

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.

Mr. Warner moved to make the minimum limit twenty representatives and twenty senators in the interest of economy.

LOST.

Section approved.

Section 3 was adopted without debate as follows:

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 their first session after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the numbers 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.

Section 4 was read as follows:

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

Mr. Griffiths moved to amend so as to make the term of representative three years.

LOST.

Section approved.

Section 5 was adopted without amendment or debate.

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 in 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.

Section 6 was read as follows:

Sec. 6. 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 and by virtue of this constitution, in the 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; and thereafter the senators shall be elected for the term of four years.

E. O. Sullivan moved to strike out word "single" before "district." Lost.

Mr. Griffiths moved to strike out "and representative district shall be divided in formation of

SENATORIAL DISTRICTS.

LOST. On motion of Mr. Biles the words "after first year" were inserted instead of "therefore" in last line of section. Section approved.

Section 7 read as follows:

Sec. 7. No person shall be eligible to the legislature who shall not be a citizen of the United States and have resided two years within the state and be a qualified voter in the district where he is chosen; provided, that at the first election every citizen of the United States who is a qualified voter when elected, shall be eligible.

Mr. Griffiths moved to strike out "and have resided two years within the state." Lost.

On motion of T. M. Beed, the following was stricken out: "provided, that at first election every citizen of the United States who is qualified voter when elected shall be eligible."

E. O. Sullivan moved to strike out the section. Lost. Section approved.

Sec. 8. Each house shall be the judge of the freedom of its members 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.

Section 9 was read as follows:

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.

Mr. Godman moved to strike it out. Lost. Section approved.

Sec. 10. Each house shall elect its own officers; and the senate shall choose a temporary president when the lieutenant-governor shall not attend as president, or shall act as govern-

or. When presiding the lieutenant-governor shall have the deciding vote in case of an equal division of the senate.

Section 10 was read. Mr. Godman moved to strike out all of the first sentence.

LOST.

Section approved.

Clerk read section 11. 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.

Griffiths moved to strike out as much of the section as allows holding secret sessions. Lost. Section approved.

Clerk read section 12 as follows:

Sec. 12. The first legislature shall meet on the first Wednesday after the first Monday in November, A. D., 1890. The second legislature shall meet on the first Wednesday after the first Monday in January, A. D., 1891, and 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 for more than sixty days.

Mr. Weir moved to insert between "and" and "biennially" the words "sessions shall be held. Section approved.

Sections 13 and 14 were adopted without amendment being offered.

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.

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 in the legislature, and the vacancy of the seat shall be filled by the legislature. Local officers and postmasters, whose compensation does not exceed \$300 per annum, shall not be ineligible.

Section 15 was read.

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

Griffiths moved to strike out. Lost. Section approved.

Section 16 was taken up.

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

J. Z. Moore said that the original of the section contained provision for exemption of legislators from arrest for fifteen days after as well as before session.

Mr. Dunbar moved to strike out the provision for exemption after the session. Carried—27 to 10. Section as amended approved.

Sections 17 and 18 were approved as follows:

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

Sec. 18. The style of the laws of the state shall be: "Enacted by the legislature of the state of Washington." And no law shall be enacted except by bill.

Section 19 was read, as follows:

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

E. H. Sullivan moved to add, "and any violation of this section will render the entire act void."

LOST.

Section approved.

Sections 20 and 21 were approved without effort to 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.

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.

The clerk read section 22, as follows:

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 the favor.

Mr. Stiles moved to add a provision to prevent a bill from being introduced within the last ten days of the session.

Lost—24 to 12.

Judge Turner moved to strike out the clause beginning, "and a majority."

Mr. Power moved to substitute that a majority of the members present may pass the bill.

Both amendment and substitute were VOTED DOWN.

Section 23 was read, as follows: Sec. 23. Each member of the legislature shall receive for his services \$4 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.

Judge Sharpstein offered a substitute providing that each member of the legislature shall receive for his services \$500 for each regular session and mileage, and \$5 per day at special or called meetings and mileage, but it was lost. Section approved.

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

Section 24 was read. Mr. Biles moved to strike it out.

LOST.

Section approved. Section 25 was read as follows:

Sec. 25. The legislature shall provide by law that all stationary required for the use of the state, and all printing authorized and required by it, to be done for its use or for the state, shall be let by contract to the lowest bidder, but the legislature may establish a maximum price, provided in case of emergency the legislature may otherwise provide. No member of the legislature, or other state officer, shall be interested in any such contract, either directly or indirectly.

On motion of Mr. Griffiths the section was stricken out by vote, 24 to 23. Sections 26 and 27 were approved, without effort to amend.

Sec. 26. 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.

Sec. 27. The legislature shall direct by law, in what manner, justice shall be done, suits may be brought against the state.

On motion of Balesman section 28 was stricken out.

By vote, 30 to 21, it reads as follows:

Sec. 28. Members of the legislature and officers thereof, before they enter upon their official duties, shall take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the state of Washington, and will faithfully discharge the duties of senator, representative or officer according to the best of my abilities, and that I have not knowingly or intentionally paid or contributed anything, or made any promise in the nature of a bribe, directly or indirectly, to influence any vote at the election at which I was chosen to fill said office, and have not accepted, nor will I accept, directly or indirectly, any money, property or any other valuable thing from any corporation, company or person for any vote or influence I may give or withhold on any bill or resolution or appropriation, or for any other official act." This oath shall be administered by a judge of the supreme or superior court, or the presiding officer of either house, in the hall of the house to which the member is elected, and the secretary of state shall record and file the oath subscribed by each member and officer. Any member or officer of the legislature who shall be convicted of having sworn falsely to, or violated his said oath, shall be forever disqualified, and be disqualified thereafter from holding the office of senator or member of the house of representatives, or any office within the gift of the legislature, and such additional punishment as may be provided by law.

Section 29 was read:

Sec. 29. In all elections by the legislature the members shall vote viva voce, and their votes shall be entered on the journal.

The motion of Mr. Schooley to strike out was lost and section was approved.

Section 30 was read:

Sec. 30. Special legislation: 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 the 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 people 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 locating or changing any county seat.
6. For assessments or collection of taxes, or for extending the time for collection.