
May be made in either house.....	20	2
Not to change scope or object of original bill .....	28	2
<b>ANNULMENT OF MARRIAGE—Original jurisdiction of superior courts.....</b>		
	6	4
<b>APPELLATE JURISDICTION:</b>		
Of supreme court.....	4	4
Of superior court.....	6	4
Of superior court over decisions of probate court .....	10	27
<b>APPOINTMENT:</b>		
To office under U. S. effect on legislature if office is accepted.....	14	2
<b>APPORTIONMENT:</b>		
Of legislators to be made after each census .....	3	2
Persons excluded .....	8	2
Of legislature .....	2	22
<b>APPROPRIATIONS:</b>		
Necessary to draw money from state treasury .....	4	8
Payment to be made, when.....	4	8
Sum and object to be specified.....	4	8
Can be made for capitol building, when.	3	14
<b>AREA RESERVED:</b>		
Between harbor line and line of high tide	1	16
Restrictions on sale by state.....	1	16
<b>ARMS—Right of people to bear.....</b>	24	1
<b>ARMY—Standing, not to be kept.....</b>	31	1
<b>ARREST:</b>		
Members of legislature privileged from.	16	3
Electors privileged from, on election day, except .....	5	6
Members of militia privileged from, when	5	10
<b>ARTIFICIAL LIGHT—Right of cities to contract debt for.....</b>		
	6	8
<b>ASSEMBLAGE OF PEOPLE—Right to assemble peaceably not to be abridged....</b>		
	4	1
<b>ASSESSMENT:</b>		
Appellate jurisdiction of supreme court..	4	4
Original jurisdiction of superior court...	6	4
Uniform and equal rate of, to be established (see Tax. Taxation).....	2	7
May exempt personal property from (amendment 3) .....	2	7

	Sec.	Art.
ASSIGNMENT of counties to each judge of superior court .....	5	4
ASSOCIATION:		
Included in term "corporations".....	5	12
May organize to construct telegraph and telephone lines .....	19	12
Combination to fix price, limit production, etc., of any product prohibited.....	22	12
ATTAINDER, BILLS OF—Prohibited.....	23	1
ATTORNEY GENERAL:		
When and by whom elected.....	1	3
Term of office .....	3	3
Duties of .....	21	3
Salary of .....	21	3
May be removed for incompetency, etc., by legislature .....	8	4
Rights of accused .....	9	4
Liable to impeachment .....	3	5
May become Governor .....	10	3
AUDITOR:		
When and by whom elected.....	1	3
Term of office .....	3	3
Duties of .....	20	3
Salary of .....	20	3
Must reside, where .....	24	3
Office may be abolished by legislature... ..	25	3
May become governor.....	10	3
AYES AND NOES:		
To be taken in voting upon nominations by governor .....	1	13
On proposed amendment to constitution. . .	1	23
<b>B</b>		
BAIL:		
Excessive not to be required.....	14	1
Allowed on sufficient sureties.....	20	1
Except for capital offenses.....	20	1
BALLOT:		
All elections to be by.....	6	6
Form of, for separate articles voted on.. .	18	27
BANKING CORPORATIONS:		
Liability of stockholders of.....	11	12
Liability of any officer of, for receiving deposit after knowledge of insolvency of bank .....	12	12
BEDS AND SHORES OF NAVIGABLE WATER—State asserts ownership of.....	1	17
BIENNIAL sessions of legislature.....	12	2
BILL:		
No law except by bill.....	18	2
To embrace only one subject.....	19	2
May originate, where.....	20	3

III.C.—Continued :	Sec.	Art.
Requisites at final passage of.....	22	2
Must be signed by.....	32	2
Limitation of time for introduction.....	36	2
To be presented to governor for approval	12	3
Governor may sign or veto.....	12	3
Passage over veto.....	12	3
When to become a law.....	12	3
<b>BONDS:</b>		
County, city, township, etc., not to own stocks or bonds of corporation.....	7	8
Of corporations not to be issued except for money, property or labor.....	6	12
Executed to the territory to pass to the state .....	4	27
School funds may be invested in certain (amendment 1) .....	6	16
<b>BOUNDARIES</b> of state .....	1	24
<b>BRIBERY:</b>		
To be punished, how.....	30	2
Compulsory testimony in cases of.....	30	2
A disqualification for office.....	30	2
<b>BUREAU OF VITAL STATISTICS</b> to be es- tablished by legislature.....	1	20

## C

<b>CANAL COMPANIES</b> —(See Railroads).		
<b>CAPITOL BUILDING</b> —No appropriation to be made for, until, when.....	3	14
<b>CAPITAL OFFENSES</b> —Bailable, when....	20	1
<b>CENSUS</b> —(See Enumeration and Inhabit- ants).		
<b>CERTIORARI:</b>		
Jurisdiction of supreme court.....	4	4
Jurisdiction of superior court.....	6	4
<b>CHANGE MADE IN NAME</b> by special legis- lation prohibited .....	28	2
<b>CHAPLAIN:</b>		
For state penitentiary and reformatories (amendment 4) .....	11	1
<b>CHARTER:</b>		
Cannot be amended by special legislation	28	2
Void for want of organization.....	2	12
Limitation of, by special acts prohibited (See City).	28	2
<b>CHIEF JUSTICE OF THE SUPREME COURT:</b>		
Who to be.....	3	4
Must preside on trial of impeachment, when .....	1	6

	Sec.	Art.
<b>CITY:</b>		
Power to levy tax for local improvements	9	7
Power to assess and collect taxes.....	9	7
Assessment, how ascertained.....	6	8
Charter of, how obtained.....	10	11
To be submitted to electors of.....	10	11
To be published.....	10	11
Election for adoption to be upon notice.	10	11
May be amended.....	10	11
Alternate articles may be voted on separately .....	10	11
<b>CIVIL ACTIONS:</b>		
Limitation of, by special acts prohibited	23	2
Number of jurors in.....	21	1
Number necessary for verdict.....	21	1
Parties may waive jury.....	21	1
<b>CLASSIFICATION of judges of supreme court by lot .....</b>	<b>3</b>	<b>4</b>
<b>CLERK:</b>		
Of supreme court, judges to appoint.....	22	4
But legislation may provide for election.	22	4
Salary of, to be provided by law.....	22	4
<b>COLLECTION OF TAXES—Time not to be extended by special acts.....</b>	<b>28</b>	<b>2</b>
<b>COMBINATION:</b>		
By common carriers to share earnings, prohibited .....	14	12
To affect prices, production or transportation of any commodity, prohibited...	22	12
<b>COMMANDER IN CHIEF of military.....</b>	<b>8</b>	<b>3</b>
<b>COMMISSIONER OF PUBLIC LANDS:</b>		
When and by whom elected.....	1	3
Term of office.....	2	3
Salary of .....	23	3
Duties of .....	23	3
Records of, to be kept at state capital...	24	3
Office may be abolished by legislature..	25	3
<b>COMMISSIONS:</b>		
To be signed by governor.....	15	3
To be attested by secretary of state....	15	3
<b>COMMON CARRIERS:</b>		
Railroad, canal and other transportation companies are .....	13	12
Telegraph and telephone companies are..	19	12
(See Railroads).		
<b>COMMON SCHOOL FUND:</b>		
Revenue and income to be applied to common schools .....	2	9
Revenue derived from, shall be applied to current use of.....	8	9
Principal to remain permanent.....	8	9
Derived from what source.....	3	9
Legislature may provide for enlarging..	3	9

	Sec.	Art.
<b>COMMON SCHOOL FUND—Continued:</b>		
Losses occasioned by default, fraud, etc., to become a permanent funded debt against state .....	5	9
Interest to be paid on debt, what.....	5	9
Not to be loaned to anyone.....	5	16
How invested .....	5	16
<b>COMMON SCHOOLS:</b>		
Not subject to private or special acts.... (See Public Schools.)	28	2
<b>COMMUTATION OF SENTENCE:</b>		
Each case of, to be reported by governor to legislature .....	11	8
With reasons for granting the same....	11	3
<b>COMMUTATION OF STATE TAXES—Pro- hibited .....</b>	9	11
<b>COMMUTATION TICKETS—May be at spe- cial rates .....</b>	15	12
<b>COMPENSATION:</b>		
To be first made on taking property for public use .....	16	1
To be made for right of way to use of corporations .....	16	1
To be ascertained by jury.....	16	1
Of members of the legislature.....	23	2
Extra, to any public officer cannot be granted .....	25	2
Of public officers not to be changed dur- ing term .....	25	2
Of state officers not to be changed dur- ing term .....	25	2
Of state officers shall not be increased or diminished during term (See Salaries)	25	3
<b>CONDITIONS on foreign corporations.....</b>	7	12
<b>CONFESSION IN OPEN COURT—Effect in treason .....</b>	27	1
<b>CONGRESS:</b>		
Member of, not eligible to legislature....	14	2
Legislators elected to, must vacate seat.	14	2
To have exclusive legislation over lands of United States .....	1	25
Subject to certain conditions.....	1	25
To have control of Indian lands.....	2	26
<b>CONSCIENCE, FREEDOM OF—Guaranteed to every individual (amendment 4)....</b>	11	1
<b>CONSOLIDATION of competing lines of railroads prohibited .....</b>	16	12
<b>CONSTABLES—Legislature to fix salaries of certain .....</b>	8	11
<b>CONSTITUTION:</b>		
Of United States supreme law of land....	2	1
Of state, provisions mandatory.....	20	1
Modes of amending .....	1	28

CONSTITUTION—Continued:	Sec.	Art.
Convention to amend, may be called....	2	23
Mode of revising .....	2	23
To be submitted to people.....	3	23
To go into effect, when.....	16	27
Terms of officers, when to begin.....	16	27
<b>CONTEMPT AND DISORDERLY BEHAVIOR</b> —Each house may punish for	9	2
<b>CONTRACTS:</b>		
Obligation of, not to be impaired.....	23	1
Affecting price, production or transportation of any commodity prohibited...	22	12
Existing, not to be affected by change in form of government.....	1	27
<b>CONVENTION TO REVISE OR AMEND:</b>		
How and when formed.....	2	23
To consist .....	2	23
<b>CONVICTION:</b>		
Not to work corruption of blood nor forfeiture of estate .....	15	1
On impeachment, two-thirds senators must concur .....	1	6
<b>CONVICT LABOR:</b>		
Not to be let out by contract.....	29	2
To be provided for by legislature.....	29	2
<b>CO-PARTNERSHIPS</b> —Not to combine, etc., to affect the price, production or transportation of any commodity.....	22	12
<b>CORONERS</b> may or may not be salaried officers .....	8	11
<b>CORPORATE POWERS</b> , cannot be granted by special legislation .....	28	2
<b>CORPORATIONS:</b>		
Equal privileges and immunities to....	12	1
To pay compensation for right of way..	10	1
Shall not be relieved from debt by special acts .....	28	2
When alien .....	33	2
Property to be taxed like that of individuals .....	3	7
State not to surrender power to tax.....	4	7
To be formed under general laws.....	1	12
Laws relating to, may be altered, amended or repealed.....	1	12
May be regulated or restrained in their business .....	1	12
Certain existing charters and franchises to be invalid .....	2	12
Liability of stockholders of.....	4	12
Of banking, etc., shall be individually and personally liable, etc. ....	11	12

	Sec.	Art.
<b>CORPORATIONS—Continued:</b>		
Banking and insurance companies ex- cepted .....	4	12
Stockholders may be joined as parties defendant .....	4	12
Term includes associations and joint stock companies .....	5	12
May sue and be sued .....	5	12
Restriction on issue of stocks or bonds...	6	12
Consent of stockholders necessary to in- crease stock of .....	6	12
Notice to be given on increase of stock..	6	12
Foreign corporations not to be favored.	7	12
Not relieved from liability by lease or alienation of franchise .....	8	12
State not to subscribe for stock of.....	9	12
Subject to right of eminent domain.....	10	12
Not to issue anything but lawful money of United States.....	11	12
Liabilities of officers of banks for receiv- ing deposits after knowledge of in- solvency .....	12	12
Cannot borrow school funds (amend- ment 1) .....	5	16
Right to organize and construct tele- graph and telephone lines.....	19	12
Combinations affecting the price, produc- tion or transportation of any commod- ity, prohibited .....	22	12
(See Railroads.)		
<b>CORRUPTING LEGISLATORS—(See Bribe- ry.)</b>		
<b>CORRUPTION IN OFFICE—Who may be removed for .....</b>	9	4
<b>CORRUPTION OF BLOOD—Conviction not to work .....</b>	15	1
<b>COUNTY:</b>		
Assignment of judges of superior court.	6	4
Existing to be legal subdivisions of state	1	11
Restrictions on formations of new.....	3	11
Majority of the voters necessary to re- duce territory of.....	3	11
Debits to be apportioned on enlargement or division of .....	3	11
Not to apply to certain property or to affect creditors .....	3	11
Legislature to provide a system of gov- ernment for .....	4	11
Organization under township.....	4	11
Not to be relieved of proportionate shares of taxes .....	9	11
School funds invested in hands of (amendment 1) .....	5	16
<b>COUNTY, CITY OR TOWNSHIP:</b>		
Power of, to contract debts.....	6	8
Limit of indebtedness .....	6	8

COUNTY, CITY OR TOWNSHIP—Continued:	Sec.	Art.
Assent of three-fifths of voters necessary	6	8
Assessment, how ascertained	6	8
Restriction as to purpose	6	8
May contract additional debts for water, etc.	6	8
Not to give or loan credit, except	7	8
Not to own stock or bonds of corporation	7	8
May enforce local police and sanitary regulations	11	11
To assess and collect taxes	12	11
Use of money by official, a felony	14	11
All moneys to be deposited with the treasurer	15	11
<b>COUNTY CLERK:</b>		
To be clerk of superior court	26	4
Legislature to provide for election of	5	11
To prescribe duties, fix term and compen- sation	5	11
To provide for strict accountability	6	11
<b>COUNTY COMMISSIONERS:</b>		
May fill vacancies in county, township, etc. offices (See County Officers)	6	11
<b>COUNTY LINES—Change of, by special acts prohibited</b>		
	28	2
<b>COUNTY OFFICERS:</b>		
Time of election of	8	6
Election to be biennial	8	6
Legislature to provide for election of	5	11
Duties and term of office to be prescribed by law	5	11
Compensation to be regulated	5	11
Accountability for fees	5	11
Not to hold office for more than two terms in succession	7	11
Legislature to fix salaries of	8	11
Who may or may not be salaried officers	8	11
Gilty of felony for using money of county	14	11
<b>COUNTY SEAT:</b>		
Change of, by special act prohibited	28	2
Proceedings for removal of	2	11
Three-fifths vote required	2	11
Proposition can be made but once in four years	2	11
<b>COURTS:</b>		
Of record, what	11	4
Inferior, legislature may prescribe juris- diction of	12	4
<b>CREDIT:</b>		
Of state not to be given or loaned	5	8
State shall not subscribe to stock of cor- porations or loan its credit	9	12
Of county, city, etc., not to be given or loaned	7	8
<b>CRIME:</b>		
Persons charged with, to be bailable	20	1

	Sec.	Art.
<b>CRIMINAL ACTIONS:</b>		
No person to be compelled to testify		
against himself .....	0	1
Rights of accused in .....	23	1
Limitation of, by special acts prohibited.	38	2
Appellate jurisdiction of supreme court..	4	4
Original jurisdiction of superior court..	6	4
Upon change in form of government to be prosecuted in name of state .....	5	27
<b>CRUEL PUNISHMENT</b> not to be inflicted.	14	1
<b>D</b>		
<b>DAMAGE</b> not to be done for public use without compensation .....	16	1
<b>DEBATE</b> —Member of legislature not to be liable for words spoken in .....	17	2
<b>DEBTS:</b>		
Imprisonment for, not allowed .....	17	1
Absconding debtors excepted (see State Indebtedness, Territory) .....	17	1
<b>DECISION</b> —(See Judicial Decision).		
<b>DEEDS</b> cannot be made valid by special legislation .....	28	3
<b>DEFECTS AND OMISSIONS IN LAW</b> to be reported to governor, how .....	25	4
<b>DEFENSE:</b>		
Rights of accused .....	22	1
In removal from office .....	9	4
<b>DEFICITS OR FAILURE IN THE REVE- NUUE</b> —State may contract debts to meet	1	8
<b>DELINQUENCY IN OFFICE</b> —(See Corrup- tion in Office).		
<b>DISABILITY</b> —Property of person under, cannot be affected by special legislation	28	2
<b>DISAPPROVAL OF BILLS</b> by the governor	12	3
<b>DISCRIMINATION:</b>		
In charges for transportation by any common carrier prohibited .....	15	12
In receipt and transmission of messages by telegraph or telephone companies prohibited .....	19	12
By a railroad in favor of any telegraph company prohibited .....	19	12
By a railroad in favor of any express company prohibited .....	21	12
<b>DISORDERLY BEHAVIOR</b> —Each house may punish for .....	8	2
<b>DISQUALIFICATION:</b>		
On conviction for bribery of voters .....	30	2
On conviction for impeachment .....	2	5

	Sec.	Art.
<b>DISTRICT COURT:</b>		
Records in actions to be transferred to superior court, when.....	8	27
To continue until superseded by superior court .....	8	27
Duty of clerk in transmitting papers to county clerk .....	9	27
Legislature to provide for election of....	5	11
<b>DISTRICT OFFICERS:</b>		
To prescribe duties, fix term and compensation, etc. ....	5	11
Time of election of .....	8	6
Of territory to hold office until, when ...	14	27
Official bonds to be unaffected by the change in form of government .....	14	27
Elections to be biennial .....	8	6
<b>DIVORCE</b> —Legislature not to grant .....	24	2
<b>DRUGS AND MEDICINES</b> —Legislature to regulate sale of .....	2	20
<b>DUE PROCESS OF LAW</b> —No person to be deprived of life, liberty, etc., without..	3	1
13.		
<b>EARNINGS</b> —Combinations by common carriers to share, prohibited .....	14	12
<b>EDUCATION:</b>		
State to make provision for .....	1	9
No distinction on account of race, color or sex .....	1	9
<b>ELECTIONS:</b>		
To be free, equal and undisturbed .....	19	1
Of representatives, when .....	4	2
Of representatives after first election....	5	2
To be biennial .....	5	2
Of senators .....	6	2
Each house to be judge of election of its own members .....	8	2
By legislature to be viva voce .....	27	2
For state officers, how declared .....	4	3
Legislature to decide contested elections for certain state officers .....	4	3
Of judges of supreme court .....	3	4
Who may vote at .....	1	6
Who not entitled .....	1	6
Idiots, insane persons, etc., excluded from elective franchise .....	3	6
To be by ballot .....	6	6
Time of, for county, district and state officers .....	8	6
To be biennial .....	8	6
Of officers under this constitution, time of	7	27
Of officers not provided for in constitution	11	27

	Sec.	Art.
<b>ELECTIONS—Continued:</b>		
Evidence, how taken, in contested (first) elections for judge of superior court...	11	27
First election of representative to congress	13	27
First election to be according to laws of territory .....	15	27
<b>ELECTIVE FRANCHISES:</b>		
Not to be denied at school election on account of sex .....	2	6
Who excluded from .....	3	6
<b>ELECTOR:</b>		
Who qualified .....	1	6
Who not qualified .....	1	6
Idiots, insane persons, criminals, etc., not qualified .....	2	6
Residence not lost in certain cases .....	4	6
Privileged from arrest, when .....	5	6
Exempt from military duty, when .....	5	6
Legislature to secure secrecy in voting..	6	6
<b>EMINENT DOMAIN:</b>		
Compensation to be first secured in taking property for public use .....	16	1
Or in damaging same .....	16	1
Corporations must make compensation for right of way .....	16	1
Corporations and franchises subject to..	10	12
Right extended to telegraph and telephone companies .....	19	12
<b>EMOLUMENTS, PRIVILEGES AND POWERS—Hereditary, prohibited .....</b>		
	28	1
<b>EMPLOYMENT DANGEROUS TO LIFE, ETC.—Legislature to protect persons in</b>		
	35	2
<b>ENACTING CLAUSE of statutes .....</b>		
	18	2
<b>ENUMERATION OF INHABITANTS:</b>		
Legislature to provide for, when .....	2	2
Who to be excepted in .....	3	2
To be basis of new appointment of senators, etc. ....	3	2
<b>ENUMERATION OF RIGHTS—Not to deny others reserved .....</b>		
	30	1
<b>EQUAL SUFFRAGE .....</b>		
	1	6
<b>EQUITY:</b>		
Appellate jurisdiction of supreme court..	4	4
Original jurisdiction of superior court...	6	4
<b>EVIDENCE:</b>		
No person to be compelled to give, against himself .....	9	1
Necessary to convict for treason .....	27	1
How to be taken in case of contested (first) election of superior court judge	12	27

	Sec.	Art.
<b>EXCLUSIVE LEGISLATION:</b>		
Of congress over certain lands of U. S....	1	25
Subject to conditions .....	1	25
Over Indians lands .....	2	26
<b>EXCLUSIVE PRIVILEGES:</b>		
Prohibited .....	12	1
To be invalid, when .....	2	12
<b>EXCURSION AND COMMUTATION TICKETS</b> may be at special rates .....	15	12
<b>EXECUTIVE DEPARTMENT:</b>		
Shall consist of what .....	1	3
Secretary of state to keep records of ....	17	3
<b>EXECUTIVE OFFICERS</b> —How and when chosen .....	1	3
<b>EXECUTIVE POWER</b> —Supreme, vested in governor .....	2	3
<b>EXEMPTIONS:</b>		
From military duty, of certain persons..	6	10
Of homestead from forced sale .....	1	19
Of personal property from taxation (amendment 3) .....	2	7
<b>EXPENSES:</b>		
State may contract debt to meet .....	1	8
<b>EX POST FACTO LAW</b> prohibited .....	23	1
<b>EXPRESS COMPANIES</b> to be allowed transportation, etc., on railroads on equal terms .....	21	12
<b>EXPULSION OF MEMBERS:</b>		
Power of each house .....	9	2
Restriction on power.....	9	2
<b>EXTENSION OF TIME FOR COLLECTION OF TAXES</b> by special act prohibited ....	28	3
<b>EXTINGUISHMENT OF DEBT</b> by special act prohibited .....	28	2
<b>EXTRA COMPENSATION TO PUBLIC OFFICER</b> prohibited .....	25	2
<b>EXTRA SESSIONS OF LEGISLATURE</b> —When convened .....	7	3
<b>F</b>		
<b>FACTORIES</b> —Legislature to protect employes in .....	35	2
<b>FARES AND FREIGHTS</b> —(See Railroads).		
<b>FEDERAL OFFICERS</b> —Not eligible to legislature .....	14	2
<b>FELS:</b>		
Prohibited to justice of peace .....	10	4
Prohibited to judicial officers, except ....	13	4
<b>FERRIES</b> cannot be authorized by special legislation .....	28	2

	Sec.	Art.
FICTITIOUS ISSUE OF STOCK OR IN- DEBTEDNESS to be void .....	6	12
<b>FINES:</b>		
Excessive, not to be imposed .....	14	1
Not to be remitted by special act .....	28	2
Governor to have power to remit .....	11	3
Governor to report to legislature names and amounts of fines remitted .....	11	3
Accrued to territory to inure to state ....	3	27
FISCAL STATEMENT to be published an- nually .....	7	7
<b>FORCIBLE ENTRY AND DETAINER:</b>		
Appellate jurisdiction of supreme court ..	4	4
Original jurisdiction of supreme court ..	6	4
FOREIGN CORPORATIONS not to be fa- vored .....	7	12
<b>FORFEITURE:</b>		
Of estate, conviction not to work .....	15	1
Cannot be remitted by special legislation	28	2
Governor to have power to remit .....	11	3
And must report to legislature .....	11	3
Legislature not to remit forfeiture of franchise or charter .....	3	13
Of franchise, violation against combina- tions .....	22	12
Accrued to territory to inure to state ..	3	27
FORTS, MAGAZINES, ETC.—Congress to have exclusive control of .....	1	25
<b>FRANCHISE:</b>		
Granting of, irrevocably prohibited .....	8	1
State not to surrender power to tax ...	4	7
Invalid, because not organized .....	2	12
Not to be extended .....	2	12
Legislature not to remit forfeiture of ..	3	1
Corporation not to be relieved from lia- bility by alienation .....	8	12
Subject to right of eminent domain .....	10	12
May be forfeited .....	22	12
<b>FREEDOM OF CONSCIENCE:</b>		
Guaranteed to every individual .....	11	1
Guaranteed to every individual (amend- ment 1) .....	11	1
FREEDOM OF SPEECH AND PRESS to be preserved .....	5	1
<b>FREIGHT RATES:</b>		
To be regulated by the legislature .....	18	12
Abuse and extortion to be prevented ....	18	12
FUNDAMENTAL PRINCIPLES — Frequent recurrence to, essential .....	32	1
FUND, SCHOOL—Investment of permanent (amendment 1) .....	5	16

## G.

GOVERNMENT:	Sec.	Art.
Source of just powers of .....	1	1
Purposes of .....	1	1
<b>GOVERNOR:</b>		
To issue writs for elections; fill vacancies in legislature .....	15	2
When and by whom elected .....	1	3
Supreme executive power vested in .....	2	3
Term of office .....	2	3
May require written information from officers .....	5	3
To see that laws are executed .....	5	3
To communicate at every session to legislature .....	6	3
To convene legislature, when .....	7	3
To be commander-in-chief of military, except .....	8	3
Pardoning power vested in .....	9	3
Under restrictions .....	9	3
Who to act, in case of removal, etc. ....	10	3
To remit fines and forfeitures .....	11	3
To report to legislature each case of pardon, reprieve, etc. ....	11	3
With reason for granting the same ...	11	3
Also names of persons in whose favor fines and forfeitures have been remitted	11	3
With reason for the remission .....	11	3
To approve all laws .....	12	2
May return bill with objections .....	12	3
May veto one or more items .....	12	3
To fill vacancy in office .....	13	3
Salary of .....	14	3
To sign commissions .....	15	3
Must keep records of his office, where ..	24	3
Must reside, where .....	24	3
To fill vacancy in judges of supreme court	3	4
To fill vacancy in judges of superior court	5	4
May extend leave of absence of judicial officer .....	8	4
liable to impeachment .....	2	5
May call out militia to execute laws ...	3	10
To appoint regents, trustees and commissioners .....	1	13
<b>GRAND JURY</b> not to be drawn or summoned unless superior court so orders	26	1
<b>GRANTED LANDS</b> —(See Lands, Public Lands).		

## H

<b>HABEAS CORPUS:</b>		
Privilege of writ not to be suspended, except .....	13	1
Original and appellate jurisdiction of supreme court .....	4	4
Original jurisdiction of superior court..	6	4

	Sec.	Art.
<b>HABEAS CORPUS—Continued:</b>		
Each judge of supreme court may issue writs of .....	4	4
Writs returnable before whom .....	4	4
<b>HARBORS:</b>		
Commission to be established to locate lines in .....	1	15
Restrictions on state in selling land or rights in .....	1	15
Certain area to be reserved for land, etc.	1	15
<b>HEIR-AT-LAW</b> not to be determined by special legislation .....	28	2
<b>HIGH SCHOOLS</b> may be established by legislature .....	2	9
<b>HIGHWAYS:</b>		
Private and special legislation prohibited	28	2
But state and military roads excepted..	23	2
<b>HOME</b> not to be invaded without authority of law .....	7	1
<b>HOMESTEAD—Exemption from forced sale</b>	1	19
<b>HOUSE OF REPRESENTATIVES:</b>		
Legislative powers vested in .....	1	2
Number of members .....	2	2
To be reapportioned after each census...	3	2
Members, when and how chosen .....	4	2
Shall be elected biennially after 1890 .....	5	2
Concurrence of majority necessary to impeach .....	1	5
To have sole power of impeachment...	1	5
<b>HYPOTHECATION BY MINOR—Special legislation prohibited .....</b>	28	2

## I

<b>IDIOTS</b> excluded from elective franchise..	3	6
<b>IMMUNITIES:</b>		
From being twice put in jeopardy .....	9	1
From loss or damage to property .....	16	1
From imprisonment for debt .....	17	1
Soldiers not to be quartered in houses..	31	1
Of members of legislature from arrest..	16	2
Of electors from arrest on election day..	6	6
Of militia from arrest at musters and election officers .....	5	10
<b>IMPEACHMENT:</b>		
House of representatives sole power of..	1	5
Trial by senate .....	1	5
Chief justice presides, when .....	1	5
Who liable to .....	2	5
Judgment to extend only to removal from office .....	2	5
Party liable to prosecution at law .....	2	5

	Sec.	Art.
<b>IMPOSTS:</b>		
Appellate jurisdiction of supreme court..	4	4
Original jurisdiction of superior court..	6	4
<b>IMPRISONMENT</b> for debt not allowed, except	17	1
<b>INITIATIVE</b> .....	1	2
<b>INCOMPETENCY IN OFFICE:</b>		
Who may be removed for .....	9	4
Three-fourths of each house to concur..	9	4
Rights of accused .....	9	4
<b>INDEBTEDNESS OF CORPORATIONS:</b>		
Cannot have relief by special acts .....	28	2
Liability of stockholders for .....	4	12
Stockholders of banking and insurance companies liable .....	11	12
Fictitious increase of, to be void .....	6	12
No lease or alienation of franchise shall relieve corporation from .....	8	12
(See County, City and Township.)		
<b>INDIAN LANDS:</b>		
Subject to jurisdiction of U. S. ....	2	26
Taxation of .....	2	26
Exemption of .....	2	26
<b>INDIANS</b> not taxed to be excluded from enumeration of inhabitants .....	2	2
<b>INDICTMENT</b> —Offenses may be prosecuted by .....	25	1
<b>INDIVIDUAL RIGHTS</b> —Government to pro- tect and maintain .....	1	1
<b>INDIVIDUAL SECURITY</b> —Private affairs not to be disturbed .....	7	1
<b>INFERIOR COURTS:</b>		
Legislature to provide for .....	1	4
Appeal lies to superior court .....	6	4
Legislature to prescribe jurisdiction and power .....	12	4
<b>INFORMATION</b> —Offenses may be prosecut- ed by .....	25	1
<b>INJUNCTION</b> may be issued and served, when .....	6	4
<b>INSANE PERSONS</b> excluded from elective franchise .....	3	6
<b>INSOLVENCY:</b>		
Appellate jurisdiction of supreme court..	4	4
Original jurisdiction of superior court..	6	4
<b>INSTRUMENTS</b> cannot be validated by spe- cial acts .....	23	2
<b>INSURANCE COMPANIES</b> —Liabilities of stockholders .....	11	12

	Sec.	Art.
<b>INTEREST:</b>		
Not to be regulated by special act .....	28	2
Private interest in bill to be disclosed by legislator .....	30	2
On certain state debts must be provided for .....	3	8
<b>INVASION:</b>		
Suspension of habeas corpus .....	13	1
State may contract debts to repel .....	2	8
<b>INVESTMENT—Of the permanent school fund (amendment 1) .....</b>	<b>5</b>	<b>16</b>
<b>IRRIGATION—Use of water of state for, deemed a public use .....</b>	<b>1</b>	<b>21</b>
<b>J</b>		
<b>JEOPARDY—No person to be twice put in..</b>	<b>9</b>	<b>1</b>
<b>JOINT STOCK COMPANIES:</b>		
Included in term corporations .....	5	12
Liability of stockholders in .....	11	13
<b>JOURNAL:</b>		
Each house to keep .....	11	2
Yeas and nays to be entered on, when..	21	2
Yeas and nays must be entered on, in pas- sage of bill .....	22	2
Yeas and nays must be entered on, in pas- sage of emergency clause .....	31	2
Yeas and nays must be called and en- tered on, in authorizing introduction of bill later than 10 days before close of session .....	36	2
Votes on election to be entered on .....	27	2
Votes removal of judges to be entered on	9	4
Ayes and noes to be entered upon nomi- nations of officers for state institutions	1	18
Ayes and noes on proposed amendments to constitution to be entered .....	1	23
<b>JUDGE PRO TEMPORE—Provision for in superior court .....</b>	<b>7</b>	<b>4</b>
<b>JUDGES:</b>		
May be removed for incompetency, etc..	9	4
Rights of accused .....	9	4
Not to charge juries as to matters of fact	16	4
But to declare the law .....	16	4
Not to practice law .....	19	4
<b>JUDGES OF SUPERIOR COURT:</b>		
Election of .....	5	4
Each judge to be invested with powers of all .....	5	4
Term of office .....	5	4
To begin when .....	5	4
Judge pro tempore .....	7	4
May sit in any county .....	7	4

JUDGES OF SUPERIOR COURT—Continued.		Sec.	Art.
Salaries of .....	13	4	
Salaries of, when payable .....	14	4	
Ineligible unless admitted to practice in Washington .....	17	4	
To any other office .....	15	4	
Not to practice law .....	19	4	
To decide cause within 90 days from final submission of .....	20	4	
May appoint court commissioners .....	23	4	
May establish rules for court .....	24	4	
To report in writing to judges of su- preme court defects and omissions of the law .....	25	4	
To take oath in office .....	28	4	
<b>JUDGES OF SUPREME COURT:</b>			
Electon of .....	3	4	
Classification by lot .....	3	4	
Chief justice, who to be .....	3	4	
Term of office .....	3	4	
May issue writs .....	4	4	
Salaries of .....	13	4	
Salaries of, when payable .....	14	4	
Ineligible unless admitted to practice in Washington .....	17	4	
To appoint a reporter .....	18	4	
Not to practice law .....	19	4	
To appoint a clerk .....	22	4	
To report to governor defects and omis- sions in law .....	25	4	
To take oath of office .....	28	4	
<b>JUDGMENT:</b>			
Of one judge of superior court to be of same force as to all .....	5	4	
Of superior court to be given within ninety days from final submission ....	20	4	
Extent of, on impeachment .....	2	5	
<b>JUDICIAL DECISIONS:</b>			
All decisions to be in writing, and grounds stated .....	2	4	
Concurrence of majority of supreme court judges necessary .....	2	4	
To be published .....	21	4	
May be published by any one .....	21	4	
<b>JUDICIAL OFFICERS:</b>			
Absence, when a forfeiture of office ....	8	4	
Not to receive any fees .....	13	4	
To take oath of office .....	28	4	
Liable to impeachment, except .....	2	5	
JUDICIAL POWER is vested where .....	1	4	
JUDICIAL QUESTION—Whether a use is a public use .....	16	1	

	Sec.	Art.
<b>JURISDICTION:</b>		
Of supreme court .....	4	4
Of superior court .....	6	4
Of justice of the peace to be prescribed by legislature .....	10	4
And not to trench upon jurisdiction of courts of record .....	10	4
<b>JUROR:</b>		
Not incompetent in consequence of relig- ious opinion .....	11	1
Number necessary for verdict .....	21	1
Religious qualification not required for (amendment 4) .....	11	1
<b>JURY:</b>		
To ascertain compensation for right of way .....	16	..
Number in .....	21	1
Number necessary for verdict .....	21	1
Waiver of .....	21	1
<b>JUSTICE</b> to be administered openly and without unnecessary delay .....	10	1
<b>JUSTICE COURT</b> —Appeal lies to superior court .....	6	4
<b>JUSTICE OF THE PEACE:</b>		
Invested with judicial power .....	1	4
Legislature to determine number .....	10	4
Legislature to prescribe duties .....	10	4
Salary of, provided by law .....	10	4
Fees prohibited .....	10	4
May be made police justice .....	10	4
<b>LANDS:</b>		
L.		
Ownership of, by aliens, prohibited .....	33	2
Of state, under grant from U. S., restric- tions of sale of .....	1	16
Lands of state for educational purposes, how to be sold .....	2	16
Sale of school lands by county commis- sioners may be confirmed .....	2	16
Restrictions on sale of, for educational purposes .....	3	10
Timber and stone may be taken off state land, how .....	3	16
Limit of granted land to be sold in one parcel .....	4	16
Land of state in city to be platted before sale .....	4	16
Limit of sale .....	4	16
Of U. S. not to be taxed .....	1	26
Of non-residents, how taxed .....	1	26
<b>LAW OF LAND</b> —U. S. constitution is the..	2	1
<b>LAWS:</b>		
Bills of attainder and ex post facto, pro- hibited .....	23	1
Enacting clause .....	18	2

LAWS—Continued :	Sec.	Art.
No, except by bill .....	18	2
When to take effect .....	31	2
Must be presented to the governor for approval .....	12	3
How passed over governor's vote .....	12	3
How to become a, without approval ....	12	3
Defects and omissions in, to be reported to governor, how .....	25	4
Object of tax must be stated in .....	5	7
State debt for some single work must provide for payment of interest and principal .....	3	8
Necessary to have a majority of votes...	3	8
To be published .....	3	8
Relating to corporations may be altered, amended or repealed .....	1	12
Of territory to remain in force until altered or repealed .....	2	27
Proviso as to tide lands .....	2	27
<b>LEASE:</b>		
Of franchise not to relieve corporations from liability .....	8	12
Of rights to build and maintain wharves, powers of legislature .....	2	15
Limit of term .....	2	15
<b>LEGISLATURE:</b>		
No power to grant irrevocable privilege or franchise .....	8	1
To make provisions for jury .....	21	1
May provide chaplain for reformatory institutions (amendment 4) .....	11	1
To consist of .....	1	2
Number of members .....	2	2
To provide for enumeration of inhabitants, when .....	3	2
To re-apportion members of each house after census .....	3	2
Who eligible to .....	7	2
Each house to judge of election of its members .....	8	2
Majority to constitute a quorum .....	8	2
Each house to determine rules of proceedings .....	9	2
And to punish for contempt .....	9	2
Two-thirds required to expel a member..	9	2
Each house to elect its own officers .....	10	2
Each house to keep and publish a journal	11	2
Sessions to be open .....	11	2
Restrictions on power to adjourn .....	11	2
Sessions to meet, when .....	12	2
Sessions to be biennial .....	12	2
Members, from what civil offices excluded	13	2
Officers not eligible to .....	14	2
Acceptance of office under U. S. to vacate seat in .....	14	2

LEGISLATURE—Continued:	Sec.	Art.
Vacancies, how filled .....	15	2
Members privileged from arrest, except..	16	2
Members not subject to civil process, when	16	3
Members not liable for words spoken in debate .....	17	2
Compensation and mileage to members..	23	2
Not to authorize any lotteries or grant any divorce .....	24	2
Extra compensation for past services prohibited .....	25	2
To direct how and where suits against state be brought .....	26	2
Vote on elections to be viva voce .....	27	2
Private or special laws prohibited .....	28	2
To provide for convict labor .....	29	2
Bribery of members, how punished .....	30	2
Members to declare private interests in bill and not to vote .....	30	2
Presiding officers of each house to sign bill .....	32	2
To establish a bureau of statistics, etc ..	34	2
To pass laws for protection of employes in mines and factories .....	35	2
To pass laws prohibiting the use of passes	39	2
To decide contested elections of state officers .....	4	3
May be specially convened by governor ..	7	3
Secretary of state to keep records of ...	17	3
May abolish certain offices .....	25	3
May increase number of judges of su- preme court .....	2	4
To provide for separate departments ...	2	4
May remove judge, attorney general, etc., for incompetency, etc. ....	9	4
Three-fourths of the members of each house to concur .....	9	4
To determine number of justices of the peace .....	10	4
And to prescribe powers and duties .....	10	4
May make any courts, courts of records, except .....	11	4
May prescribe powers of inferior courts	12	4
May increase salaries of judges .....	14	4
To provide for publication of opinions of judges of supreme court .....	21	4
May provide for election of clerks of su- preme court .....	22	4
To enact laws respecting voters (amend- ment 2) .....	1	6
May provide that there be no denial of franchise at school election on account of sex .....	3	6
To provide for securing absolute secrecy to electors in voting .....	6	6
To enact a registration law .....	7	6

LEGISLATURE—Continued:	Sec.	Art.
To require a compliance with law as a prerequisite to vote .....	7	6
but not compulsory, when .....	7	6
To provide for annual tax for expenses of each year .....	1	7
To provide for tax to pay state debt ...	1	7
To provide uniform and equal rate of taxation .....	2	7
To insure just valuation of property ...	3	7
May exempt personal property (amendment 3) .....	2	7
To provide general law for taxation of corporate property .....	3	7
To provide for account of receipts and expenditures .....	7	7
To provide for levying tax to meet deficiencies and expenses .....	8	7
May vest municipal corporations with power to make local improvements ....	9	7
To provide system of public schools ....	2	9
May provide for enlarging of common school fund .....	2	9
To provide for the organization and discipline of militia .....	2	10
To provide for maintenance of soldiers' homes .....	3	10
To provide for protection and safe keeping of the public arms .....	4	10
To establish system of county government .....	4	11
To provide by general laws for township organization .....	4	11
To provide for election of county officers and township, precinct and district officers .....	5	11
To prescribe their duties and fix their term of office .....	5	11
To regulate their compensation .....	5	11
To provide for their strict accountability .....	5	11
To fix salaries of all county officers and certain constables .....	5	11
To provide, by general laws, for incorporation of cities .....	10	11
May take property and franchises of corporations for public use .....	10	12
To establish maximum rates for freight and passengers .....	18	12
To prevent discrimination in rates .....	18	12
May establish a railroad and transportation commission .....	18	12
To prevent grants of free passes to public officers .....	20	12
To provide penalties for punishment of combinations affecting the price, production and transportation of commodities .....	33	12

LEGISLATURE—Continued:	Sec.	Art.
May declare forfeiture of property and franchise .....	22	12
To provide for choice of location of seat of government .....	1	14
To appoint a commission to establish harbor lines .....	1	15
To provide for the leasing of right to build and maintain wharves .....	2	16
Restrictions of power .....	2	16
To confirm sale of school and university lands made by county commissioners ..	2	18
To protect homesteads from forced sale ..	1	19
To establish state board of health and bureau of vital statistics .....	1	20
To regulate practice of medicine and surgery .....	3	20
To regulate sale of drugs and medicine ..	2	20
May agree upon a convention to revise and amend constitution .....	2	23
To provide for the election and fix term of officers not provided for in constitution .....	11	27
To divide state into congressional districts, when .....	13	27
To appropriate for expenses of constitutional conventions .....	19	27
LIABILITIES cannot be extinguished by special legislation .....	28	2
LIBERTY—Not to be deprived of without due process of law .....	3	1
LIEUTENANT GOVERNOR:		
When absent who is to preside .....	10	2
To have deciding vote, when .....	10	2
When and by whom elected .....	1	3
Term of office .....	3	3
When to act as governor .....	10	3
To be president of senate .....	16	3
Salary of .....	16	3
Office may be abolished by legislature ...	25	3
LIFE, LIBERTY AND PROPERTY—Not to be deprived of, without due process of law .....	3	1
LIMITATION OF ACTION—Special legislation prohibited .....	28	2
LOCAL OFFICERS eligible to legislature, when .....	14	2
LOTTERIES prohibited .....	24	2
<b>M</b>		
MAJORITY:		
Of each house necessary to constitute a quorum .....	8	2
Necessary to pass bill .....	22	2
Special act cannot declare person of age	28	2

	Sec.	Art.
<b>MAJORITY—Continued:</b>		
Of judges of supreme court necessary to form quorum and pronounce a decision	2	4
Necessary for impeachment . . . . .	1	5
<b>MALFEASANCE IN OFFICE—(See Corruption in Office).</b>		
<b>MANDAMUS:</b>		
Original and appellate jurisdiction of supreme court . . . . .	4	4
Original jurisdiction of superior court ..	6	4
<b>MANDATORY—Provisions of this constitution . . . . .</b>	<b>29</b>	<b>1</b>
<b>MANUFACTURING PURPOSES—Uses of waters of state for, deemed a public use</b>	<b>1</b>	<b>21</b>
<b>MEDICINE:</b>		
Legislature to regulate sale of . . . . .	2	20
Legislature to regulate practice of . . . .	2	20
<b>MILEAGE of legislators . . . . .</b>	<b>23</b>	<b>2</b>
<b>MILITARY to be subordinate to civil power</b>	<b>13</b>	<b>1</b>
<b>MILITIA:</b>		
Officer eligible to legislature, when . . . .	14	2
Governor to be commander-in-chief . . . .	8	3
Who liable to military duty . . . . .	1	10
Who exempt . . . . .	1	10
Persons having religious scruples exempt, when . . . . .	6	10
Organization and discipline of . . . . .	2	10
Privileged from arrest, when . . . . .	5	10
Persons having conscientious scruples against bearing arms to pay for exemption . . . . .	6	10
<b>MINUS—Legislature to pass laws to protect employes in . . . . .</b>	<b>35</b>	<b>2</b>
<b>MINING PURPOSE—Use of waters of state for, deemed a public use . . . . .</b>	<b>1</b>	<b>21</b>
<b>MINORS—Sale of property by special acts prohibited . . . . .</b>	<b>28</b>	<b>2</b>
<b>MONEY:</b>		
How and when paid out of treasury . . . .	4	8
Using or making profit by official a felony	14	11
In hands of municipal officers to be paid into the treasury . . . . .	15	11
Corporation not to issue anything but lawful money of U. S. . . . .	11	12
<b>MONOPOLIES:</b>		
Prohibited . . . . .	22	12
Adequate penalties to be provided . . . .	22	12
Forfeiture of franchise and property may be declared . . . . .	22	12

MUNICIPAL BONDS:	Sec.	Art.
School funds invested in (amendment 1)	5	16
Power to make local improvements by special taxation .....	9	7
Power to assess and levy taxes .....	9	7
Legislature may confer power to levy taxes .....	12	11
Power to contract debts .....	6	8
Limit of power .....	6	8
Not to give or loan its credit .....	7	8
May organize under general laws .....	10	11
And be subject to such laws .....	10	11
Private property not to be taken for debt of .....	13	11
Use of money by an official a felony .....	14	11
Money to be deposited with treasurer...	15	11
Power to extend streets over tide lands..	3	15

#### MUNICIPAL FINES:

Appellate jurisdiction of supreme court..	4	4
Original jurisdiction of superior court ..	6	4

### N

NAMES—Change of, by special legislation prohibited .....	28	2
NATIONAL BONDS—School funds may be invested in (amendment 1) .....	5	16
NATURALIZATION—Power of, vested in superior court .....	6	4
NAVIGABLE WATERS:		
Legislature to establish a commission ...	1	16
State asserts ownership of beds and shores of .....	1	17
NEW COUNTY—Restriction of formation of	3	11
NON-RESIDENTS—Taxation of lands of..	1	26
NORMAL SCHOOLS may be established ...	2	9
NUISANCES:		
Appellate jurisdiction of supreme court ..	4	4
Original jurisdiction of superior court ...	6	4

### O

OATHS to be consistent with and binding upon the conscience .....	6	1
OATH OF OFFICE—Judicial officers to take	28	4
OBLIGATION of contracts not to be impaired	23	1
OFFENSES:		
No person to be put twice in jeopardy for	9	1
Right of trial by jury .....	21	1
Right of party accused .....	22	1
To be prosecuted by information or indictment .....	25	1
Impeachment of public officers .....	2	5
Existing, to be prosecuted in name of state .....	5	37

OFFICE.	Sec.	Art.
No religious qualification for .....	11	1
Disqualification of legislators for certain civil offices .....	13	2
Who ineligible for legislature .....	14	2
Acceptance of, under U. S. to vacate seat in legislature .....	14	2
But certain officers are exempt .....	14	2
Disqualification for bribery .....	30	2
Vacancy, when filled by governor .....	13	3
Legislature may abolish certain offices ..	25	3
Or judge of supreme and superior court open only to whom .....	17	4
<b>OFFICERS:</b>		
Not to be allowed extra compensation ...	25	3
Of militia may be members of legislature	14	2
Local, may be members of legislature ...	14	2
Bribery of, how punished .....	30	2
Legislature may abolish certain offices..	25	3
Liable to impeachment .....	2	5
Not liable to impeachment may be re- moved by law .....	3	5
Of militia elected or appointed, how ....	2	10
Of county, district, town, etc., how elected	5	11
Who may or may not be salaried .....	8	11
Guilty of felony, when .....	14	11
Not to accept passes .....	20	12
Time of election under this constitution	7	27
(See Term of Office, Salaries.)		
<b>OFFICIAL ACTS</b> cannot be made valid by special acts .....	28	2
<b>OMISSIONS IN THE LAW</b> to be reported to governor .....	25	4
<b>OPINIONS OF SUPREME COURT:</b>		
To be published .....	21	4
Free for publication by any person .....	21	4
<b>P</b>		
<b>PARDONING POWER</b> —Vested in governor, subject to .....	9	3
<b>PASS</b> —Use of by public officers prohibited	39	2
<b>PASSENGER TARIFF</b> —To be regulated by legislature .....	18	13
<b>PENALTIES:</b>		
Cannot be remitted by special legislation	28	2
Accrued to territory to inure to state ...	3	27
Incurred unaffected by change in form of government .....	5	27
<b>PENITENTIARY</b> —May employ chaplain for (amendment 4) .....	11	1

	Sec.	Art.
<b>PEOPLE:</b>		
Political power inherent in .....	1	1
Rights retained by .....	30	1
Right of petition and of peaceable assem- blage .....	40	1
Right to security .....	7	1
Public lands to be held by state in trust for .....	1	16
<b>PERMANENT SCHOOL FUND</b> —Investment of (amendment 1) .....	5	16
<b>PERSONAL PROPERTY:</b>		
Appellate jurisdiction of supreme court when amount is over \$200 .....	4	4
May be exempted from taxation to amount of \$300 (amendment 3) .....	2	7
<b>PERSONS CONVICTED OF INFAMOUS CRIMES</b> excluded from elective franchise	3	6
<b>PERSONS, PRIVATE</b> —Cannot borrow school funds (amendment 1) .....	5	16
<b>PETITION</b> —Right of, not to be abridged ..	4	1
<b>POLICE JUSTICE</b> —Justice of the peace may be made .....	10	4
<b>POLICE REGULATIONS</b> —County, city, etc., may enforce .....	11	11
<b>POLITICAL POWER</b> inherent in people ...	1	1
<b>POSTMASTER</b> may be eligible to legisla- ture, when .....	14	2
<b>POWERS OF GOVERNMENT:</b>		
Legislative, where vested .....	1	2
Executive, where vested .....	1	3
Judicial, where vested .....	1	4
Pardoning power, where vested .....	9	3
<b>PRECINCT OFFICERS:</b>		
Legislature to provide for election of ...	5	11
To prescribe duties, etc. ....	5	11
County commissioners to fill vacancies in office .....	6	11
Term of office of present officers .....	14	27
<b>PRESIDENT OF SENATE:</b>		
Who is .....	16	3
Temporary .....	10	2
<b>PRESS</b> —Liberty of, secured .....	5	1
<b>PRIVATE CORPORATIONS</b> —Cannot bor- row school funds (amendment 1) .....	5	16
<b>PRIVATE LEGISLATION</b> —On certain mat- ters prohibited .....	28	2
<b>PRIVATE PERSONS</b> —Cannot borrow school funds (amendment 1) .....	5	16

	Sec.	Art.
<b>PRIVILEGE:</b>		
Not to be granted irrevocably .....	8	1
Of members of legislature from arrest..	16	2
Of electors from arrest .....	6	6
Of militia from arrest .....	6	10
<b>PRIVILEGES AND IMMUNITIES</b> — Equal to all citizens and corporations (see Immunities) .....	12	1
<b>PROBATE COURT:</b>		
Merger of, in superior court to take place, when .....	10	27
Judge to perform duties until term of of- fice expires .....	10	27
<b>PROBATE MATTERS:</b>		
Appellate jurisdiction in supreme court..	4	4
Original jurisdiction in superior court ...	6	4
Appellate jurisdiction in superior court..	10	27
<b>PROCESS:</b>		
Privileges of members of legislature from	16	2
Of superior court to extend to all parts of state .....	6	4
Style of .....	27	4
Of state court may be served on lands of U. S. ....	1	25
Issued under authority of territory to be valid .....	1	27
<b>PROCLAMATION OF PRESIDENT OF U. S.</b> — Constitution to go into effect upon ..	16	27
<b>PROHIBITION:</b>		
Appellate and revisory jurisdiction of su- preme court .....	4	4
Original jurisdiction of superior court ...	6	4
Writs may be issued and served when ...	6	4
Separate articles rejected .....	17	27
<b>PROPERTY:</b>		
Persons not to be deprived of, without due process of law .....	3	1
Not to be taken for private use, except..	16	1
Not to be taken without just compensa- tion .....	16	1
To be taxed in proportion to its value ...	1	7
Personal, may be exempted from taxation (amendment 3) .....	2	7
Not to be taken to pay corporate debt ..	13	11
Of every kind belonging to the territory to vest in the state .....	4	27
<b>PROSECUTING ATTORNEY:</b>		
May be removed for incompetency or cor- ruption in office .....	9	4
Right of accused .....	9	4
Legislature to provide for electing .....	5	11
(See County Officers).		

	Sec.	Art.
<b>PROSECUTIONS :</b>		
To be conducted in name of state .....	5	27
Not affected by change in form of gov- ernment .....	5	27
<b>PUBLIC ADMINISTRATOR—</b> May or may not be salaried officer .....	8	11
<b>PUBLIC ARMS—</b> Legislature to provide for protection and safe keeping of .....	4	10
<b>PUBLIC DEBTS—</b> Private property not to be taken for payment of .....	12	11
<b>PUBLIC LANDS:</b>		
Granted to state to be held in trust for people .....	1	16
Not to be disposed of except for full mar- ket value .....	1	16
State disclaims all title to unappropriated Unappropriated to be subject to control of U. S. ....	1	26
<b>PUBLIC MONEY:</b>		
Not to be appropriated for religious wor- ship .....	11	1
Statement of receipts and expenditures to be published .....	7	7
<b>PUBLIC SAFETY</b> may require suspension of habeas corpus .....	13	1
<b>PUBLIC SCHOOLS:</b>		
Legislature to provide a system of .....	2	9
System to include what .....	3	9
To be free from sectarian control .....	4	9
Shall be free from sectarian control and open to all children .....	1	26
To be established and maintained by state	1	26
<b>PUBLIC USE:</b>		
Property not to be taken for, without compensation .....	16	1
A judicial question .....	16	1
<b>PUNISHMENT—</b> Cruel, not to be inflicted ..	14	1
<b>Q</b>		
<b>QUALIFICATION:</b>		
Religious, not to be required for public office .....	11	1
Religious, not required for public office (amendment 4) .....	11	1
Of members of legislature .....	7	2
Each house to judge of .....	8	2
Of state officers .....	25	8
Of electors .....	1	6
Of voters in state (amendment 2) .....	1	6
<b>QUORUM:</b>		
Majority of each house shall constitute..	8	2
Less may adjourn and compel attendance	8	2
Majority of judges of supreme court nec- essary to form .....	2	4

QUO WARRANTO :		Sec.	Art.
Jurisdiction of supreme court .....	4	4	
Jurisdiction of superior court .....	6	4	

## R

RACE, COLOR, SEX—No discrimination in education on account of .....	1	9	
RAILROAD AND TRANSPORTATION COMMISSION—Legislature may establish..	18	12	
RAILROAD COMPANIES:			
Are common carriers .....	13	12	
Subject to legislative control .....	13	12	
May connect at state line with foreign railroads .....	13	12	
May intersect, cross or connect with other railroads .....	13	12	
And when of same gauge shall form proper connection for transfer of cars	13	12	
Delay and discrimination prohibited .....	13	12	
Not to combine to share earnings .....	14	12	
Discrimination between places or persons prohibited .....	15	12	
Charges to any station not to exceed those to a more distant station .....	15	12	
Excursion and commutation tickets .....	15	12	
Consolidation with competing line prohibited .....	16	12	
Rolling stock to be personal property ...	17	12	
Liable to taxation and execution and sale	17	12	
Maximum rates for transportation of freight and passengers to be established by legislature .....	18	12	
To allow telegraph and telephone companies to construct lines on their right of way .....	19	12	
Discrimination in rates and privileges to any telegraph or telephone company prohibited .....	19	12	
Prohibited from granting free passes or selling tickets at a discount to any public officer .....	20	12	
To allow equal terms of transportation to all express companies .....	21	12	
Discrimination on rates and privileges prohibited .....	21	12	
(See Common Carriers).			
REAL PROPERTY:			
Appellate jurisdiction of supreme court..	6	4	
Original jurisdiction of superior court...	6	4	
RECALL .....	33	1	
REBELLION OR INVASION—Suspension of habeas corpus .....	13	1	

RECEIPTS AND EXPENDITURES—Account of, to be published .....	7	7
RECOGNIZANCES:		
To remain valid and unaffected upon change in form of government .....	4	27
And to pass to state .....	4	27
RECORDS:		
Of state officers to be kept at seat of government .....	1	24
Of district court to be transferred to su- perior court .....	8	27
REFERENDUM .....	1	2
REGISTRATION LAW:		
To be enacted by legislature .....	7	6
Elector not to vote until complied with..	7	6
Not compulsory, when .....	7	6
RELEASE OF DEBT OR OBLIGATION—		
Special legislation prohibited .....	28	2
RELIGION:		
Freedom of conscience in matters of, guaranteed .....	11	1
No one to be molested on account of .....	11	1
No person to be incompetent as witness or juror on account of .....	11	1
Perfect toleration in, secured .....	11	1
RELIGIOUS WORSHIP:		
No public money to be appropriated for..	11	1
Freedom guaranteed in (amendment 4)..	31	1
RELIGIOUS QUALIFICATION:		
Not required for public office (amend- ment 4) .....	11	1
Mode of not be interfered with .....	1	26
REMOVAL FROM OFFICE:		
Of Governor, who to act .....	10	3
On impeachment .....	2	5
REPRESENTATIVES:		
To be reapportioned after each census ...	32	2
Members, when and how chosen .....	4	2
Members of, when and how chosen after first election .....	5	2
Term of office .....	4	2
Members elected after first election, terms of .....	5	2
Qualifications of .....	7	2
To be privileged from arrest .....	16	2
Compensation and mileage .....	28	2
Not to receive pass .....	39	2
Apportionment of .....	2	22
To congress of U. S. from state at large, when and how to be elected .....	13	27
Vote for such representative at first elec- tion to be according to territorial law	13	27

	Sec.	Art.
<b>REPORTER OF SUPREME COURT:</b>		
To be appointed by judges.....	18	4
Salary to be prescribed by law.....	18	4
<b>RESIDENCE:</b>		
Of certain state officers, where.....	24	3
Absence of citizen in public service, or at certain institutions not to affect residence	4	6
<b>REVENUE</b> —State may contract debts to meet casual deficits or failures in.....	1	8
<b>REVENUE AND TAXATION:</b>		
Property to be taxed in proportion to its value .....	1	7
Uniform and equal rate of.....	2	7
Deduction of debts from credits allowed.	2	7
Power to tax corporations never to be suspended or surrendered. (See Tax, Taxation.) .....	4	7
<b>REVIEW, WRIT OF:</b>		
Appellate and revisory jurisdiction of supreme court .....	4	4
Original jurisdiction of superior court...	6	4
<b>REVISION OF CONSTITUTION:</b>		
Two-thirds of each house necessary to recommend .....	2	23
Vote for, how provided for.....	2	23
Convention to consist of.....	2	23
<b>RIGHT OF PETITION</b> not to be abridged..	4	1
<b>RIGHT OF WAY</b> —Appropriation of.....	16	1
<b>RIGHT TO ASSEMBLE</b> not to be abridged.	4	1
<b>RIGHT TO BEAR ARMS:</b>		
Not to be impaired.....	24	1
Meaning construed .....	24	1
<b>RIGHTS:</b>		
Enumerated, not to deny others retained	30	1
Existing, not to be affected by change in form of government.....	1	27
<b>ROAD DISTRICT OFFICERS</b> —County Commissioners to fill vacancies in office....	6	11
<b>ROLLING STOCK</b> —(See Railroad Companies.)		
<b>RULES:</b>		
Of proceedings, each house to determine	9	2
Of superior court, judges to establish....	24	4
<b>S</b>		
<b>SAILORS</b> to be excluded from enumeration of inhabitants .....	3	2
<b>SALARIES:</b>		
Of officers not to be changed during term	25	2
Of governor .....	14	2
Of other state officers.....	16-23	3

	Sec.	Art.
<b>SALARIES—Continued :</b>		
Of judges of supreme court.....	13	4
How payable to judges of supreme and superior courts .....	14	4
Not to be increased during term of office	13	4
To be paid by state.....	13	4
Of judges of the superior court.....	13	4
How and when payable.....	14	4
Half to be paid by state and half by counties .....	13	4
Or apportioned by counties.....	13	4
Of supreme court reporter to be prescribed by law.....	19	4
Of county, etc., officers, legislature to fix	8	11
Of certain constables.....	8	11
<b>SANITARY REGULATIONS—County, city and town may enforce.....</b>	<b>11</b>	<b>11</b>
<b>SCHOOL DISTRICT:</b>		
Power to contract debts (see County, City and Township) .....	6	8
School funds invested in bonds of (amendment 1) .....	5	16
<b>SCHOOL ELECTIONS—Elective franchise not denied at, on account of sex.....</b>	<b>2</b>	<b>6</b>
<b>SCHOOL FUNDS:</b>		
Apportionment of, by special acts prohibited .....	28	2
To be applied exclusively to common schools .....	2	9
Investment of permanent (amendment 1)	6	16
<b>SCHOOL LANDS—(See Lands, Public).</b>		
<b>SCHOOLS—(See Public Schools).</b>		
<b>SEAL:</b>		
Of state to be kept by secretary of state.	18	9
Description of .....	1	18
Of territorial courts, municipal and county officers to be seals under state.....	9	27
<b>SEAT OF GOVERNMENT:</b>		
Location of, how determined.....	1	14
Votes of majority of electors necessary to locate .....	1	14
If no choice at first election, provisions for determining location.....	1	14
Temporary location to be where.....	1	14
Two-thirds of votes necessary to change location .....	2	14
Form of ballot for location of.....	18	27
<b>SECRECY to be secured in voting.....</b>	<b>6</b>	<b>6</b>
<b>SECRETARY OF STATE:</b>		
When and by whom elected .....	1	3
Term of office .....	3	3
To act as governor, when .....	10	3
To attest commissions .....	15	3

	Sec.	Art.
<b>SECRETARY OF STATE—Continued:</b>		
Duties of .....	17	3
Shall keep office at capital of state .....	24	3
Salary of .....	17	3
<b>SECTARIAN CONTROL—Public schools to</b>		
be forever free from .....	4	26
<b>SECURITY:</b>		
Of person in private affairs and at home .....	7	1
Of individual rights, what is essential to .....	32	1
<b>SENATE:</b>		
Legislative powers vested in .....	1	2
Number of members .....	2	2
To be re-apportioned after each census .....	1	5
To try all impeachments .....	1	5
<b>SENATORIAL DISTRICTS:</b>		
To be of convenient and contiguous territory .....	6	2
No representatives district to be divided in formation of .....	6	2
To be numbered consecutively .....	6	2
Number and constitution of each district .....	1	22
<b>SENATORS:</b>		
Number of .....	2	2
When and how chosen .....	6	2
Term of office .....	6	2
Allotment of .....	6	2
Trials of impeachment by .....	1	5
To be under oath or affirmation .....	1	5
Two-thirds of, necessary for conviction .....	1	5
<b>SEPARATE ARTICLES:</b>		
Submitted to people for adoption or rejection .....	17	27
Woman suffrage [rejected] .....	17	27
Prohibition [rejected] .....	17	27
Form of ballot .....	18	27
<b>SESSIONS:</b>		
Of each house to be open .....	11	2
Of legislative to be biennial .....	12	2
But legislature may change time of meeting .....	12	2
Length of .....	12	2
Of supreme court to be at seat of government .....	3	4
Of superior court .....	5	4
<b>SEWERS—Right of city to contract debts</b>		
for .....	6	8
<b>SEX:</b>		
No denial of elective franchise at school elections on account of .....	2	6
No distinction in educational provisions on account of .....	1	9

	Sec.	Art.
<b>SHERIFFS:</b>		
Legislature to provide for election of . . .	5	11
Prescribe duties, to fix term and salary . . .	6	11
To provide for strict accountability of . . .	5	11
<b>SOLDIERS:</b>		
Not to be quartered in time of peace . . . . .	31	1
To be excluded from enumeration of inhabitants . . . . .	3	2
<b>SOLDIERS' HOME</b> —Legislature to provide for maintenance of . . . . .	2	10
<b>SPECIAL LEGISLATION</b> on certain matters, prohibited . . . . .	28	2
<b>SPECIAL PRIVILEGES</b> —When void . . . . .	2	12
<b>SPEECH</b> —Liberty of, guaranteed . . . . .	5	1
<b>STATE:</b>		
Suits against, how and when brought . . . . .	26	2
Not to surrender power to tax corporations . . . . .	4	7
Power of state to contract debts . . . . .	1-3	8
Limit of power . . . . .	1	8
Power to contract certain debts may be conferred at general election . . . . .	3	8
Money to be applied, how . . . . .	1	8
Not to loan its credit . . . . .	5	8
To make provision for education of all children . . . . .	1	9
Not to subscribe for stock of corporations . . . . .	9	12
To support state institutions . . . . .	1	13
Restrictions in selling land or rights in harbors . . . . .	1	15
To hold public lands in trust for people . . . . .	1	16
May sell timber and stone off any state lands, how . . . . .	3	16
Asserts ownership to beds and shores of navigable waters . . . . .	1	17
Disclaims title in tide lands patented by U. S. . . . .	2	17
Consents to exclusive legislation of U. S. over certain lands . . . . .	1	25
On certain conditions . . . . .	1	25
Compact with U. S. . . . .	1	26
Disclaims all title to unappropriated public lands or Indian lands . . . . .	1	25
Not precluded from taxing lands of Indians who hold by grant . . . . .	2	26
Except land exempted by acts of congress . . . . .	2	26
Assumes debts and liabilities of territory . . . . .	3	26
Agrees to establish free public schools . . . . .	4	26
Debts, fines, etc., accrued to territory to pass to state . . . . .	3	27
All property of territory to pass to . . . . .	4	27
Criminal prosecutions to continue in name of . . . . .	5	27
<b>STATE BOARD OF HEALTH</b> —Legislature to establish . . . . .	1	20

	Sec.	Art.
STATE BONDS—School funds invested in (amendment 1) .....	5	16
<b>STATE INDEBTEDNESS:</b>		
Provision for paying annual expenses and state debt .....	1	7
State may contract debts to meet casual deficiencies in revenue .....	1	8
Limits to aggregate debt .....	1	8
May be increased by state to repel in- vasion .....	2	8
Or for single work or object .....	3	8
Law to provide for such object to be sub- mitted to people .....	3	8
Majority of votes necessary .....	3	8
And law to be published .....	3	8
State to assume losses to common school funds .....	5	9
<b>STATE INSTITUTIONS AND PUBLIC BUILDINGS:</b>		
To be supported by state .....	1	13
Officers to be appointed by governor ...	1	13
With advice and consent of senate .....	1	13
<b>STATE LANDS—(See Lands, State Lands.)</b>		
STATEMENT OF RECEIPTS AND EXPEN- DITURES to be published annually ...	7	7
<b>STATE OFFICERS:</b>		
Term of office .....	3	3
Election of, how declared .....	4	3
Contested elections of, to be decided by legislature .....	4	3
Term of, to begin when .....	4	3
To furnish information in writing to gov- ernor .....	5	3
State officers to keep records, where ...	24	3
Salaries of .....	14-23	3
Residence of certain .....	24	3
Qualification for office .....	25	3
Compensation not to be increased or di- minished during term .....	25	3
Legislature may abolish officers of certain	25	3
Liable to impeachment .....	2	6
Time of election .....	8	6
STATE SCHOOL TAX revenue to be applied exclusively to common schools .....	2	9
STATUTES—Enacting clause of .....	18	2
<b>STOCKHOLDERS:</b>		
Liability of .....	4	12
As parties defendant in suit .....	4	12
Liability of, in banking, insurance and joint stock companies .....	11	13

	Sec.	Art.
<b>STOCK OF CORPORATIONS:</b>		
Not to be owned by county, city, etc. . . .	7	8
Not to be issued except to bona fide subscribers . . . . .	6	12
or assignees . . . . .	6	12
Not to be increased except by general law	6	12
Consent of whom necessary to increase . .	6	12
Notice of increase to be given . . . . .	6	12
Fictitious increase to be void . . . . .	6	12
<b>STREETS AND ROADS:</b>		
Private and special law prohibited . . . .	28	2
Exceptions . . . . .	28	2
Municipal corporations may extend over tide lands, etc. . . . .	3	15
<b>STUDENT—Absence from state not to affect the right to vote . . . . .</b>	4	6
<b>SUCCESSION—In office of governor . . . . .</b>	10	3
<b>SUFFRAGE:</b>		
Right of, shall be free, equal and undisturbed . . . . .	19	1
Right of, who entitled . . . . .	1	6
Who not entitled . . . . .	1	6
<b>SUITS AGAINST STATE—Legislature to direct how and when to be brought . . . . .</b>	26	2
<b>SUPERINTENDENT OF PUBLIC INSTRUCTION:</b>		
When and by whom elected . . . . .	1	3
Term of office . . . . .	3	3
Duties of . . . . .	23	3
Shall keep records at capital of state . .	24	3
Salary of . . . . .	22	3
<b>SUPERIOR COURT:</b>		
Judges of, to order grand jury to be drawn	26	1
Vested with judicial power . . . . .	1	4
In each organized county . . . . .	5	4
With at least one judge for each county	6	4
How elected . . . . .	5	4
Assignment of counties to a judge . . . .	5	4
Number of sessions in each county . . . .	5	4
Business of, how to be distributed . . . .	6	4
Each judge to be invested with the powers of all . . . . .	5	4
Governor to fill vacancies . . . . .	5	4
Jurisdiction of . . . . .	6	4
Power to naturalize . . . . .	6	4
Appellate jurisdiction in justice and inferior courts . . . . .	6	4
Always to be open except on non-judicial days . . . . .	6	4
May issue writs . . . . .	6	4
Process to extend to all parts of state . .	6	4
Judges may sit in any county . . . . .	7	4
Judges pro tempore . . . . .	7	4
To be court of record . . . . .	11	4

	Sec.	Art.
<b>SUPREME COURT—Continued:</b>		
Judge to decide cause within ninety days after final submission .....	20	4
Judge may appoint court commissioners ..	23	4
Judges to establish rules for government of	24	4
Judges to report in writing defects, etc., in the laws to judges of supreme court	25	4
Clerk of, to be county clerk .....	26	4
To assume jurisdiction of pending causes, and to take records, when .....	8	27
To assume jurisdiction of probate matters, when .....	10	27
To have appellate jurisdiction over probate court until it expires .....	10	27
Provision for contested [first] election of judges .....	12	27
<b>SUPREME COURT:</b>		
Invested with judicial power .....	1	4
To consist of five judges .....	2	4
Majority required to form a quorum ....	2	4
And to pronounce a decision .....	2	4
Always to be open except on non-judicial days .....	2	4
Decision in all cases to be in writing ...	2	4
Grounds to be stated .....	2	4
Number of judges may be increased .....	2	4
Legislature may provide separate departments .....	2	4
Judges, election of .....	3	4
First election, when .....	3	4
Classification by lot of judges first elected	3	4
Seats to be vacated every two years .....	3	4
Chief justice, who to be .....	3	4
Governor to fill vacancies in office .....	3	4
Sessions to be held, when .....	3	4
Jurisdiction of .....	4	4
Court of record .....	11	4
Judges to appoint reporter .....	18	4
Judges to appoint clerk of the court ....	22	4
Judges to report in writing defects and omissions in the laws to the governor ..	25	4
To assume jurisdiction of pending causes and to take court papers, when .....	8	27
<b>SUPREME LAW—U. S. constitution. ....</b>	<b>2</b>	<b>1</b>
<b>SURVEYORS may or may not be salaried officers .....</b>	<b>8</b>	<b>11</b>

## T

## TAX:

Assessment or collection of, by special act prohibited .....	28	2
Extending time for collection, by special act prohibited .....	28	2
Appellate jurisdiction of supreme court ..	4	4
Original jurisdiction of supreme court ..	6	4

<b>TAX—Continued:</b>	<b>Sec.</b>	<b>Art.</b>
All property subject to .....	1	7
Annual tax for expenses of state .....	1	7
Annual tax to pay state debt .....	1	7
Not to be levied except in pursuance of law	5	7
Levied for state purposes to be paid into the treasury .....	6	7
To meet deficiency in expenditure legisla- ture may levy .....	8	7
By municipal corporations to be uniform	9	7
<b>TAXATION:</b>		
Legislature to provide uniform and equal rates of .....	2	7
Deduction of debts from credit authorized	2	7
What property exempt from .....	2	7
May exempt personal property from (amendment 3) .....	2	7
Of corporate property by same methods as of individuals .....	3	7
Power to tax corporation not to be sur- rendered by state .....	4	7
Municipal corporation vested with power of	9	7
Lands of U. S. exempt from .....	2	26
Rolling stock of railroads subject to ....	17	12
Of lands of non-residents .....	3	26
Of certain Indian lands .....	2	26
Exemption of certain Indian lands from State may tax lands of Indians held under patent or grant .....	2	26
Unless exempt by act of congress .....	2	26
<b>TECHNICAL SCHOOLS</b> may be established	2	9
<b>TELEGRAPH AND TELEPHONE COM- PANIES:</b>		
Any one authorized to construct lines in this state .....	19	12
Delay and discrimination in receiving and sending messages prohibited .....	19	12
Declared to be common carrier .....	19	12
Subject to legislative control .....	19	12
Right to construct lines along railroad ..	19	12
No discrimination by railroads in rates or privileges .....	19	12
Right of eminent domain extended to ...	19	12
<b>TERM OF OFFICE:</b>		
Of representatives .....	4	3
Of senators .....	6	2
Of governor .....	3	3
Of lieutenant governor .....	3	3
Of other state officers .....	3	3
When to begin .....	4	3
Of judges of supreme court .....	3	4
Of judges of superior court .....	5	4
Of county, district, township and precinct officers .....	5	1

<b>TERM OF OFFICE—Continued:</b>		Sec.	Art.
Of those in office at time state govern- is organized .....	14	27	
Officers not provided for in constitution, legislature to regulate .....	11	27	
Of all officers elected at first election un- der constitution, when to begin .....	16	27	
<b>TERRITORY:</b>			
State assumes debts of .....	3	26	
Process issued under authority of, to be valid .....	1	27	
Change of form of government not to af- fect rights, actions, etc. ....	1	27	
Laws of, to remain in force until when ..	2	27	
Accrued debts, fines and penalties to inure to the state .....	3	27	
All property of, to vest in state .....	4	27	
Officers of, to hold office until superseded by state officers .....	6	27	
Courts of, to continue until when .....	8	27	
<b>TESTIMONY:</b>			
No person to be compelled to testify against himself .....	9	1	
Weight of, not to be affected on account of religious belief .....	11	1	
Necessary to conviction of treason .....	27	1	
On prosecution for bribery .....	30	9	
<b>TIDE LANDS:</b>			
Municipal corporations may extend streets over .....	3	15	
State asserts ownership to .....	1	17	
Vested rights may be asserted in courts of state .....	1	17	
State disclaims title to lands patented by U. S. ....	2	17	
Grants of, not validated .....	2	27	
<b>TIDE WATERS—(See Harbors.)</b>			
<b>TIMBER AND STONE may be sold off state</b>			
lands, how .....	3	16	
<b>TOIL:</b>			
Appellate jurisdiction of supreme court..	4	4	
Original jurisdiction of superior court..	6	4	
<b>TOWN:</b>			
Amendment of charter by special legisla- tion, prohibited .....	28	2	
May organize under general laws .....	10	11	
(See City, County and Township.)			
<b>TOWNSHIP OFFICERS:</b>			
Legislature to provide for .....	5	11	
To prescribe duties, fix term and compen- sation .....	5	11	
County commissioners to fill vacancies in	6	11	

	Sec.	Art.
<b>TOWNSHIP ORGANIZATION:</b>		
Legislature to provide for .....	4	11
County may adopt .....	4	11
Majority vote necessary for adoption of..	4	11
<b>TRANSPORTATION COMPANIES</b> are common carriers (see Railroad Companies)		
	13	12
<b>TREASON:</b>		
What constitutes .....	27	1
Evidence necessary to convict for .....	27	1
<b>TREASURER:</b>		
Of state, when and by whom elected.....	1	3
Term of office .....	3	3
Duties of .....	19	3
Shall keep records at capital of state....	24	3
Salary of .....	19	3
Must reside where .....	24	3
When ineligible .....	25	3
Of county, legislature to provide for election of (see County Officers) .....	5	11
<b>TREASURY</b> —Money paid out of, how and when' .....		
	4	8
<b>TRIAL BY JURY:</b>		
Right of, to be inviolate .....	21	1
Jury to consist of .....	21	1
Number necessary for verdict .....	21	1
Jury may be waived .....	21	1
<b>TRUSTS:</b>		
Prohibited .....	22	12
Under penalties to be provided .....	22	12
Legislature may declare forfeiture of property and franchise .....	22	12
V		
<b>VACANCY:</b>		
In legislature filled by governor .....	15	2
In office, when filled by the governor ....	13	3
In office of judge of supreme court filled by governor .....	3	4
In office of judge of superior court filled by governor .....	5	4
In county, township, etc., offices to be filled by county commissioners .....	6	11
<b>VALIDATING ACTS</b> of deeds, wills, etc., by special acts prohibited .....		
	28	2
<b>VALIDITY OF STATUTE</b> —Appellate jurisdiction of supreme court .....		
	4	4
<b>VERDICT</b> in civil cases, number of jurors		
	21	1
<b>VETO:</b>		
Governor to have power to .....	12	3
Two-thirds of legislature may pass bill over .....	12	3

## VILLAGE—(See Town.)

VOTE:	Sec.	Art.
In elections by legislature to be viva voce	27	2
And entered on the journal .....	27	2
Qualification necessary to .....	1	6
Who entitled to .....	1	6
Who not entitled to .....	1	6
At school elections, who entitled to .....	2	6
Who excluded from right to .....	3	6
Residence of certain persons not to af- fect right to .....	4	6
To be by ballot .....	6	6
Prerequisite to the right to .....	7	6
For representative to congress, how de- termined .....	13	27
At first election to be according to terri- torial laws .....	15	27
VOTERS:		
Qualification of .....	1	8
Qualification of (amendment 2) .....	1	6
Privileged from arrest on election day, except .....	5	6
Absence of certain persons not to affect rights to .....	4	6

## W

## WATER AND WATER RIGHTS:

Power of city to contract debts for ....	6	8
Restrictions on state in selling water rights .....	1	15
Appropriation for irrigation, etc., declared a public use .....	1	21
WHARFAGE:		
Legislature to provide for leasing by general laws .....	2	15
Limit of term .....	2	16
WILLS can not be validated by special acts	28	2

## WITNESS:

Not to be compelled to testify against himself .....	9	1
Not incompetent in consequence of relig- ious opinion .....	11	1
Religious qualification not required for (amendment 4) .....	11	1
Concurrence necessary in treason .....	27	1

WOMAN SUFFRAGE—Separate article [re- jected] .....	17	27
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WORSHIP, RELIGIOUS—Freedom guaran- teed in (amendment 4) .....	11	1
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## WRITS:

Jurisdiction of supreme court .....	4	4
Jurisdiction of superior court .....	6	4

## Y

## YEAS AND NAYS:

	Sec.	Art.
To be entered on journal, when .....	21	2
To be taken on final passage of bill ...	22	2
In case of emergency for passage of bill	81	2
To be taken on vote to consider bill not introduced in time .....	36	2

## Suggestions as to Form of Legislation.

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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 1913, or the Laws of 1915, 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 legisla-

ture 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 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

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## CONFERENCE AND FREE CONFERENCE, COMMITTEES ON.

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

## MESSAGES.

Rule 2. Messages from the senate to the house of representatives shall be delivered by the secretary or assistant secretary, and messages from the house of representatives to the senate shall be delivered by the chief clerk or assistant clerk, who shall be announced by the doorkeeper, enter within the bar, announce or deliver his message.

## BILLS; FINAL ACTION ON, HOW 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 BILLS.

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 it shall be examined by the enrolling committee of such house, who shall carefully compare the enrollment with the engrossed bill as passed, correcting any errors that may be discovered in the enrolled bill, after which the bill shall be signed by the presiding officer, in open session, of each house, first in the house in which it originated; whereupon, the secretary of the senate, or the chief clerk of the house, shall present the same to the governor, taking his receipt therefor.

## GENERAL BUDGET.

Rule 5. No amendment to the general appropriation bill, commonly known as the budget, adding any new item or items thereto not in-

corporated in the bill as reported by the committee on appropriations, shall be adopted, except by the affirmative vote of two-thirds of the members elected to each house.

#### DOCUMENTS TO BE TRANSMITTED WITH BILLS.

Rule 6. Each house shall transmit to the other all documents on which any bill or resolution may be founded.

#### VETOED BILLS.

Rule 7. The veto message of the governor, accompanying any bill passed by the legislature, shall, together with the bill vetoed, be read in the house in which it originated. 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 laid on the table. The main question in the consideration of the 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 other house, 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.

#### JOINT RESOLUTIONS.

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, no

to and including the signing thereof by the presiding officer of each house, shall be treated in all respects as bills.

#### PRINTING AUTHORITY OF JOINT COMMITTEE.

Rule 9. 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, 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 before printing, and such bills as are introduced in both houses and are of the same wording shall only be printed in one house.

#### 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.

#### AMENDATORY BILLS.

Rule 11. All amendatory bills shall refer to the section or sections of the official Codes and Statutes of Washington, and supplements thereto, to be amended; bills amendatory of statutes not in such official compilations shall refer to the title of the act to be amended together with the date of approval thereof.

#### RULE FOR DRAWING BILLS.

Rule 12. Bills introduced in either house intended to amend existing statutes shall have the

words which are amendatory to such existing statutes underlined. No bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

#### JOINT COMMITTEE MEETINGS.

Rule 13. Whenever any standing committee of either house shall desire to arrange for a public hearing upon any subject of legislation pending before such committee, it shall be the duty of the chairman of such committee to consult with the chairman of the corresponding committee of the other house and endeavor to arrange a hearing by the joint committees of the two houses.

#### AMENDMENTS.

Rule 14. These rules may be amended by joint resolution agreed to by majority vote of the members of each house.

## Rules of the Senate

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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, war-

rants 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 any employe be increased for past services.

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 the president and seven (7) senators, four (4) of whom shall be from Western Washington, and three (3) from Eastern Washington, of which the president shall be chairman, 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 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:

<i>Committee.</i>	<i>No. of Members.</i>
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.....	6

	<i>Committee.</i>	<i>No. of Members.</i>
12.	Dikes, Drains and Ditches.....	3
13.	Education .....	5
14.	Educational Institutions .....	12
15.	Elections and Privileges.....	6
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.	Industrial Insurance .....	8
24.	Insurance .....	5
25.	Irrigation and Arid Lands.....	6
26.	Judiciary .....	17
27.	Labor and Labor Statistics.....	5
28.	Legislative Apportionment .....	9
29.	Logged-off Lands .....	5
30.	Medicine, Dentistry, Surgery and Hygiene.	5
31.	Memorials .....	3
32.	Military .....	5
33.	Mines and Mining.....	8
34.	Municipal Corporations .....	6
35.	Printing .....	5
36.	Public Buildings and Grounds.....	5
37.	Public Morals .....	7
38.	Public Revenue and Taxation.....	5
39.	Public Utilities .....	8
40.	Pure Foods and Drugs.....	3
41.	Railroads and Transportation.....	9
42.	Roads and Bridges.....	13
43.	Rules and Joint Rules.....	9

<i>Committee.</i>	<i>No. of Members.</i>
44. Rural Credits and Agricultural Development .....	9
45. Salaries and Mileage.....	3
46. Senate Employees .....	3
47. State Charitable Institutions.....	7
48. State, Granted, School and Tide Lands...	7
49. State Library .....	5
50. State Penal and Reformatory Institutions	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 employees, 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.

In all cases where a bill is reported back with proposed amendment, the bill and report shall go to general file without action on the report, unless by a suspension of this rule by two-thirds vote the senate shall otherwise order. If a majority report recommends the indefinite postponement of a bill, action may be taken on this report without the bill going to general file.

#### 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 Employees, and reported upon by that committee before action is taken thereon.

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 daily 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 THE 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.** If consent be not given by a majority of the senate to the second reading of a bill upon the day of its introduction, the bill shall lie upon the table until the next succeeding legislative day, when immediately following the "Introduction and first reading of bills" the same shall be read a second time.

Upon the second reading of a bill it shall be referred to the appropriate committee, unless it be a committee bill which may be immediately placed on general file.

#### BILLS MAY BE COMMITTED.

**Rule 22.** A bill may be committed with special instructions to amend at any time before taking the final vote.

#### ONLY ONE SUBJECT.

**Rule 23.** No bill shall embrace more than one subject, and that shall be expressed in the title.

**Rule 24.** 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 25. 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 hills shall not apply to substitute bills reported by standing committees for bills pending before such committees.

## LIMIT TO AMENDMENTS.

Rule 26. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

## RECONSIDERATION, HOW TAKEN.

Rule 27. After the final vote on any motion, resolution or bill, before the adjournment of that day's session or during the session of the following day, 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 after such final vote.

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 motions, resolutions and notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the day preceding the last day of the session. Motions to

reconsider a vote upon amendments to any pending question may be made and decided at once.

#### APPROPRIATION BILLS.

**Rule 28.** 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.

No amendment to the general appropriation bill, commonly known as the budget, adding any new item or items thereto not incorporated in the bill as reported by the committee on appropriations, shall be adopted, except by the affirmative vote of two-thirds of the senators elected.

#### PRINTING OF BILLS, ETC.

**Rule 29.** Unless otherwise ordered 700 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 may be printed.

Provided further, That any bill introduced by request shall not be printed, unless such printing be ordered by the senate, and then only such number as the senate shall designate.

#### FURNISHING FULL FILE OF BILLS.

**Rule 30.** Persons, firms, corporations and organizations within the state, desiring to receive copies of all printed senate bills, shall make application therefor to the secretary of the senate, who shall refer all such requests to the Committee on Rules and Joint Rules.

The bill clerk shall send copies of all printed senate bills to such persons, firms, corporations

and organizations as may be ordered by the Committee on Rules and Joint Rules.

### 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 statutes underlined or underscored, and wherever parts of existing statutes are omitted and no new matter inserted in lieu thereof, there shall be inserted in the new bill not less than four stars or asterisks with spaces of not less than two ems, so that in the printed bills which are presented for the perusal of the members, such new or amended matter, as well as such deleted matter may 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 MOTIONS.

Rule 37. 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.

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.

### TIE 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 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 indecorous language or conduct, the person calling him to order shall report the language excepted to, which shall be taken down or noted at the secretary's desk, and no member shall be held to answer for any language used 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 by yeas and nays, 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 ex-

amination, 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 indecorous conduct, boisterous 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.

## SENATE ROSTER, 1917

NAME OF MEMBER	District...	County....	Residence..	Age.....	Discipline.	Occupation	Politics....	Previous Legislative Experience	
								Senate	House
Barnes, Frank G.....	18	Cowlitz.....	Silver Lake...	49	Missouri...	Lumberman and Merchant	R.		
Boner, E. E.....	21	Grays Harbor.	Aberdeen.....	46	Missouri...	Lawyer.....	R.	1915	
Brand, Dr. W. W.....	9	Whitman.....	Bosalia.....	48	Missouri...	Physician....	D.		
Brown, Ed.....	41	Whatcom.....	Custer.....	59	Canada.....	Farmer.....	R.	1902-11-13-15	1899-1901
Burton, James.....	30	Snohomish....	Snohomish....	58	Canada....	Insurance.....	P.	1915	1898
Carlson, P. H.....	23	Thurston.....	Olympia.....	54	Wisconsin..	Dentist.....	R.	1912-15	1907-09-11
Chase, Frank A.....	7	Spokane.....	Spokane.....	50	Wisconsin..	Insurance.....	R.	1915	
Cleary, E. J.....	42	Whatcom.....	Bellingham...	50	Wisconsin..	Lumberman....	R.	1915	
Cornwell, O. T.....	11	{ Adams, Franklin, Walla Walla }	Walla Walla..	53	Washingt'n	Farmer and Lumberman..	L.	1901-03	
Cox, D. H.....	12	Walla Walla..	Walla Walla..	51	Tennessee..	Farmer.....	R.	1903-11	
Davis, Lincoln.....	85	King.....	Seattle.....	56	Iowa.....	Insurance.....	R.	1901-3-5-7-15	
Davis, Walter S.....	27	Pierce.....	Tacoma.....	40	Indiana.....	Professor....	R.	1913-15	
Fairchild, Wilburn ..	28	Pierce.....	Tacoma.....	46	Illinois....	Conductor....	R.	1913-15	
Faulkner, J. W.....	1	{ Okanogan, Ferry, Douglas, Grant }	Okanogan....	39	Missouri...	Lawyer.....	D.		1911

Ferryman, John H.....	13	{ Chelan, { Kittitas }	Wenatchee....	50	Pennsyl- vania....	Fruit Grower...	D.		
French, E. L.....	17	Clarke.....	Vancouver....	56	Indiana....	Farmer.....	R.	1913-15	1909-11
Ghent, Dr. J. A.....	34	King.....	Seattle.....	42	Canada....	Surgeon.....	R.	1915	1909-11
Groff, Guy B.....	6	Spokane.....	Spokane.....	41	Maryland..	Lawyer.....	R.	1915	1911
Hall, Oliver.....	8	Whitman.....	Colfax.....	64	New York..	Farmer.....	R.	1893-97-99, 1901-11-13-15	
Hutchinson, R. A.....	4	Spokane.....	Spokane.....	63	Mississippi.	Farmer.....	R.	1893-05, 1909-11-13-15	1871-1907
Iverson, Peter.....	23	{ Kitsap, } { Island, } { Mason }	Poulsbo.....	56	Norway....	Publisher.....	R.	1913-15	
Johnson, E. Ben.....	5	Spokane.....	Spokane.....	39	Minnesota.	Lawyer.....	R.		
Jones, Jesse S.....	29	Pierce.....	Tacoma.....	56	Indiana....	Insurance.....	R.	1907-15	
Judd, A. E.....	20	Lawie.....	Chehalis.....	36	Iowa.....	Realty and Ins..	D.		
Karshner, Dr. Warner M.	25	Pierce.....	Puyallup.....	42	Ohio.....	Physician and Surgeon.....	R.		
Kleeb, John W.....	19	{ Pacific, } { Wahkiakum }	South Bend... 49		Iowa.....	Lumberman....	R.	1915	
Kuykendall, E. V.....	10	{ Garfield, } { Columbia, } { Asotin }	Pomeroy..... 46		Oregon....	Lawyer.....	R.		
Landon, Dan.....	82	King.....	Seattle.....	40	Wisconsin..	Lawyer.....	R.	1911-13-15	
McMillan, C. R.....	2	{ Stevens, } { Pend Oreille }	Orin.....	50	Ohio.....	Farmer.....	D.	1915	1887-1889
Metcalf, Ralph.....	26	Pierce.....	Tacoma.....	55	R. I.....	Lumberman....	R.	1907-09-11- 13-15	
Morthland, D. V.....	15	{ Yakima, } { Benton }	North Yakima 36		Missouri..	Lawyer.....	R.		
Myers, Chas. F.....	14	Lincoln.....	Davenport.... 50		Ohio.....	Jeweler and Farmer.....	R.	1909-11	
Nichols, Ralph D.....	31	King.....	Seattle.....	43	Iowa.....	Lawyer.....	R.	1907-09-11- 13-15	

## SENATE ROSTER, 1917—Concluded.

NAME OF MEMBER	District.....	County.....	Residence..	Age.....	Birthplace.	Occupation	Politics.....	Previous Legislative Experience	
								Senate	House
Palmer, E. B.....	37	King.....	Seattle.....	30	Illinois.....	Lawyer.....	R.	1905-07-15	1899-1909
Phipps, Harve H.....	3	Spokane.....	Spokane.....	34	N. Carolina	Lawyer.....	R.	1913-15	1911
Smith, A. A.....	24	{ Clallam, Jefferson, San Juan }	Port Angeles..	55	Indiana....	Publisher.....	R.	1915	.....
Smith, Joseph H.....	38	Snohomish.....	Everett.....	30	Indiana....	Lawyer.....	R.	.....	.....
Steiner, G. B.....	16	King.....	Seattle.....	45	Ohio.....	Lawyer.....	R.	1913-15	.....
Stevenson, J. M.....	16	{ Skamania, Rlickitat }	Stevenson.....	44	Missouri..	Real Estate....	R.	1915	1903-5-7-13
Taylor, Howard D.....	30	King.....	Eagle Gorge..	38	Iowa.....	Lumberman....	R.	1915	1907-9-11-13
Wells, W. V.....	40	Skagit.....	Anacortes....	50	New York..	Lawyer.....	R.	1915	1913
Wray, Wm. ....	33	King.....	Seattle.....	40	England...	Lawyer.....	R.	1915	1911-13

## Standing Committees of the Senate

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**Agriculture.**—Senators McMillan (chairman), Ferryman, Brown, Barnes, Judd.

**Appropriations.**—Senators French (chairman), Hall, Groff, Cox, Landon, Smith (J. H.), Cleary, Karshner, Carlyon.

**Banks and Banking.**—Senators Barnes (chairman), Boner, Cornwell, Judd, Chase.

**Cities of the First Class.**—Senators Groff (chairman), Jones, Cleary, Wray, Metcalf, Hutchinson, Smith (J. H.).

**Claims and Auditing.**—Senators Smith (J. H.) (chairman), Johnson, Morthland.

**Commerce and Manufactures.**—Senators Kleeb (chairman), Myers, Palmer, Fairchild, Nichols.

**Congressional Apportionment.**—Senators Fairchild (chairman), Ghent, Hutchinson, McMillan, French, Faulkner, Iverson, Myers, Nichols.

**Constitution and Constitutional Revision.**—Senators Phillips (chairman), Kuykendall, Chase, Barnes, Brand.

**Corporations other than Municipal.**—Senators Palmer (chairman), Cornwell, Taylor, Stevenson, Groff.

**Counties and County Boundaries.**—Senators Stevenson (chairman), French, Landon, Faulkner, Davis (Lincoln).

**Dairy and Live Stock.**—Senators Brown (chairman), Wells, Taylor, Smith (A. A.), Brand, Karshner.

**Dikes, Drains and Ditches.**—Senators Wells (chairman), Kleeb, Morthland.

**Education.**—Senators Cornwell (chairman), Davis (W. S.), Landon, Kleeb, Hall.

**Educational Institutions.**—Senators Wray (chairman), Myers, Karshner, Brand, Wells, Judd, Johnson, Knykendall, Phipps, Landon, Boner, Hall.

**Elections and Privileges.**—Senators Smith (A. A.), (chairman), Taylor, Davis (Lincoln), Hall, Johnson, Kuykendall.

**Engrossed Bills.**—Senators Burton (chairman), Steiner, Davis (W. S.), Ferryman, Johnson.

**Enrolled Bills.**—Senators Judd (chairman), Nichols, Fairchild, Chase, Wells.

**Fisheries.**—Senators Steiner (chairman), Cleary, Smith (A. A.), Kleeb, Wells, Boner, Iverson, Stevenson, Smith (J. H.).

**Game.**—Senators Myers (chairman), Kuykendall, Palmer, Phipps, Cox, Barnes.

**Game Fish.**—Senators Brand (chairman), Jones, Steiner, Stevenson, Iverson.

**Harbor and Harbor Lines.**—Senators Landon (chairman), Kleeb, Fairchild, Brown, Smith (A. A.).

**Horticulture and Forestry.**—Senators Faulkner (chairman), Morthland, Hutchinson, Ferryman, French.

**Industrial Insurance.**—Senators Chase (chairman), Cleary, Cornwell, Palmer, Kleeb, Ghent, Jones, Fairchild.

**Insurance.**—Senators Smith (J. H.) (chairman), Cox, Jones, Hall, Durton.

**Irrigation and Arid Lands.**—Senators Morthland (chairman), Cornwell, Hutchinson, Faulkner, Myers, Ferryman.

**Judiciary.**—Senators Boner (chairman), Phipps, Kuykendall, Metcalf, Landon, Palmer, Faulkner, Steiner, Chase, Burton, Groff, Johnson, Morthland, Nichols, Smith (J. H.), Wells, Wray.

**Labor and Labor Statistics.**—Senators Fairchild (chairman), Brown, Kleeb, McMillan, Barnes.

**Legislative Apportionment.**—Senators Johnson (chairman), Cox, Davis (W. S.), Groff, Taylor, Stevenson, Davis (Lincoln), Faulkner, Forryman.

**Logged Off Lands.**—Senators Iverson (chairman), Metcalf, McMillan, Judd, Johnson.

**Medicine, Dentistry, Surgery and Hygiene.**—Senators Ghent (chairman), Brand, Karshner, Phipps, Cox.

**Memorials.**—Senators Johnson (chairman), Davis (W. S.), Brand.

**Military.**—Senators Davis (Lincoln) (chairman), Groff, Boner, Metcalf, Cox.

**Mines and Mining.**—Senators Taylor (chairman), Brown, Judd, McMillan, Barnes, Phipps, Davis (Lincoln), Smith (A. A.).

**Municipal Corporations.**—Senators Cornwell (chairman), Carlyon, Taylor, Hall, Kuykendall, Burton.

**Printing.**—Senators Smith (A. A.) (chairman), Wray, Myers, Judd, Stevenson.

**Public Buildings and Grounds.**—Senators Carlyon (chairman), French, Jones, Groff, Davis (Lincoln).

**Public Morals.**—Senators Davis (W. S.) (chairman), Johnson, Morthland, Wray, Kuykendall, Barnes, Cleary.

**Public Revenue and Taxation.**—Senators Cleary (chairman), Landon, Karshner, Cox, Hall.

**Public Utilities.**—Senators Jones (chairman), Cornwell, Groff, Taylor, Brand, Davis (Lincoln), Barnes, Ghent.

**Pure Food and Drugs.**—Senators Karshner (chairman), Brand, Ghent.

**Railroads and Transportation.**—Senators Carlyon (chairman), Fairchild, Cleary, Smith (J. H.), Myers, Barnes, Palmer, Cox, Steiner.

**Roads and Bridges.**—Senators Nichols (chairman), Hall, Phipps, Metcalf, Cornwell, Barnes, Judd, Smith (A. A.), Taylor, Carlyon, Hutchinson, Brown, Kleeb.

**Rules and Joint Rules.**—Mr. President (chairman), Senators Carlyon, Hall, Cornwell, French, McMillan, Taylor, Phipps, Jones, Groff.

**Rural Credits and Agricultural Development.**—Senators Metcalf (chairman), Brown, Ferryman, Burton, McMillan, Iverson, Faulkner, Johnson, Ghent.

**Salaries and Mileage.**—Senators Ferryman (chairman), McMillan, Nichols.

**Senate Employees.**—Senators Hall (chairman), Jones, Smith (A. A.).

**State Charitable Institutions.**—Senators Hutchinson (chairman), Karshner, Iverson, Wells, French, Davis (W. S.), Ghent.

**State, Granted, School and Tide Lands.**—Senators Wells (chairman), Palmer, Kuykendall, Iverson, Myers, Boner, McMillan.

**State Library.**—Senators Kuykendall (chairman), Cleary, Taylor, Kleeb, Jones.

**State Penal and Reformatory Institutions.**—Senators Cox (chairman), Burton, Hutchinson, Steiner, Fairchild, Judd.

## SENATE EMPLOYEES, 1917.

Name	Service	Residence
Frank M. Dallam, Jr.	Secretary.....	Seattle
A. J. Hoskin.....	Reading clerk.....	Spokane
H. O. Stone.....	Engraving clerk.....	Bremerton
H. D. LaMonte.....	Docket clerk.....	Tacoma
F. M. O'Leary.....	Enrolling clerk.....	Spokane
Marian Garland.....	Minute clerk.....	Bremerton
R. E. Pitchforth.....	Journal clerk.....	Tacoma
C. S. Sapp.....	Paymaster and index clerk.....	Spokane
M. L. Burkhardt.....	Assignment clerk.....	Seattle
Harold Watson.....	Supply clerk.....	Lakeside
H. S. Cowan.....	Appropriations com- mittee clerk.....	Davenport
K. I. Ghormley.....	Judiciary committee clerk.....	Spokane
Moner Wisner.....	Military committee clerk.....	Seattle
R. W. Watts.....	Clerk.....	Tacoma
Reba J. Huru.....	President's clerk.....	Spokane
Daniel McOush.....	Sergeant-at-arms.....	Bellingham
Elmer E. Hall.....	Asst. sergeant-at-arms.....	Spokane
O. Broughton.....	Doorkeeper.....	Auburn
Wm. S. Peacock.....	Assistant doorkeeper.....	Gig Harbor
Wm. V. Courtright.....	Assistant doorkeeper.....	Seattle
Samuel C. Milligan.....	Postmaster.....	Seattle
Arthur Test.....	Assistant postmaster.....	Seattle
R. B. Philips.....	Bill clerk.....	Vancouver
R. O. Hall.....	Assistant bill clerk.....	Walla Walla
B. A. Archer.....	Bill poster.....	Aberdeen
C. C. Temple.....	Assistant bill poster.....	Anacortes
A. M. Kitto.....	Stenographer.....	Seattle
Laura C. Weidenbach.....	Stenographer.....	Seattle
Lottie M. Dell.....	Stenographer.....	Pasco
Mary Anderson.....	Stenographer.....	Tacoma
Jean McLeod Hollo- way.....	Stenographer.....	Seattle
Erna E. Ake.....	Stenographer.....	Seattle
A. J. Sharkey.....	Stenographer.....	Kalama
Florence M. Stanke.....	Stenographer.....	Everett
Vera Kljgore.....	Stenographer.....	Tacoma
Ruth Shank.....	Stenographer.....	Seattle
Jennie M. Patterson.....	Stenographer.....	Tacoma
Dorothy E. Hall.....	Stenographer.....	Seattle
Minnie M. Hyde.....	Stenographer.....	Tacoma
Arleine Young Hoeker.....	Stenographer.....	Selah
Ada Piereo.....	Stenographer.....	Walla Walla
William Renard.....	Stenographer.....	Spokane

## SENATE EMPLOYEES—Concluded.

Name	Service	Residence
Norman Clark .....	Clerk.....	Olympia
Henri Ferryman .....	Page.....	Wenatchee
Harold Gould .....	Page.....	Olympia
Neal Kohler .....	Page.....	Olympia
Arthur McIntosh .....	Page.....	Olympia
Frank Powers .....	President's Page.....	Friday Harbor
J. F. Howard.....	Night watchman.....	Spokane
Martin Wall .....	Janitor.....	Seattle
F. A. Stokes.....	Janitor.....	Spokane
Robert Taylor .....	Janitor.....	Ole Elm

## INDEX TO SENATE RULES

	<i>No.</i>
<b>ABSENCE :</b>	
During roll call.....	55
From session .....	58
<b>ACTS</b> —Not amended by title.....	24
<b>ADJOURN</b> —Motion to .....	30
<b>ADMISSION</b> —To floor .....	60
To Senate .....	61
To gallery .....	62
<b>AMENDMENTS</b> —Limit to .....	26
<b>ANNOUNCEMENT OF VOTE</b> .....	57
<b>APPEAL</b> —From President .....	3, 47
<b>APPOINTMENT OF COMMITTEES</b> .....	0
<b>APPROPRIATION BILLS</b> .....	28
<b>BILLS</b> —May be committed.....	22
Only one subject.....	23
Introduction of .....	25
<b>BREACH OF DECORUM</b> .....	48
<b>BUSINESS</b> —Order of .....	17
To be announced.....	18
Unfinished .....	19
<b>CALL OF SENATE</b> .....	54
<b>CALL FOR DIVISION</b> .....	38
<b>COMMITTEES</b> .....	6
Duties of .....	8
Reference to .....	7
Reports .....	9
<b>COMMITTEE OF THE WHOLE</b> .....	11
Rules in .....	12
Report of .....	14
Suspend rules for.....	15
<b>DEBATE</b> —Open and close.....	50
<b>DISORDER</b> .....	3, 48
<b>DIVISION</b> —Call for .....	38
<b>ELECTION BY ROLL CALL</b> .....	56
<b>ENGROSSED BILLS</b> .....	16, 67
<b>ENROLLED BILLS</b> .....	16, 67
<b>EMPLOYEES</b> .....	5, 10
<b>FURNISHING FULL FILES OF BILLS</b> .....	30
<b>FLOOR</b> —Admission to .....	61
<b>GALLERY</b> .....	62
<b>GENERAL FILE</b> .....	21
<b>INDEFINITE POSTPONEMENT</b> .....	37
<b>INTRODUCTION OF BILLS</b> .....	25
<b>JOINT RESOLUTIONS AND MEMORIALS</b> .....	33
<b>LIMIT TO AMENDMENTS</b> .....	26

	No.
MESSAGES .....	13, 44
MOTIONS .....	35
To adjourn .....	36
Precedence of .....	37
OFFICERS Subordinate .....	5
OPENING DEBATE .....	50
ORDER OF BUSINESS .....	17
ORDER—May call senator .....	46
Points of .....	47
Senate called to .....	1
POINTS OF ORDER .....	47
PRECEDENCE OF MOTIONS .....	37
PRESIDENT—Duties of .....	2
Pro tem .....	4
PREVIOUS QUESTION .....	30
PRINTING OF BILLS .....	29
PRIORITY OF BUSINESS .....	40
PROTEST—May be entered .....	51
PURCHASE OF SUPPLIES .....	66
QUESTIONS OF PRIVILEGE .....	52
QUORUM .....	2
READING OF BILLS .....	20
READING OF PAPERS .....	43
RECOGNITION BY PRESIDENT .....	40
RECONSIDERATION .....	27
REED'S PARLIAMENTARY RULES .....	61
REPORTS OF COMMITTEES .....	9
REQUISITIONS .....	66
RESOLUTIONS .....	34
Joint .....	32
ROLL CALL—Election by .....	56
RULES—Of debate .....	45
Suspension of .....	65
SMOKING—Not allowed .....	62
SPECIAL ORDER .....	30
SUPPLIES .....	66
SUSPENSION OF RULES .....	65
TIE VOTE .....	41
UNFINISHED BUSINESS .....	10
USE OF SENATE CHAMBER .....	59
VOTE—Tie .....	41
WITNESSES BEFORE SENATE .....	58
WORDS TO BE UNDERLINED .....	32
YEAS AND NAYS .....	12

# 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 communica-

tion from any stato officer, may be read at any time.

Rule 4. The unfinished business at which the house was engaged preceding adjournment 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 standing and special committees "provided" that additional members may be named to special committees on motion.

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.

## TIME OF MEETING.

Rule 10. 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.

## 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.

## DECORUM OF MEMBERS.

Rule 12. 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 13. If any member in speaking or otherwise, transgresses 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 14. 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 15. When two or more members arise at once, the speaker shall name the one who is first to speak.

Rule 16. 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 ten minutes without consent of the house.

#### DUTIES OF MEMBERS.

Rule 17. 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 18. 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 19. No member shall absent himself from the service of the house unless he shall have leave or be sick and unable to attend.

Rule 20. No person shall be allowed to smoke in the hall or lobby thereof during the session or recess.

### MOTIONS.

Rule 21. 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 22. Every motion shall be reduced to writing, if the speaker or a member desire it.

Rule 23. After a motion is stated by the speaker, or a 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 24. When a question is under debate, no motion shall be received but the following, in the rank named:

1st. Adjourn to a time certain.

2nd. Adjourn.

3rd. To lay on the table.

4th. For the previous question.

5th. To postpone to a day certain.

To commit or recommit.

To postpone indefinitely.

6th. To amend.

Rule 25. When a reading of a paper is called for, it shall be decided by a vote of the house.

Rule 26. All questions, whether in committee or in the house, shall be proponded in the order in which they are named, except that in filling blanks, the largest sum and the longest time shall be first put.

#### FORM OF QUESTION.

Rule 27. 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.

#### APPEAL FROM THE CHAIR.

Rule 28. 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.

#### YEAS AND NAYS.

Rule 29. 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 30. 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 31. Upon a division and count of the house on any question, no member without the bar shall be counted.

#### CALL OF THE HOUSE.

Rule 32. 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.

#### INDEFINITE POSTPONEMENT.

Rule 33. 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 bill, resolution or memorial is postponed indefinitely, the same shall not be acted upon again during the session.

## RECONSIDERATION.

Rule 34. When a vote on the final passage of bills 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, or give notice for reconsideration thereof on the same day or the next working day thereafter, provided, however, that the motion shall not be acted upon the first day, 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 35. 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 can not 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 ordered, 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 36. 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.

#### PROCEDURE ON BILLS AND RESOLUTIONS.

Rule 37. Any member desiring to introduce a bill or resolution shall file the same with the chief clerk not less than 12 hours before the convening of the session, which shall be numbered and read in the order filed. After the fortieth day of the session no bill shall be introduced.

Rule 38. Bills introduced in the house, intended to amend existing statutes, shall have the words which are amendatory to such existing statutes underlined in the original and printed bills. Any matter omitted in the existing statutes shall be indicated by not less than four stars or asterisks, with spaces of not less than two ems, and no bill shall be printed or acted upon until the provisions of this rule shall have been complied with.

Rule 39. 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 an 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 pasted to the original bill. The report of the committee shall also contain a statement of the amendments agreed to by the committee, together with two additional copies attached with a clip. 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 pasted to the original bill.

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 40. A bill may be advanced, or placed on the calendar by a vote of a majority of all members present voting in the affirmative; and the question shall be, "Shall the bill be advanced or placed on the calendar?"

Rule 41. 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 42. On the final passage of every bill, the yeas and nays shall be taken and entered upon the journal.

Rule 43. 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.

Rule 44. 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.

#### AMENDMENTS AND RECOMMITMENT.

Rule 45. 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 Procedure on Bills.)

Rule 46. 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 47. 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.

#### COMMITTEE OF THE WHOLE HOUSE.

Rule 48. 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 49.** 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 50.** 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.

#### STANDING COMMITTEES.

**Rule 51.** The standing committees and the number of members for each shall be as follows:  
No. of

No. of Com- mittee.	Name of Committee.	No. of Members.
1	Agriculture .....	15
2	Appropriations .....	25
3	Banks and Banking.....	11
4	Commerce and Manufacturing.....	7
5	Claims and Auditing.....	6
6	Congressional Apportionment .....	5
7	Constitutional Revision .....	9
8	Compensation and Fees for State and County Officers .....	13
9	Corporations other than Municipal and Railroads .....	9

10	Counties and County Boundaries.....	13
11	Dairy and Live <b>Stock</b> .....	13
12	Dikes, Drains and Drainage.....	7
13	Education .....	12
14	Engrossed Bills .....	7
15	Enrolled Bills .....	5
16	Federal Relations and Immigration.....	10
17	Fisheries .....	10
18	Game and Game Fish.....	20
19	Horticulture and <b>Forestry</b> .....	9
20	Harbors and Waterways.....	7
21	Higher Educational Institutions.....	15
22	Hospitals for the <b>Insane</b> .....	5
23	Honse Arrangements .....	7
24	Industrial Insurance .....	13
25	Insurance .....	10
26	Internal Improvements and Indian Affairs	9
27	Irrigation and Arid Lands.....	10
28	Judiciary .....	27
29	Labor and Labor Statistics.....	10
30	Logged-Off Lands .....	11
31	Medicine, Surgery, Dentistry and Hygiene	8
32	Memorials .....	6
33	Mileage and Contingent <b>Expenses</b> .....	6
34	Military Affairs .....	12
35	Mines and Mining.....	7
36	Miscellaneous .....	7
37	Municipal Corporations of the First Class..	12
38	Municipal Corporations other than the First Class .....	12
39	Printing and Supplies.....	6
40	Privileges and Elections.....	11
41	Public Morals .....	11
42	Public Utilities .....	11
43	Pure Food and <b>Drugs</b> .....	7

44	Revenue and Taxation.....	13
45	Railroads .....	10
46	Reapportionment State Senatorial and Leg- islative Districts .....	11
47	Roads and Bridges.....	29
48	Rules and Order.....	13
49	State Capitol and Grounds.....	5
50	State Libraries .....	5
51	State, School and Granted Lands.....	10
52	State Penitentiary .....	6
53	State Charitable, Penal and Reformatory Institutions .....	7
54	State Soldiers' and Veterans' Homes.....	5
55	Tide Lands .....	7
56	Township Organization .....	6
57	Water and Water Rights other than Irrig- ation .....	5

**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.

**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. The chairmen of the various committees shall pre-

pare a daily calendar of the bills to be acted upon by said committees together with the time and place of said meeting and the chief clerk shall post the same on the bulletin board at the entrance to the house chamber.

#### USE OF HOUSE CHAMBER.

Rule 55. 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.

#### VISITORS' GALLERY.

Rule 56. 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.

#### ADMITTANCE TO FLOOR.

Rule 57. The following persons shall be entitled to admittance to the floor:

1. The state officers.
2. Persons in the exercise of official duty directly connected with the business of the house.
3. The speaker shall designate the persons who shall act as reporters for the public press.
4. Former members of the legislature upon presentation of a card of admittance issued by the speaker.
5. The immediate family of members, and persons upon presentation of cards of admittance issued by the speaker, and subject to revocation may be admitted when the house is not in session.

#### DUTIES OF OFFICERS AND EMPLOYEES.

Rule 58. The chief clerk of the house shall see that the journal is properly kept, and have

general supervision over all clerks and employes not under the supervision of the sergeant-at-arms.

**Rule 59.** The enrolling clerk shall be under the supervision of the committee on enrolled bills when needed.

**Rule 60.** The engrossing clerk shall be under the supervision of the committee on engrossed bills when needed.

**Rule 61.** 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 and that the lavatory has an ample supply of soap and clean towels. He shall also have general supervision of the work of the assistant sergeant-at-arms, the doorkeepers, postmasters, 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 62.** All clerks and employes under the direction of the chief clerk, 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 63.** 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 the second offense be removed by a majority vote of the house.

Rule 64. 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.

#### STANDING RULES—AMENDMENT OF.

Rule 65. Any standing rule or order of the house may be rescinded or changed by a majority vote of the members elected, provided, one day's notice be given of the motion therefor. Any standing rule or order of business may be temporarily suspended by a two-thirds vote of the members present.

#### REED'S PARLIAMENTARY RULES.

Rule 66. The rules of parliamentary practice comprised in Reed's Parliamentary Rules shall govern all cases in which they are not inconsistent with the standing rules and orders of the house.

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## HOUSE ROSTER, 1917

GUY E. KELLY, *Speaker.*

C. R. MAYBURY, *Chief Clerk.*

NAME	District....	County....	Residence..	Age.....	Birthplace.	Occupation	Parties....	Previous Legislative Experience	
								Sen-ate	House
Adams, Fred A.....	6	Spokane.....	Spokane.....	34	Michigan.....	Lawyer.....	R.....		
Anderson, John.....	6	Spokane.....	Spokane.....	56	New York.....	Printer.....	R.....	1909, 1915	
Anthony, M. W.....	15	Adams.....	Elizville.....	33	Pennsylvania..	Abstracter....	R.....		
Aspinwall, C. C.....	35	Tburston.....	Olymsta.....	43	Wisconsin.....	Farmer.....	R.....		
Banker, E. F.....	17	Okanogan.....	Winthrop....	47	New York.....	Stockman.....	D.....		
Bishop, William.....	32	Jefferson.....	Chinacum....	55	Washington....	Farmer.....	R.....	1909,	
								1901-05-09	
Boyd, L. Frank.....	50	Spokane.....	Spokane.....	56	Iowa.....	Newspaperman..	R.....	1915	
Boyle, Frank E.....	42	King.....	Seattle.....	30	Wisconsin.....	Attorney.....	R.....		
Bradley, A. L.....	59	Ferry.....	Danville.....	52	Illinois.....	Mine Operator..	R.....	1915	
Brown, Tom.....	53	Whatecom....	Sumas.....	70	England.....	Teacher.....	R.....	1915	
Butler, R. E.....	12	Walla Walla..	Waitsburg....	60	Oregon.....	Physician.....	R.....		
Cosser, A. J.....	34	Clallam.....	Port Angeles.	43	Illinois.....	Printer.....	D.....		
Cameron, J. J.....	16	Lincoln.....	Harrington..	48	Illinois.....	Retired.....	D.....	1907-08	
Christensen, W. T.....	42	King.....	Seattle.....	38	Oregon.....	Physician.....	R.....	1909-11-13	
Crawford, John C.....	21	Klickitat.....	Grand Dalles.	49	California.....	Farmer.....	R.....	1915	
Cross, James A.....	18	Douglas.....	Mansfield....	42	Virginia.....	Lawyer.....	D.....		
Davis, James H.....	37	Pierce.....	Tacoma.....	50	Indiana.....	Insurance.....	R.....	1911-13-15	
Dwyer, Robert P.....	44	King.....	Seattle.....	26	Colorado.....	Lawyer.....	R.....		

Elliott, W. C.....	37	Pierce.....	Tacoma.....	58	Ohio.....	Lawyer.....	R.....	
Farnsworth, E. L.....	16	Lincoln.....	Wilbur.....	54	Michigan.....	Banker.....	D.....	'09-11-13-15
Fuller, A. E.....	41	King.....	Seattle.....	42	Iowa.....	Consulting En- gineer.....	R.....	
Fulton, Fred B.....	51	Stragit.....	Anacortes.....	54	Canada.....	Supt. Fish Co.....	R.....	
Gauntlett, Geo. W.....	29	Grays Harbor	Montesano....	35	Oregon.....	Civil Engineer...	R.....	
Gardner, H. B.....	33	Jefferson.....	Gardiner.....	62	New York.....	Timberman.....	R.....	
Gerard, Joseph.....	25	Wahkiakum..	Cathlamet....	37	Oregon.....	Newspaperman..	R.....	
Graham, A. E.....	29	Grays Harbor	Aberdeen.....	32	Canada.....	Lawyer.....	R.....	
Grass, Robert.....	45	King.....	Seattle.....	34	Iowa.....	Lawyer.....	R.....	1913-15
Goff, Winfield P.....	39	Pierce.....	Tacoma.....	36	Illinois.....	Physician.....	R.....	
Gorham, Charles W.....	49	Snohomish...	Snohomish....	50	New York.....	Editor.....	R.....	1901
Güie, E. H.....	47	King.....	Seattle.....	49	Pennsylvania...	Lawyer.....	R.....	1905-15
Halsey, Elmer E.....	9	Asotin.....	Orarksten....	55	New Jersey.....	Lawyer.....	R.....	'00-11-13-15
Hart, Fred A.....	26	Pacific.....	Raymond.....	50	Illinois.....	Lumberman.....	R.....	1915
Hastings, Fred W.....	46	King.....	Seattle.....	34	Ohio.....	Lawyer.....	R.....	1911-13-15
Hayden, Z. E.....	1	Stevens.....	Kettle Falls..	..	New York.....	Farmer.....	R.....	
Healey, Elmer E.....	35	Pierce.....	Puyallup.....	33	Michigan.....	Lawyer.....	R.....	
Hodgdon, C. W.....	30	Grays Harbor	Hoquiam.....	55	New York.....	Lawyer.....	D.....	
Hoff, C. H.....	58	Wahatom.....	Lawrence.....	38	Wisconsin.....	Lumberman.....	R.....	1911, 1915
Honefenger, Ira.....	2	Spokane.....	Spokane.....	43	Illinois.....	Lawyer.....	R.....	1913
Hoover, C. E.....	7	Whitman.....	La Crosse.....	47	Indiana.....	Merchant.....	R.....	
Houser, Paul.....	41	King.....	Renton.....	38	Illinois.....	Lawyer.....	R.....	1913
Hubbell, J. O.....	19	Kittitas.....	Ellensburg....	53	New York.....	Farmer.....	R.....	1900-11-15
Hull, Stephen A.....	46	King.....	Seattle.....	38	Missouri.....	Broker.....	R.....	1915
Jones, Roy.....	7	Whitman.....	Penanwa.....	34	Washington....	Farmer.....	R.....	
Kearby, Delbert O.....	19	Kittitas.....	Cle Elum.....	37	Indiana.....	Physician.....	R.....	
Kelly, A. A.....	3	Spokane.....	Spokane.....	48	Iowa.....	Horticulturist...	R.....	1915
Kelly, Guy E.....	36	Pierce.....	Tacoma.....	40	Minnesota.....	Lawyer.....	R.....	1915
Knapp, Ralph R.....	43	King.....	Seattle.....	27	Canada.....	Lawyer.....	R.....	
Lease, J. E.....	27	Lewis.....	Centralla.....	53	Pennsylvania...	Banker.....	R.....	
Ledgerwood, J. T.....	10	Garfield.....	Pomeroy.....	37	Washington....	Farmer.....	D.....	
Long, Logan L.....	14	Franklin.....	Connell.....	38	Pennsylvania...	Lawyer.....	R.....	1915
Lunn, Walter J.....	40	King.....	Auburn.....	49	New York.....	Farmer.....	R.....	1915

## HOUSE ROSTER—Continued.

NAME	District....	County....	Residence..	Age.....	Birthplace.	Occupation	Politics....	Previous Legislative Experience	
								Senate	House
Manogue, Frank H.....	44	King.....	Seattle.....	34	Washington...	Real Estate.....	R.....		1915
McCall, O. W.....	8	Whitman.....	Garfield.....	38	Illinois.....	Farmer.....	D.....		
McCoy, George.....	23	Clarke.....	Vancouver.....	51	Wisconsin.....	Lumberman.....	R.....		1899, 1901, 1905-7-1915
Mesa, Fred J.....	40	King.....	Orillia.....	44	Washington....	Dairy Farmer....	R.....		1911-15
Moores, Gordon C.....	36	Benton.....	Kennewick.....	30	Oregon.....	Farmer.....	R.....		
Morris, Abe.....	85	Pierce.....	Wilkenson....	36	England.....	Coal Operator..	R.....		
Morrison, L. J.....	28	Thurston.....	Olympia.....	40	Canada.....	Insurance.....	R.....		1915
Murray, H. H.....	60	Pend Oreille..	Newport.....	38	Pennsylvania..	Auditor.....	R.....		
Nash, E. H.....	52	San Juan.....	Friday Harb'r	47	Maine.....	Canneryman....	R.....		
Nelsen, Fred C.....	40	King.....	Seattle.....	45	Denmark.....	Farmer.....	D.....		
Olsen, Olaf L.....	4	Spokane.....	Deer Park.....	35	Norway.....	Real Estate.....	R.....		
Peterson, Torger.....	30	Pierce.....	Eatonville....	60	Norway.....	Farmer.....	R.....		
Pool, S. O.....	56	Chelan.....	Wenatchee....	41	Illinois.....	Minister.....	D.....		
Ray, A. L.....	12	Walla Walla..	Priscott.....	41	Illinois.....	Farmer.....	D.....		
Reed, Mark E.....	31	Mason.....	Sholton.....	49	Washington....	Lumberman.....	R.....		1915
Reid, David Porter.....	8	Spokane.....	Spokane.....	39	Wisconsin.....	Lawyer.....	R.....		
Renick, Frank H.....	45	King.....	Seattle.....	45	Connecticut....	Real Estate, Ins.	R.....		1905-7-9-15
Roth, Chas. I.....	54	Whatcom.....	Hellingham....	50	Illinois.....	Lawyer.....	R.....		1893, 1903-05-15
Rudens, J. O.....	51	Skagit.....	Mt. Vernon....	66	Sweden.....	Retired.....	R.....		1905-07-11
Ryan, O. W.....	23	Clarke.....	Vancouver.....	47	Alabama.....	Lumberman.....	R.....		

Sawyer, Wm. P.....	20	Yakima.....	Wapato.....	65	Massachusetts..	Truck Grower....	R.	.....	1915
Selmer, John.....	1	Stevens.....	Northport.....	47	Norway.....	Merchant.....	D.	.....	.....
Shattuck, J. Howard....	32	Kitsap.....	Port Orchard....	31	Indiana.....	Sheriff.....	R.	.....	.....
Shields, Elmer F.....	22	Skamania.....	Stevenson.....	50	Illinois.....	Attorney.....	R.	.....	.....
Shields, J. M.....	51	Skagit.....	Mt. Vernon....	59	Pennsylvania..	Farmer.....	R.	.....	.....
Siler, J. S.....	27	Lewis.....	Vance.....	53	North Carolina.	Farmer.....	R.	.....	1913-15
Sims, Luther M.....	24	Cowlitz.....	Kalama.....	69	Illinois.....	Physician.....	R.	.....	1907-09, '01
Smith, Maurice.....	5	Spokane.....	Spokane.....	42	Minnesota.....	Attorney.....	R.	.....	1915
Spalinger, Geo.....	11	Columbia.....	Dayton.....	53	Iowa.....	Farmer.....	D.	.....	.....
Spencer, S. Frank.....	48	Snohomish....	Everett.....	35	Nebraska.....	Farmer.....	R.	.....	.....
Stratton, A. R.....	4	Spokane.....	Spokane.....	57	Ohio.....	Farmer.....	R.	.....	1915
Summers, John W.....	13	Walla Walla..	Walla Walla..	46	Indiana.....	Physician.....	R.	.....	.....
Swale, Thomas N.....	48	Snohomish....	Everett.....	26	Iowa.....	Lawyer.....	R.	.....	.....
Swofford, H. H.....	27	Lewis.....	Chehalis.....	43	Illinois.....	.....	R.	.....	.....
Terry, W. E.....	50	Island.....	Coupeville....	42	Washington....	Farmer.....	R.	.....	.....
Thornle, M. G.....	49	Snohomish....	Stanwood.....	30	Norway.....	Farmer.....	R.	.....	.....
Thompson, Geo. W.....	38	Pierce.....	Tacoma.....	34	Illinois.....	Electrician....	E.	.....	.....
Urquhart, John.....	39	Grant.....	Krupp.....	54	Scotland.....	Farmer.....	D.	.....	1913-15
Washburn, Hiram E.....	28	Pierce.....	Tacoma.....	29	Iowa.....	Lawyer.....	R.	.....	.....
Weldon, George A.....	8	Whitman.....	Palouse.....	54	Illinois.....	Lawyer.....	R.	.....	1915
Westfall, L. L.....	2	Spokane.....	Spokane.....	51	Illinois.....	Lawyer.....	R.	.....	.....
Williams, Ina P.....	20	Yakima.....	North Yakima	41	Missouri.....	Homekeeper....	R.	.....	.....
Wilson, John R.....	47	King.....	Seattle.....	47	Canada.....	Lawyer.....	R.	.....	1915
Yale, F. D.....	54	Whatcom.....	Bellingham....	54	Michigan.....	Lawyer.....	R.	.....	1915
Young, Claude A.....	39	Pierce.....	Tacoma.....	41	Wisconsin.....	Elec. Contr....	R.	.....	1915
Zednick, Victor.....	43	King.....	Seattle.....	32	Colorado.....	Lawyer.....	R.	.....	1911-13-15

## Standing Committees of the House

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**Agriculture.**—Siler, chairman; Urquhart, Stratton, Mess, Kelly (A. A.), Lunn, Sawyer, Moores, Jones, Spencer, Aspinwall, Spalinger, Williams, Cameron, Butler, Nelson, Ledgerwood.

**Appropriations.** — Davis, chairman; Renick, Hull, Olsen, Anderson, Hoover, Murray, Swale, Sawyer, Rudene, Graham, Summers, Grass, Ryan, Gardner, Swofford, Anthony, Aspinwall, Hoff, Reed (M. E.), Boyle, Gorham, Hayden, Selmer, Farnsworth, Washburn, Pool, Hastings, Hubbell.

**Banks and Banking.**—Farnsworth, chairman; Elliott, Gardner, Honefenger, Guie, Ryan, Summers, Bradley, Swofford, Dwyer, Boyle.

**Commerce and Manufacturing.**—Hoff, chairman; Shields (J. M.), Cross, Hodgdon, Manogue, Reid (D. P.), Christensen.

**Claims and Auditing.** — Moores, chairman; Young, Williams, Nelson, Spalinger, Murray.

**Congressional Apportionments.**—Hoover, chairman; Honser, Anthony, Hodgdon, Fuller.

**Constitutional Revision.** — Westfall, chairman; Elliott, Guie, Grass, Shields (E. E.), Sims, Wilson, Boyle, Cameron.

**Compensation and Fees for State and County Officers.**—Shattuck, chairman; Terry, Shields (J. M.), Murray, Swofford, Cosser, Siler, Yale, Christensen, Honefenger, Knapp, Cameron, Mess.

**Corporations other than Municipal and Railroads.** — Peterson, chairman; McCoy, Moores, Long, Farnsworth, Boyle, Bradley, Manogue, Wilson.

**Counties and County Boundaries.**—Crawford, chairman; Pool, Cameron, Boyle, Lunn, Jones, Graham, Shields (E. E.), Terry, Fulton, Rudene, Goff, Gauntlett.

**Dairy and Live Stock.**—Mess, chairman; Lunn, Jones, Thomle, Stratton, Healey, Aspinwall, Hoff, Banker, Bishop, Peterson, Morris, Nelson.

**Dikes, Drains and Drainage.**—Sims, chairman; Rudene, Spencer, Browns, Shields (J. M.), Knapp, Graham.

**Education.**—Brown, chairman; Shields (E. E.), Kelly (A. A.), Lease, Siler, Summers, Peterson, Williams, Anthony, Weldon, Bishop, Terry, Zednick, Gorham, Healey.

**Engrossed Bills.**—Reid (D. P.), chairman; Cosser, Ledgerwood, Washburn, Terry, Cross, Boyd.

**Enrolled Bills.**—Swofford, chairman; Anderson, Thompson, Girard, Gorham.

**Federal Relations and Immigration.**—Girard, chairman; Ledgerwood, Cross, Siler, Hayden, Ray, Nelson, Reid (D. P.), Williams, Nash.

**Fisheries.**—Nash, chairman; Sims, Graham, Girard, Moores, Fulton, Roth, Thomle, McCoy, Crawford, Bishop.

**Game and Game Fish.**—Lunn, chairman; Boyd, Crawford, Murray, Spalinger, Siler, Jones, Terry, Thomle, Shattuck, Renick, Shields (J. M.), Morris, Smith, Peterson, Ryan, Shields (E. E.), Cameron, Ray, Gauntlett, Nash, Bishop.

**Horticulture and Forestry.**—Kelly (A. A.), chairman; Sawyer, Pool, Healey, Gardner, Banker, Hubbell, Cross, Anthony, Olsen.

**Harbors and Water Ways.**—Hull, chairman; Fuller, Young, Thomle, Hodgdon, Nash, Girard.

**Hospitals for the Insane.**—Washburn, chairman; Olsen, Rudene, Westfall, Selmer.

**House Arrangements.**—Hayden, chairman; Ray, McCall, Spencer, Yale, Selmer, Ledgerwood.

**Higher Educational Institutions.**—Guic, chairman; Zednick, Kearby, Dwyer, Elliott, Hoover, Smith, Thomle, Adams, Weldon, Brown, Banker, Knapp, Christensen, Lease, Sawyer, Boyle, Ray.

**Industrial Insurance.**—McCoy, chairman; Reed (M. E.), Mess, Manogue, Goff, Morris, Kearby, Hoff, Wilson, Anderson, Banker, Hart, Yale, Sawyer.

**Insurance.**—Long, chairman; Farnsworth, Davis, Olsen, Renick, Hull, Dwyer, Lease, Morrison, Anthony.

**Internal Improvements and Indian Affairs.**—Thompson, chairman; Anderson, Hastings, Nelson, Butler, Cosser, Ledgerwood, Bishop, Gorham.

**Irrigation and Arid Lands.**—Urquhart, chairman; Crawford, Olsen, Spalinger, Moore, Sawyer, Morrison, Banker, Pool, Ray.

**Judiciary.**—Wilson, chairman; Boyle, Grass, Gule, Hastings, Houser, Dwyer, Zednick, Knapp, Healey, Washburn, Elliott, Smith, Honefenger, Adams, Westfall, Reid (D. P.), Yale, Roth, Swale, Ledgerwood, Shields (E. E.), Graham, Hodgdon, Long, Halsey, Weldon.

**Labor and Labor Statistics.**—Young, chairman; Thompson, Morris, Ryan, Spencer, Hart, Manogue, Cosser, Reid (D. P.), Hoff.

**Logged Off Lands.**—Thomle, chairman; Aspinwall, Fuller, Cossier, Gardner, Healey, Nelson, Rudene, Girard, Gauntlett, Selmer.

**Medicine, Surgery, Dentistry and Hygiene.**—Kearby, chairman; Butler, Christensen, Goff, Healey, Sims, Williams, Summers, Hastings.

**Memorials.**—Elliott, chairman; Selmer, Houser, Adams, Swale, Roth.

**Mileage and Contingent Expenses.**—Knapp, chairman; Stratton, McCall, Hull, Summers, Anderson.

**Military Affairs.**—Gauntlett, chairman; Lease, Anthony, Honefenger, Boyd, Thompson, Elliott, Zednick, Gorham, Summers, Hubble, Houser.

**Mines and Mining.**—Bradley, chairman; Morris, Brown, Selmer, Kearby, Manogue.

**Miscellaneous.**—Manogue, chairman; Morris, Young, Butler, Banker, Hoover, Lease.

**Municipal Corporations of the First Class.**—Grass, chairman; Young, Thomle, Boyd, Adams, Swale, Roth, Hastings, Renick, Thompson, Christensen, Guie.

**Municipal Corporations other than the First Class.**—Weldon, chairman; Anthony, Gauntlett, Nash, Grahau, Healey, Hodgdon, Pool, Kearby, Cross, McCall, Fulton.

**Printing and Supplies.**—Gorham, chairman; Hayden, Washburn, Fulton, Dwyer, Bradley.

**Privileges and Elections.**—Zednick, chairman; Knapp, Grass, Goff, Honefenger, Westfall, Hoff, Urquhart, Houser, Hastings, Manogue.

**Public Morals.**—Williams, chairman; Halsey, Butler, Anderson, Elliott, Healey, Goff, Pool, Nelson, Reid (D. P.), Yale, Terry.

**Pure Food and Drugs.**—Butler, chairman; Long, Goff, Williams, Christensen, Hoover, Nelson.

**Public Utilities.**—Stratton, chairman; Mess, Urquhart, Peterson, Moores, Shields (E. E.), Murray, Bishop, Ryan, Wilson, Dwyer.

**Revenue and Taxation.**—Ryan, chairman; Lease, Hubbell, Swale, Summers, Manogue, Roth, McCall, Ray, Bishop, Hastings, Davis, Sawyer, Terry.

**Railroads.**—Halsey, chairman; Sims, Young, Long, Guic, Bradley, Houser, Cameron, Boyd, Hull.

**Reapportionment State Senatorial and Legislative Districts.**—Fuller, chairman; Gardner, Weldon, Hoover, Boyd, Girard, Cosser, Morris, Morrison, Nash, Hart.

**Roads and Bridges.**—Hubbell, chairman; Crawford, Farnsworth, Moores, Spencer, Shields (J. M.), Bishop, Ray, Gauntlett, Halsey, Terry, Bradley, Lund, Murray, Urquhart, Smith, Shattuck, Morrison, Cosser, Siler, Long, Fuller, McCoy, Yale, Hart, Jones, Shields (E. E.), Stratton, Peterson, Banker, Cross, Reed (M. E.).

**Rules and Order.**—Mr. Speaker, chairman; Adams, Bradley, Grass, Halsey, Hart, McCoy, Roth, Reed (M. E.), Smith, Urquhart, Renick, Zednick,

**State Capitol and Grounds.**—Morrison, chairman; Mess, Stratton, Crawford, Brown.

**State Libraries.**—Graham, chairman; Morrison, Cameron, Weldon, Hull.

**State, School and Granted Lands.**—Roth, chairman; Renick, Reed (M. E.), Washburn, Gardner, McCoy, Dwyer, Knapp, Kelly (A. A.), Zednick.

**State Penitentiary.**—Boyd, chairman; Ledgerwood, Shattuck, Butler, Spalinger.

**State Charitable, Penal and Reformatory Institutions.**—Aspinwall, chairman; Sims, Swofford, Williams, Washburn, Fulton, Westfall.

**State Soldiers' and Veterans' Homes.**—Healey, chairman; Shattuck, Boyle, McCall, Kelly (A. A.).

**Tide Lands.**—Hastings, chairman; Glrard, Fulton, Brown, Graham, Terry, Christensen.

**Township Organization.**—Olsen, chairman; Hoff, Brown, Stratton, McCall.

**Water and Water Rights other than Irrigation.**—Honefenger, chairman; Sims, Thompson, Boyle, Kearby.

## HOUSE EMPLOYEES.

Name	Position	Residence
C. R. Maybury.....	Chief clerk.....	Seattle
A. W. Oulder.....	Assistant chief clerk...	Vancouver
Geo. L. Harrigan.....	Minute clerk.....	Tacoma
C. H. Renschler.....	Journal clerk.....	Regents Park
C. Roy King.....	Docket clerk.....	Yakima
C. D. Allen.....	Engrossing clerk.....	Hoquiam
W. J. Coyle.....	Reading clerk.....	Seattle
Collin O. Camplan....	Speaker's clerk.....	Goldendale
Fred K. Overman....	Proof clerk.....	Everett
William Raddock....	Bill clerk.....	Spokane
Clarence F. Jones....	Index clerk.....	Walla Walla
Hazel Marshall.....	Judiciary clerk.....	Walla Walla
Amy Albright.....	Appropriation clerk...	Seattle
W. B. Price.....	Sergeant-at-arms.....	Ellensburg
W. B. Hawthorne....	Asst. sergeant-at-arms.	Tacoma
A. S. Dickenson.....	Postmaster.....	Walla Walla
Frank Ludwig.....	Assistant postmaster...	Seattle

## MEMBERS OF THE PRESS.

Name.	Newspaper Represented.
M. B. Fussell.....	Spokesman-Review
Clinton Coffin.....	Spokane Chronicle
C. B. Dodds.....	Tacoma Ledger
Frank Roberts.....	Tacoma News
James DeK. Brown....	Tacoma Tribune
E. E. Perry.....	Portland Oregonian
Ora P. Willis.....	Olympia Recorder
Marie Rowe.....	Olympia Recorder
Ralph Benjamin.....	Olympia Olympian
W. H. Curry.....	Seattle Times
M. M. Mattison.....	Seattle Times
J. W. Gilbert.....	Post-Intelligencer
D. F. McKenna.....	Associated Press
E. E. Beard.....	Vancouver Columbian
Edgar C. Wheeler....	Tacoma Times and United Press
Richard S. Jones....	Washington Voter
Jay Thomas.....	Washington State Weekly
Harry Lewis.....	Aberdeen World
R. I. Sebrit.....	American Revueille
Eugle Freshwater....	Washington Standard

## INDEX TO HOUSE RULES.

	<i>No. of Rule.</i>
<b>ABSENTEES :</b>	
Attendance compelling .....	19
Members to be present unless excused.....	19
<b>ACTS</b> —Signed by speaker—(See Joint Rules).	
<b>ADJOURN</b> —Motion to .....	24
<b>ADMITTANCE :</b>	
To floor of house when in session.....	57
To floor of house when not in session.....	57
To galleries .....	56
<b>AMENDMENTS :</b>	
Bills, when made to.....	46
Motions, limitation on.....	39
Not in order on third reading.....	46
Withdrawal of .....	23
To strike out words, how shown.....	38
<b>ANNOUNCEMENT OF VOTE</b> —Yeas and nays to be announced .....	29
<b>APPEAL :</b>	
Decision of speaker from.....	28
Decisions of speaker, subject.....	6
<b>APPOINTMENTS :</b>	
Standing committees .....	8
Special committees .....	8
<b>BILLS :</b>	
Action on, after being reported from committee...	39
Amendatory, new matter.....	38
Amendatory, matter left out.....	38
Amendatory, journal to show.....	39
Amendment, limitation on.....	45
Amendments to, committee.....	39
Amendments to, how fastened to bill.....	39
Amendments to, floor.....	39
Amendments to, after second reading.....	39
Amendment, reference for.....	39
Amendments, when made.....	39
Became law without governor signing—(See Joint Rules).	
Calendar, advancement on.....	40
Chief clerk to certify.....	41
Chief clerk to deliver to governor—(See Joint Rules).	
Committee, substitution of.....	44
Debate on .....	24
Engrossing .....	39
Governor to sign or veto—(See Joint Rules).	
Indefinite postponement .....	33, 44
Indefinite postponement, when.....	33
Introduction, procedure .....	37
Method of noting amendments on.....	39
Once rejected, not to be brought up again.....	33
Printing of .....	39
Progress of .....	39
Reading of, three days.....	39
Reference for amendments.....	39

	<i>No. of Rule.</i>
<b>BILLS—Continued :</b>	
Request, not printed.....	39
Right to close debate.....	18
Second reading of.....	30
Senate, transmission to.....	48
Third reading of.....	30
Vote on, to be entered in Journal.....	42
Speaker to sign—(See Joint Rules).	
President of senate to sign—(See Joint Rules).	
Message to senate on transmission—(See Joint Rules).	
<b>BUSINESS :</b>	
Order of.....	1
Order of, announcement.....	3
Unfinished, when taken up.....	4
<b>CALENDAR :</b>	
Bills, advancement on.....	40
Direction for.....	2
Senate bills special order Wednesdays.....	8
Unfinished business, when taken up.....	4
<b>CALL OF HOUSE :</b>	
Procedure.....	32
Power to compel attendance.....	11
Motion for.....	32
<b>CALL TO ORDER—For disorder in debate.....</b>	<b>13</b>
<b>CHAIR—Speaker takes it at hour of meeting.....</b>	<b>5</b>
<b>CHIEF CLERK :</b>	
Bills, certifying passage of.....	41
Bills, numbering.....	37
Calendar, direction for.....	2
Duties of.....	58
Reports of committees, returning.....	30
Requisitions.....	64
Warrants and subpoenas, attested.....	52
<b>CLERKS :</b>	
Discharged, when.....	63
Engrossing, supervision of.....	60
Enrolling, supervision of.....	59
Report to whom.....	62
<b>COMMITTEES :</b>	
Appointment by speaker.....	8
Sit, when.....	52
Whole house, procedure.....	48, 40, 50
List of.....	51
Report, when.....	53, 54
<b>COMMITTEES, STANDING :</b>	
Appointment.....	8
Bills, substitution, procedure.....	44
Delivery of bills to.....	30
Duties of.....	54
Engrossed bills, duties.....	53
Engrossed bills, report.....	53
Enrolled bills, report.....	53
List of.....	51
Names and number of each.....	51

	<i>No. of Rule.</i>
<b>COMMITTEES. STANDING—Continued :</b>	
Reports, amendments .....	39
Report of procedure.....	39
Rules and order, calendar.....	2
Rules and order, duties.....	2
Sit, when .....	52
<b>COMMITTEES. JOINT, CONFERENCE—How ap- pointed—(See Joint Rules).</b>	
<b>COMMUNICATIONS, WHEN READ:</b>	
From governor .....	3
State officers .....	3
Other papers .....	3
<b>DEBATE :</b>	
Censure of members, manner of.....	13
Impugning of motive forbidden.....	12
Obtaining floor for.....	12
Personalities, avoidance of.....	14
Recognition for, by speaker.....	15
Speaking, length of time.....	16
Speaking, number of times, exception.....	16
Motions not debatable.....	24
To adjourn .....	24
Lay on table.....	24
Previous question .....	24
<b>DECORUM OF MEMBERS—(See Debate).....</b>	<b>12</b>
<b>DECORUM—Preservation of .....</b>	<b>6</b>
<b>DISORDER :</b>	
Speaker to quell.....	9
Galleries or lobby cleared by speaker.....	9
<b>DIVISION :</b>	
Demand for .....	36
Members, when counted.....	31
Voting, for .....	30
<b>DOORKEEPERS—Under supervision of sergeant-at- arms .....</b>	<b>61</b>
<b>ENGROSSMENT :</b>	
Of a bill.....	39
Report on .....	53
<b>ENROLLED BILL :</b>	
Signed by speaker—(See Joint Rules).	
Delivered to governor by chief clerk—(See Joint Rules).	
Report on—(See Joint Rules).	
<b>EMPLOYEES—Conduct of .....</b>	<b>63</b>
<b>EXECUTIVE COMMUNICATIONS—When read to house .....</b>	<b>3</b>
<b>EX-MEMBERS—Admitted to floor, when.....</b>	<b>57</b>
<b>FIRST READING OF BILLS—By title.....</b>	<b>39</b>
<b>FLOOR :</b>	
Persons admitted to.....	57
Reporters admitted, when.....	57
Admission when house is not sitting.....	57
Speaker preserves order on.....	6
Smoking forbidden on.....	20

	No. of Rule.
<b>GALLERY:</b>	
Reserved. Portion of.....	56
To be cleared by speaker, when.....	9
<b>HOUR OF MEETING</b> —Usually fixed at 10 a. m....	10
<b>HOUSE:</b>	
Call of, procedure.....	32
Chamber, use of.....	55
Speaker's control of.....	8
Abuse of privilege of floor.....	9
Admission when house is not sitting.....	57
<b>INDEFINITE POSTPONEMENT:</b>	
Motion for, when in order.....	33
Bills, substitution.....	44
<b>JOURNAL:</b>	
House required to keep.....	39
Amendments, to show.....	42
Bills, vote to be entered.....	5
Reading of.....	9
<b>LOBBY</b> —Disorder in.....	
<b>MEETING:</b>	
Time of.....	10
Members to call meeting.....	11
<b>MEMBERS:</b>	
Appeal from chair.....	28
Attendance, compelling.....	11
Censure of.....	11
Chair, appointment to.....	11
Decorum of.....	12
Excused, when.....	19
Fining.....	11
Introduction of bills.....	37
Number of, for quorum.....	11
Recognition of, order of.....	12
Right to call to order when in debate.....	13
Smoking prohibited, when.....	20
Speaking, number of times, exceptions.....	16
Changing vote.....	20
Explaining vote.....	30
<b>MEMORIALS</b> —Presentation and consideration.....	47
<b>MEMORIALS, JOINT:</b>	
Introduction, procedure.....	37
Senate, transmission to.....	43
<b>MESSAGES:</b>	
From governor, when received.....	3
From senate, when received.....	3
From state officers, when received.....	3
<b>MOTIONS:</b>	
Amendments, limitation on.....	45
Division, how made.....	31
Determination, order of.....	26
Indefinite postponement, when in order.....	33
Presentation.....	21
Previous question, ordering effect.....	85
Rank of.....	24

	<i>No. of Rule.</i>
<b>MOTIONS—Continued:</b>	
Reading of papers.....	25
Reconsideration, when in order.....	34
Withdrawal of, how effected.....	23
<b>ORDER OF BUSINESS:</b>	
Advancement of.....	40
Announcement of.....	3
Stated.....	1
<b>ORDER:</b>	
Proceedings in case of disorder on the floor.....	9
Preservation of.....	61
Speaker calls house to.....	5
Sergeant-at-arms to maintain.....	61
<b>PETITION—Presentation and consideration.....</b>	<b>47</b>
<b>PREVIOUS QUESTION:</b>	
Call of the house on.....	35
Debate not allowed on.....	35
Ordered when, effect.....	35
<b>PRINTING:</b>	
Bills by request.....	39
Bills, exception.....	39
<b>QUESTIONS—Form of.....</b>	<b>27, 35</b>
<b>QUORUM:</b>	
Adjournment for.....	11
Defined.....	11
Determined how.....	11
<b>RANK OF MOTIONS—(See Motions).....</b>	<b>24</b>
<b>RECONSIDERATION—Vote on, when in order....</b>	<b>34</b>
<b>REED'S PARLIAMENTARY RULES—Adopted.....</b>	<b>66</b>
<b>REPORTS—Conference reports, how adopted—(See   Joint Rules).</b>	
<b>REQUISITIONS—Supplies.....</b>	<b>64</b>
<b>RESOLUTIONS—Amendment, Invitation on.....</b>	<b>34</b>
<b>RESOLUTIONS, JOINT AND CONCURRENT:</b>	
Introduction, procedure.....	37
Senate, transmission to.....	43
<b>ROLL CALL:</b>	
Manner of asking for.....	1
Not to be interrupted.....	1
<b>RULES:</b>	
Reed's Parliamentary, governing.....	66
Standing, rescinded, how.....	65
Standing, suspended, how.....	65
Suspension of, to transmit.....	65
Notice to amend, how given.....	65
<b>SENATE:</b>	
Bills, transmission of.....	43
Amendments to house bills.....	45
<b>SERGEANT-AT-ARMS:</b>	
Duties.....	61
Requisitions.....	64
Supervision over.....	61

	<i>No. of Rules.</i>
SESSIONS—Meeting, hours of.....	10
SMOKING—Prohibited.....	20
<b>SPEAKER :</b>	
Announces adjournment.....	3
Business, announcement of order.....	3
Committees, to appoint.....	8
Convenes house, when.....	5
Decides questions of order.....	4
Decision of appeal.....	28
Disorder, to quell.....	9
Duties.....	5
Members, recognition.....	12
Order, to preserve.....	6
Points of order, preference.....	6
Pro tempore, appointment.....	8
Questions, form of.....	27
Questions, how stated and put.....	27
Recognition of members, order of.....	15
<b>SUPPLIES :</b>	
Board of control to furnish.....	64
Chief clerk to sign.....	64
SPEAKING—Appeal from chair (see Debate).....	28
STANDING COMMITTEES—(See Committees, Stand- ing).....	51
STATE OFFICERS—Communications, when received.....	3
SUBPOENAS—Issuance.....	52
VETO—Procedure (see Joint Rules).....	7
<b>VOTE :</b>	
Change of.....	30
Explanation of.....	30
Member, when interested.....	30
<b>VOTING :</b>	
Member excused, when.....	18
Questions, form.....	27
WARRANTS—Issuance.....	52
<b>WHOLE HOUSE, COMMITTEE OF :</b>	
Chairman, to quell disorder.....	9
Procedure in.....	48, 49
<b>YEAS AND NAYS :</b>	
Demand for.....	27
Journal, when entered in.....	29
Questions, form of.....	27

## CONGRESSIONAL.

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U. S. Senators, Wesley L. Jones, North Yakima; Miles Poindexter, Spokane.  
U. S. Representatives, John F. Miller, 1st Dist., Seattle; Lindley H. Hadley, 2nd Dist., Bellingham; Albert Johnson, 3rd Dist., Hoquiam; William L. LaFollette, 4th Dist., Pullman; C. C. Dill, 5th Dist., Spokane.

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## NON-PARTISAN JUDICIARY.

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Supreme Court Judges, Overton G. Ellis, Chief Justice, Tacoma; George E. Morris, Seattle; Mark A. Fullerton, Colfax; Stephen J. Chadwick, Olympia; O. R. Holcomb, Ritzville; John P. Mahn, Seattle; Wallace Mount, Spokane; Emmett N. Parker, Tacoma; J. Stanley Webster, Spokane.

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## STATE OFFICERS.

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Governor, Ernest Lister, Olympia.  
Secretary to the Governor, Evelyn W. Ziegans, Olympia.  
Lieutenant Governor, Louis F. Hurt, Tacoma.  
Secretary of State, I. M. Howell, Olympia.  
Assistant Secretary of State, J. Grant Hinkle, Olympia.  
Auditor, C. W. Clausen, Olympia.  
Assistant State Auditor, F. J. P. Jameson, Olympia.  
Deputy State Auditor, H. F. Jones, Olympia.  
Treasurer, W. W. Sherman, Olympia.  
Deputy State Treasurer, J. L. Glaxebrook, Olympia.  
Attorney General, W. V. Tanner, Olympia.  
Assistant Attorney General, R. E. Campbell, Olympia.  
Assistant Attorney General, Hance H. Cleland, Olympia.  
Assistant Attorney General, L. L. Thompson, Olympia.  
Assistant Attorney General, Howard Waterman, Olympia.  
Commissioner of Public Lands, Clark V. Savidge, Olympia.  
Assistant Commissioner of Public Lands, W. W. Hopkins, Olympia.  
Insurance Commissioner, H. O. Fishback, Olympia.  
Deputy Insurance Commissioner, Stewart E. Smith, Olympia.  
Actuary Insurance Department, F. W. Houghton, Olympia.  
Superintendent Public Instruction, Mrs. Josephine Corliss Preston, Olympia.

- Assistant Superintendent Public Instruction, Arthur Wilson, Olympia.
- Deputy Superintendent Public Instruction, Mrs. Addie E. Dickerson, Olympia.
- Adjutant General, Maurice Thompson, Seattle.
- Assistant Adjutant General, L. L. Rolles, Seattle.
- Agricultural Commissioner, H. T. Graves (acting), Olympia.
- Secretary, Agricultural Department, Frank B. Fuller, Olympia.
- Assistant Commissioner, Division of Dairy and Livestock, Acting Commissioner of Agriculture, Olympia.
- Assistant Commissioner, Division of Foods, Feeds, Fertilizers, Drugs and Oils (including inspection of Bacteries), J. J. Higgins, Olympia.
- Chief Deputy Oil Inspector, S. P. Wilson, Seattle.
- Assistant Commissioner, Division of Horticulture, T. O. Morrison, Olympia.
- State Fair, Frank Merkleth, Secretary, North Yakima.
- Veterinary Examining Board, H. T. Graves (acting), Olympia; J. T. Seely, treasurer, Seattle; W. D. Garratt, secretary, Puyallup.
- State Labor Commissioner, C. H. Younger, Olympia.
- State Librarian, J. M. Hitt, Olympia.
- Assistant State Librarian, Joseph P. Heermaus, Olympia.
- Law Librarian, C. W. Shaffer, Olympia.
- Assistant Law Librarian, L. R. Lounsbury, Olympia.
- Superintendent Travelling Library, Mrs. Lou G. Diven, Olympia.
- State Fish Commissioner and State Game Warden, Leslie H. Darwin, Seattle.
- Deputy State Game Warden, R. B. Wales, Spokane.
- Coal Mine Inspector, James Eagley, Seattle.
- Public Printer, Frank M. Lamborn, Olympia.
- Bank Examiner, W. E. Hanson, Olympia.
- Hotel Inspector, J. F. Mykian, Tacoma.
- Fire Warden, P. B. Pape, Olympia.
- Highway Commissioner, James Allen, Olympia.
- State Geologist, Henry Landes, Seattle.
- State Chemists, George A. Olson, Pullman; Charles W. Johnson, Seattle.
- State Commissioner of Health, Dr. T. D. Tuttle, Seattle.
- State Fiscal Agency, The Equitable Trust Company of America, New York.
- State Superintendent of Weights and Measures, I. M. Howell, *ex-officio*, Olympia.
- Deputy Superintendent of Weights and Measures, R. S. Snyder, North Yakima.
- Inspector of Weights and Measures, W. B. Newcomb, Olympia.
- Commissioner of Statistics, I. M. Howell, *ex-officio*, Olympia.
- Deputy Commissioner of Statistics, Harry W. Giles, Olympia.
- Clerk of Supreme Court, C. S. Reinhart, Olympia.
- Superintendent Election Division, Charles B. Wood, Olympia.

## STATE BOARDS AND COMMISSIONS.

- Agricultural Advisory Board**—Ernest Lister, Olympia; E. B. Flood, Spokane; Dr. Iru D. Cardiff, Pullman; Dr. Granville Lowther, North Yakima. Dr. H. T. Graves (acting), secretary, Olympia.
- Board of Accountancy**—William McAdam, Seattle; Ole S. Larson, Seattle; George Shodden, Tacoma; Alfred Lister, Tacoma; Rodney D. White, secretary, Seattle.
- Board of Barber Examiners**—J. E. Hooker, president, Spokane; Fred McGonagle, secretary, Seattle; H. C. Pickering, treasurer, Tacoma.
- Board of Control**—G. Dowe McQuesten, Olympia; W. H. Cochran, Olympia; T. E. Skuggs, Olympia; O. A. Torgerson, secretary, Olympia.
- Board of Dental Examiners**—Dr. Charles M. Libby, North Yakima; Dr. S. L. Mosk, Montesano; Dr. Pascal W. Younsley, Spokane; Dr. Rodney L. Henrue, Seattle; Dr. J. W. Rawlings, secretary, Tacoma.
- Board of Education**—State Superintendent of Public Instruction, Olympia; President University of Washington; President State College of Washington; George W. Nash, Bellingham; C. R. Frazier, Everett; L. L. Sellers, Waterville; Arthur Wilson, acting secretary, Olympia.
- Board of Embalmers' Examiners**—David P. Batley, Wallingburg; W. H. Buckley, Tacoma.
- Board of Medical Examiners**—Dr. Royal A. Gove, Tacoma, president; Dr. C. N. Suttner, Walla Walla, secretary; Dr. A. J. Nelson, Seattle; Dr. James A. MacLachlan, Dayton; Dr. J. J. Tilton, Puyallup; Dr. J. N. Hodgson, Spokane; Dr. Elmer B. Olmsted, Spokane; Dr. H. P. Morse, Wenatchee.
- Board of Health and Vital Statistics**—Dr. Wilson Johnston, Spokane; Dr. Elmer E. Heg, Seattle; Dr. Frederick R. Hedges, Everett; Mrs. Mattie C. McCredie, Sunnyside; Dr. H. T. Graves, Olympia; Dr. T. D. Tuttle, secretary, Seattle.
- Board of Examiners in Optometry**—Maude Coles Whitlock, Tacoma; Charles G. Holcomb, Seattle; I. M. Rudabaugh, Spokane.
- Board of Pharmacy**—C. Osseward, Seattle; F. D. Murr, Tacoma; V. P. Metroskey, Colfax; G. C. Norton, Tacoma; D. B. Garfison, secretary, Conwyl.
- Bureau of Inspection and Supervision of Public Offices**—C. W. Clausen, *ex-officio* chief, Olympia; Al Helander, Olympia; James P. Leghorn, Olympia; E. A. Pedersen, Olympia; Mattie M. Watson, secretary, Olympia.
- State Labor Commissioner**—C. H. Younger, Olympia; assistant, Miss Lucia A. Crangle, Seattle; secretary, Miss E. K. Dahlberg, Olympia.
- State Forest Commission**—Ed. English, Mount Vernon; Pat McCoy, Seattle; W. W. Kutery, Napavine; Frank B. Cole, Tacoma; Clark V. Savidge, Olympia; P. E. Page, secretary, Olympia.
- Industrial Insurance Commission**—John M. Wilson, Olympia; Forest I. Gill, Olympia; Percy Gilbert, secretary, Olympia.

- Library Advisory Board—J. B. Kaiser, chairman, Tacoma; Mrs. Sarah McMillian Patton, Hoquiam; Mrs. O. K. Williamson, Prosser; Mrs. Henry McCleary, McCleary.
- Nurses' Examining Board—Ella A. Wiklison, Bellingham; Helen K. Lester, Spokane; Anna T. Phillips, Tacoma; Miss C. A. Hancock, Spokane; May S. Loomis, Seattle.
- State Board of Park Commissioners—Ernest Lister, Olympia; Clark V. Savidge, Olympia; C. W. Clausen, Olympia; W. W. Sherman, Olympia.
- State Capitol Commission—Ernest Lister, Olympia; C. W. Clausen, Olympia; Mark E. Reed, Shelton; A. H. Chambers, Olympia; Moritz Thomsen, Olympia; C. R. Jackson, Olympia; Clark V. Savidge, secretary, Olympia; Fred G. Cook, assistant secretary, Olympia.
- State Board of Bar Examiners—Robert C. Saunders, Seattle; Dlx H. Rowland, Tacoma; Charles T. Lund, Spokane; C. S. Reinhart, secretary, Olympia.
- Public Service Commission—E. F. Blaine, chairman, Olympia; Arthur A. Lewis, Olympia; Frank G. Spinning, Olympia; J. H. Brown, secretary, Olympia.
- Industrial Welfare Commission—Mrs. Jackson Silbaugh, chairman, Seattle; C. H. Younger, Olympia; Mrs. W. H. Udall, Tacoma; Rev. M. H. March, Tacoma; Mrs. Frances King Headlee, secretary, Olympia.
- Tax Commission—C. R. Jackson, Olympia, president; J. W. Hrislaw, Olympia; Thomas P. Horn, secretary, Olympia.
- Uniform Legislation Commission—Charles B. Shepard, Seattle; W. V. Tanner, Olympia; Alfred Battle, Seattle.

## EX-OFFICIO BOARDS AND COMMISSIONS.

- Board of Finance—Governor, Olympia; State Auditor, Olympia; State Treasurer, Olympia.
- Historical Building Commission—Governor, Olympia; Secretary of State, Olympia; State Treasurer, Olympia.
- Board of State Land Commissioners—Land Commissioner, Olympia; State Treasurer, Olympia; Secretary of State, Olympia.
- Board of Equalization—State Auditor, Olympia; Land Commissioner, Olympia; Members Public Service Commission, Olympia.
- Public Archives Commission—Governor, Olympia; Secretary of State, Olympia; State Auditor, Olympia.
- Board of Geological Survey—Governor, Olympia; Lieutenant Governor, Tacoma; State Treasurer, Olympia; President University of Washington, Seattle; President Washington State College, Pullman.
- Public Property Commission—Secretary of State, Olympia; State Auditor, Olympia; State Treasurer, Olympia.
- Oyster Commission—Governor, Olympia; Land Commissioner, Olympia; Fish Commissioner, Seattle.

- Library Commission—Governor, Olympia; Attorney General, Olympia; Supreme Court Judges, Olympia.
- Highway Commission—Governor, Olympia; State Treasurer, Olympia; one member Public Service Commission, Olympia; State Auditor, Olympia; Highway Commissioner, Olympia.
- Board of Fish Commissioners—Governor, Olympia; State Treasurer, Olympia; State Fish Commissioner, Seattle.
- Washington State Historical Society—Governor, Olympia; Secretary of State, Olympia; State Treasurer, Olympia; W. P. Bonney, secretary, Tacoma.

## STATE INSTITUTIONS.

- University of Washington (Located at Seattle)—Regents: John A. Rea, Tacoma; Eldridge Wheeler, Montesano; Charles E. Gaches, Mt. Vernon; Winlock W. Miller, Seattle; Dr. W. A. Shannon, Seattle; O. A. Fechter, North Yakima; W. T. Perkins, Seattle.
- State College of Washington (Located at Pullman)—Regents: J. C. Cunningham, Spokane; W. A. Ritz, Walla Walla; R. C. McCroskey, Garfield; W. M. Pease, Seattle; H. T. Coman, Spokane.
- State Normal School (Located at Cheney)—Board of trustees: Mary A. Monroe, Spokane; V. T. Thain, Spokane; Charles A. McLean, Spokane. N. D. Showalter, principal, Cheney.
- State Normal School (Located at Bellingham)—Board of trustees: Thomas Smith, Mt. Vernon; C. M. Olson, Bellingham; K. G. Barlow, Bellingham. G. W. Nash, principal, Bellingham.
- State Normal School (Located at Ellensburg)—Board of trustees: Fred P. Wolfe, Ellensburg; H. C. Lucas, North Yakima; Sue M. Lombard, North Yakima. George A. Black, principal, Ellensburg.
- State School for Deaf—Thomas P. Clarke, superintendent, Vancouver.
- State School for Blind—Mrs. Sadie Hall, superintendent, Vancouver.
- State Training School—George A. Sheafe, superintendent, Chehalis.
- State Soldiers' Home—Ed C. Warner, superintendent, Everett.
- Washington Veterans' Home—W. H. Wiscombe, superintendent, Reelsil.
- State School for Girls—Miss Mary Campbell, superintendent, Grand Mound.
- Western Hospital for Insane—Dr. W. N. Keller, superintendent, Port Steilacoom.
- Eastern Hospital for Insane—Dr. A. S. Oliver, Jr., superintendent, Medical Lake.
- Northern Hospital for Insane—Dr. J. W. Doughty, Sedro-Woolley.
- State Penitentiary—Henry Drum, superintendent, Walla Walla.

State Institution for Feeble Minded—N. C. Woodruff, superintendent, Medical Lake.

State Reformatory—Board of managers: H. B. King, Seattle; F. F. Swale, Everett; W. H. Cochran, Olympia; T. E. Skaggs, Olympia; G. Dowe Medvesten, Olympia. Donald B. Olson, superintendent, Monroe.

### COUNTIES, POPULATION AND ASSESSED VALUATION.

COUNTIES	Population 1910 Census	Population Present Estimate	Total Assessed Valuation as Equalized by State Board of Equalization	Class of County
Adams .....	10,920	14,127	\$12,180,256	15
Asotin .....	6,831	7,731	4,408,089	19
Benton .....	7,939	10,735	7,094,745	18
Chelan .....	13,101	18,000	12,756,731	13
Clatsop .....	6,755	9,000	13,638,979	16
Clarke .....	26,115	32,812	12,431,067	9
Columbia .....	7,042	7,042	6,802,353	19
Cowlitz .....	12,561	15,032	7,412,055	14
Douglas .....	9,227	12,767	9,758,701	16
Ferry .....	4,800	4,926	2,307,056	20
Franklin .....	5,153	7,613	4,050,006	20
Garfield .....	4,169	4,346	4,491,537	23
Grant .....	8,608	12,025	9,737,164	17
Grays Harbor..	35,590	46,384	28,892,021	7
Island .....	4,701	8,200	1,955,000	22
Jefferson .....	8,327	9,721	6,250,633	17
King .....	294,638	376,717	235,504,345	1
Klickitat .....	17,847	23,285	6,980,407	12
Kittitas .....	18,561	23,233	12,348,975	11
Klickitat .....	10,160	13,767	9,300,663	15
Lewis .....	32,127	41,076	17,435,473	8
Lincoln .....	17,529	20,478	21,487,835	12
Mason .....	5,156	5,865	5,225,869	21
Okanogan .....	12,887	17,211	6,652,502	14
Pacific .....	12,532	15,981	12,316,771	14
Pend Oreille .....		6,000	4,104,118	19
Pierce .....	120,912	155,251	77,061,045	1
San Juan .....	3,603	3,958	1,480,910	24
Skaft .....	29,241	37,136	11,580,215	9
Skamania .....	2,837	3,518	3,414,017	25
Snohomish .....	59,209	77,804	39,901,790	4
Spokane .....	130,404	182,580	90,661,343	1
Stevens .....	25,277	33,879	7,674,708	11
Thurston .....	17,581	21,618	10,403,298	12
Wahkiakum .....	3,285	3,531	1,650,266	25
Walla Walla .....	31,901	38,920	25,436,977	8
Whatcom .....	40,511	62,904	20,754,204	5
Whitman .....	33,280	37,456	33,530,380	7
Yukima .....	41,709	56,401	28,344,440	5
Totals.....	1,141,002	1,475,727	\$826,317,159	