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SPOKANE FAILS REVIEW: THURSDAY AUGUST 5, 1885.

OLYMPIC DOINGS.

A Field Day at the Constitutional Convention Over the Corporations Bill.

Water and Water Rights Will Next be Considered by the Solons.

A Windy War Waged Yesterday Until Adjournment Was Accomplished.

would vote later to amend that report in several particulars. J. M. Reed favored a commission to protect farmers, who were the real sup-port of the railroads and who were to-day, many of them, despondent over their business, because they were un-certain whether they could get their wheat to market in such shape as to get any benefit out of it. This was simply a board to equalize the burdens between the carrier and the producer. OLYMPIA, Aug. 3.-The convention met at 0 A: M., T. M. Reed in the chair. Prayer by Chaplain Thompson. Roll call, and all present except those on leave. The records were read, corrected and approved.

Mr. Eshelman sold this constitutional commission was in some sense an ex-periment, but he should vote for it for fear that the legislature might not pro-vide for it; but he also wanted this see-tion amended before being finally The chair presented a telegram addressed to President Hoyt, which he tion amended before being finally adopted. His position was practical-ly to had not opened, though it was likely to be public business. Mr. Dyer moved that the chair open

it, and several voices seconded the motion. Mr. Manly thought the convention

might have got along a day or two without opening a private dispatch. The convention adopted Dyer's tion, and after some hesitation the chair opened the envelope. It proved to be from the Spokane Falls Farmers' Allifrom the Spokane Falls Farmers' Alli-lance and Trades Council and Knights of Labor, protesting against changing sec-tions 9 and 21 of the corporation article and against allowing aliens to own land. Referred to the committee of the whole. EXCUSED FROM ATTENDANCE. On motion of Mr. Griffitts, Blalock was given indefinite leave; on the request of Mr. Stiles was opposed to putting any-thing of this sort into the coustitution, and so should vote against both reports. This was purely legislative beyond any-thing that had been yet considered by the convention. Of twenty-one states which had these commissioners offly one (California) had put it into the con-stitution, and it was notorious that there it was of almost

to-day; on request of McEiroy, Allen was excused for to-day at his own re-

quest. COMMUNICATIONS AND PETITIONS.

A communication from A. O. Husto of Tenino, giving the convention his sonal views on the management of sonal views on the management of fail-roads and women was presented. Re-Serred to the committee of the whole. Mr. Sullivan of Tacoma presented a commerce by S. A. Wheelwright, secre-tary, protesting against sections 9 and 21 of the corporations article; also from the medical practioners/of Pierce county, a memorial in favor of a board of vital statistics and laws regulating the prac-tice of medicine.

other state. Iowa is losing population from two causes—the railroad commis-sion and prohibition, two of the most blighting conditions that can affect bus-iness. He would not agree that any three men should legislate for him by fixing rates and fares and making rules and regulations. The proposition of the gentleman from Spokane (Grifilits) to allow the logislature to strike this out Mr. Winsor presented a petition from "old settlers" asking additional sec-tions in the tide lands article. Referred to the committee of the whole. allow the legislature to strike this out should be thought the inherent witness of this whole propostion, this constitu-tion not being made for the legislatures

MISCELLANEOUS SUBJECTS.

The Report of That Committee Brings up the Tide Lands.

but just the reverse. Mr. Buchanan considered this as im-Mr. Dickey presented the report of the committee on miscellaneous subjects signed by S. A. Dickey, secretary, J. M. Reed, Robert Jamison and Buchanan, portant a question as had yet come up, but for the moment the question was whether or not to have a constitutional convention. He quoted from the report of the California commission to refute Comegys reconsidering a separate sub-mission of the prohibition article. Laid over one day and ordered printed. Mr. Moore's amendment to the rules providing that the ten-minute rule shall not apply when property interests of the state are under debate was offered in connection with the the adoption of the sion, the report showing a reduction o freight charges during the life of the commission. Mr. Stiles asked if anything showed that such reductions were due in any way to that commission. Ar. Buchanan said it showed that connection with the the adoption of the ten-minute rule yesterday, but was cut off by the ordering of the previous ques-tion. He said the latter, days of this committee was a state of the state. Mr. Buchanan said it showed that these reductions occurred during their term of office and the presumption was, to his mind, that they were the cause of it. He further quoted to show greatly reduced passenger rates in California, as compared with Washington territory rates, and credited the California com-mi...ion with that result. If this be leg-islation, it is legislation that ought to find it, way into the constitution more tion. He said the latter days of this convention were approaching and that the most important subjects, in-volving millions of dollars of public property, were to be deliberated upon. He recalled his motion early in the session calling for information on the tide land question, involving 2500 miles of the shore and possibly \$40,000.000 worth of lands, and the fact that the convention refused it. Now he hoped that, with this question coming up, no such rule or find it way into the constitution more than any of the legislation that has al-ready gone in. such rule or unless railroads can be duplicated ter RESTRICTION OF DEBATE miles apart, all over the territory. The gavel again, and Buchanan good naturedly abandoned his argument,

would be allowed, which would in effect deprive members of such information as had been gathered. It was well known that jobbery and corruption worked al-ways in the last few days of sessions and ways in the last low days of sessions and under gag laws and time limits. If any such laws were made in this convention he believed the people would rise up and refuse this constitution. | Mr. Miuer agreed, moved adoption and called for the previous question, but withdrew the call at the request of Mr. Stiles.

commission, railroad influence will keep from business men, whom he believed it from ever being created. E. H. Sullivan opposed the majority report, for the reason that it was a wrong idea to establish a to be FRIGHTENED AS BUSINESS MEN

TAKE NO CHANCES

NO BART HLY USK,

STRIKE OUT,

COMPETITION IS NOT FEASIBLE,

while the steam was only fairly up and lots of "go" left. Mr. Dyer said King county felt the

need of more railroads and it seemed to him that such a commission was liable

REGRETERED AS DUSINESS REN, at the idea of retariling the growth by this action. As he could not believe that. He could not surrender his judg-ment and beliefs to theirs. Mr. Miner asked if a great established road would not have an advantage under this section over short and new PERMANENT COMMISSION **PERMANENT COMMISSION** in a constitution. He had also objec-tions to minor details of the scheme, which he stated, and if, as the gentle-man said yesterday, the legislature can render the commission inoperative by stopping salaries, etc., then why not leave the whole thing to the legislature. Mr. Comegys would vote at present to sustain the majority report, but would vote later to amend that report in several particulars.

lines. Mr. Turner could not see why. This provision bears equally upon all roads within the territory. Mr. Miner-Would it not have to es-Mr. Miner-Would it not have to es-

Mr. Miner-Would it not have to es-tablish the same rates, substantially. Throughout the territory, and thus favor old roads, which can work cheaper than new roads? Mr. Turner-Undoubtedly; but the commission is to take into considera-tion all facts in each case to guide them in making rates for that road. Mr. Moore doubted if quite so much legislation ought to go into the constitu-tion. He did not favor electing these commissioners by the people, but be-

commissioners by the people, but be-lieved they should be elected by the leg-islature and hold their office at its pleas-ure. He should vote, however for the majority section in the hope of amend-Mr. Godman intended to vote for it at his time for the same reason, and so

id Mr. Joy. CLOSING THE DEBATE.

TAKE NO CHANCES on the legislature. Mr. Henry was opposed to railroad t commissioners, and especially opposed to creating them both judges and legis-lators by a constitutional provision. He believed, further, that they would crue and would cause capital to hesitato before building railroads in the future. Com-building railroads in the future. Com-petition was the only defense against monopoly. Mr. Kinnear was recognized to close the debate. He referred to the indul-gence of the committee yesterday in granting him more than half an hour in granting him more than half an hour in which to open the argument, and would not occupy much time now. He briefly replied to Minor's question, stating that the commission could take into account the condition of various roads and reit-erated his belief in the usefulness and advisability of a railroad commission. On substituting the majority section the vote stood 39 ayes, and the section was declared substituted as a majority of members elected had voted for it. Section 21 as recommended by the majority was then before the committee. Mr. Grifflits moved his amendment, providing that the legislature may abol-ish such commission. Mr. Eshelman moved that the com-mittee rise and report progress. So

wittee rise and report progress. So voted. Mr. Reed resumed the chair. Mr. Bowen reported progress and leave even in the vicinity of San Francisco.

even in the vicinity of San Francisco, so that if the commission idea is clicctive, or has found favor in the eyes of the people, it is from the experience of those twenty-one states whose commissions are legislative and not constitutional commissions. Indiana has no commis-sion and never had one, yet it has more railreads and heaven whose the average of the sector that if the commissions are also be an also be an also be an also be also be twenty-one states whose commissions. Indiana has no commis-tion and never had one, yet it has more CORPORATIONS AGAIN ON MONDAY. Mr. Kinnear moved that the corpora-tion article be made the special order for Monday at 2 o'clock. Mr. Power claimed that this article was still in the committee of the whole

ailroads and cheaper rates than any ther state. Iowa is losing population or two causes the railroad commisand not reported back, but that the committee had been granted leave to sit tioned. again The chair ruled that it was within the

power of the convention to say when it should sit, and, consequently, he should rule this motion in order. Mr. Kinnear's motion prevailed by ayes 39, noes not counted.

Meyers, Kinnear and Crowley were ex-cused until Monday at 1 oclock, at their wn request. Sullivan of Tacoma moved to adjourn

to Monday at 10 A. M Mr. Goodman moved a recess until this afternoon at 2 P. M. Carried-ayes

33, nays 29. AFTERNOON SESSION.

Report of the Committee on Federal

Relations. The convention met at 2 P. M., Reed in the chair and lifty-three members the charge that it was a useless commis

present, Mr. Comegys called for the report o

Mr. Comegys called for the report of the committee on federal relations, which was read, as follows: Section blank or article blank. The consent of the state of Washington is here-by given to the exercise by the congress of the United States, of exclusive legis-lation in all cases whatsoever over such tracts or parcels of land as are now held by the government of the United States for the purpose of erecting and main-taining thereon forts, magazines, arsen-als, dockyards, lighthouses and other needful buildings in accordance with the provisions of the 17th clause of the 3rd section of the United States. Pro-vided, that a sufficient description by metes and bounds and an accurate plat or pupp of each

of each

together with copies of the orders, deeds, patents or other evidence in writing of the title of the United States; and pro-vided that all civil processes issued from the courts of this state, and such crimi-Just as well be adopted as they stood. Mr. Minor read section 4661 of the statutes of the United States to the ef-fect that no appropriations could be made by congress until this cession had nal processes as may issue under the authority of this state against any per-son charged with crime in cases arising outside of said reservations may be

ment need not keep coming for a cession of jurisdiction in the future, and that oc-cupancy was very simple since it began as soon as the government began to im-Mr. Sturdevant said he understood Mr. States amendments were made that if these amendments were made there would be nothing done by the United States government. Mr. Griffitts asked if appropriations were not granted upon a cession of juris-diction only. iction only. Mr. Sturdevant-Yes, that is a condi-

ion precedent to all such appropria-Mr. Turner said there was a very wide

by a threat that we should get no ap-propriations. The United States made this article broad enough to cover every species of jurisdiction that the states might be willing to grant, but the state did not intend, he thought, to grant this jurisdiction over isolated buildings like investories.

postoffices. Mr. Stiles-Is it not customary to grant such jurisdiction when it is United States land on which postoffices, etc.,

Mr. Griffitts—Out of order and a mo-tion to lie on the table is not debatable. The Chair—The gentleman is in order; he has a right to explain his motion. Mr. Griffitts—But he is going to argue Mr. Moore-A point of order. The

chair has decided. If has only one of two things to do, either sit down or take an appeal. He sat down. Mr. Stiles called for a division of the

question and it was divided. The ques-tion on amending was taken up and the motion failed. On striking out "and other needful buildings," Griffitts asked the chairman of the committee what he understood to be the meaning of these

Mr. Comegys-Only that they apply to the buildings, etc., already men-Mr. Power thought the same applied Mr. Power thought the same applied to other needful buildings on those res-ervations connected with or related to forts, magazines, arsenals, dock yards and light houses. Mr. Turner was satisfied that the con-

Mr. Turner was satisfied that the con-struction of Powers was wrong; that this language was applied to all tracts and parcels of lands, either for forts or for arsenals or for other needful build-

Mr. Prosser thought that if some words would show that these buildings were to be so connected with or related to the buildings named, they would bridge over the difficulty. Mr. Turner sold he was about to sug

sets forme such as the was mout to sug-gest some such scheme, and modified his amendment so as to leave the words to read "and other needful buildings in connection therewith." Mr. Willison said that might not

Mr. Willison said that might not cover quarantine stations, which the United States had proposed to build. Mr. Jones didn't fear the granting of jurisdiction even over postoffices or any public buildings. Mr. Moore thought there was no good in this

in this HAIR-SPLITTING PROCESS;

that the constitution of the United States covered this point, and that the language of the committee might as well

Insuige of the committee might as well be adopted now and be done with it. Mr. Griffitts instanced the custom-house and quarantine station at Port Townsend as cases where no more ap-propriations would be granted until such jurisdiction was ceded. The chair suggested that the debate hadn't touched on an important word, viz.: "Maintained." E. H. Sullivan contended that the

such tract or parcel of land be filed in the proper office of record in the county in which, the same is situated, E. H. Sullivan contended that the ordinary rules of construction would connect these words with those which Mr. Dyer thought the words might

son charged with crime in cases arising outside of said reservations may be served and executed thereon in the same statute of the United States and could

was done to introduce an article to be referred. He introduced an article mak- soleran compact between the state and the United States concerning religious is an end the United States could be the end to the import of the the states and the united to the constitution substituted as follows: "We, the people of North Dako- in grateful to Almighty God for civil and religious liberty, do establish and ordain this constitution." The article prohibiting railroad com-

No BUSINESS COULD BE TRANSACTED. Mr. Turner moved to lie on table. Result-ayes 21, nocs 21. But Griffitts and Gowey, who were standing in con-ference, were counted in each vote which point was made by Moore, and this time these two gentlemen got to counted only once. Result-ayes 22, nocs 24.

E. H. Sullivan raised the point that this motion to suspend rule 49 was out of

Mr. Silles moved to adjourn, and Sul-livan withdrew his point in favor of that motion. Adjournment was refused by ayes 18,

postoffices. Mr. Stiles—Is it not customary to grant such jurisdiction which postoffices, etc., stand? Mr. Turner—I think not, though it may sometimes be done. Mr. Turner—I think not, though it may sometimes be done. Mr. Oyer—What do I understand the chairman of the committee to say will be the result of adopting these amend-ments? Mr. Comegys—That it will do nothing. Mr. Willison said this was an unusual grant by states in such cases. Mr. Moore moved to lay on the table, and was proceeding to explain his reasons. Mr. Griffitts - Out of adopting the subscription of the subscription Mr. Willison said this was an unusual grant by states in such cases. Mr. Moore moved to lay on the table, and was proceeding to explain his reasons.

Mr, Moore-I never knew the gentle man to accept anything connected with water when he could get anything else was adopted.

FREE FOR ALL.

A Go-as-You-Please Time in the Closing Hours.

Then ensued a circus of motions to ad Journ, call the house, hy on the table and sundry other suggestions for sev-eral minutes, but the chair, emerged from the dust of the struggle with a de-cision to which he held the committee strictly down, and that was that noth-ing was then in order but a vote on Griffitts' motion to suspend rule 40, and Griffitts' motion to suspend rule 49, and he put that motion. The ayes and noes were demanded. The roll was called and the rule wasn't suspended—ayes 15, nose 36.

Mr. Dunbar moved to adjourn, as ther Mr. Dunbar moved to adjourn, as ther Mr. Danhar moved to adjourn, as there was nothing being done. Ayes and noes demanded again amid a good deal of laughter, and several instances of two ayes and two noes being shouted on the call of one name. The roll call pro-ceeded, resulting in another refusal to adjourn by ayes 17, noes 34. Seven or eight voices shouted "Mr. Chairman" together, and the chair naked leave to meak shout a tolegene or

sked leave to speak about a telegram on the table.

the table. Mr. Griffitts kept on steadily remark-ing "Mr. Chairman," until Mr. Turner-raised a point that members should sit down when told to do so by the chair. The chair set them both down with a very decided rap of the gavel and the remark, "The gentlemen will sit down; the chair has the chair has

THE RIGHT TO SPEAK." Mr. Griffitts moved to call the house. Mr. Griffitts moved to call the house. Mr. Dyer moved to go into committee of the whole on water and water rights.

Mr. Dunbar moved to adjourn. Mr. Moore raised a point of order a

Mr. Arobic faise, a point of order a couple of times. Mr. Turner did the same. The question on Griffitt's motion to lay Judge Hoyt's telegram on the table was called for. Mr. Turner said the convention had no right to lay Judge Hoyt's telegram on the table.

on the table. The chair said the convention was in

The chair said the convention was in such an uproar that he didn't hear any second to that motion. The telegram was abandoned. The chair said several motions were made Mr. Alger called for the ayes and noes

on his motion to go into committee of the whole, and finally (lowey moved a, call of the house, and that motion got a hearing and discussion. It was ordered -ayes 25, noes 16. Mr. Gowey moved to adjourn, but was decided out of order of crude ore averaging 55 per cent lead to the ton or concentrates in which the metal has been brought up to that pro-portion. Allowing 5 per cent for the general's enthusiasm and taking it at 50

Mr. Gowey moved to adjourn, but was decided out of order. Mr. Gowey moved that further pro-ceedings under the call of the house be dispensed with. Mr. Power—There has been no proper cent, the daily output is 165 metallic fead. For the ing year of 365 days this lecided out of order.
Mr. Gowey moved that further pro-ceedings under the call of the house be dispense with further proceedings under the call.
Mr. Power—There has been no pro-ceedings under the call.
Mr. Power—There has been no pro-ceedings under the call.
Morning, Sau Francisco, Gen, Granite, Sierra Nevada, Stem Winder, Emma and Last Chance and California ship to dispense with further proceedings under
Mither proceedings under
Mither proceedings under
Morning, Sau Francisco, Gen, Granite, Sierra Nevada, Stem Winder, Emma and Last Chance and California ship to
Mither proceedings under
Mither proceedings under</l

CLAM CHOWDER. Remarkable Memorial Pre sented to the Constitutional Solution of the Tide Lands Problem Proposed by Sound The Clam Industry to be Pro

tected and Awards

vention Adjourns Monday.

convention: The undersigned, old set-Stoux Fains, Aug 3 .- The South Dakota constitutional convention practi-cally closed its labors to-day, though a final adjournment will not be taken un-til Monday. During the last hours the convention passed upon some of the tlers of Puget Sound, respectfully ask that as some recognition of their rights, that the following additional sections may be incorporated into the article convention passed upon some of the most important matters brought before the body. The proposed amendment to thesch edule shortening the term of state officers to be elected in October, and making elections for state and county co-incident, which was defented yesterday, was reconsidered and adopted to-day. The state and county officers will, therefore, be elected in November, 1800, and South Dakota has been deliv-ered from annual elections. A most im-portant feature of the work to-day was the consideration of the state and mu-nicipat indebtedness. By the constitu-tion, 1889, the limit of state indebtedness is fixed at \$50,000. An amendment was offered fixing the limit at \$100,000, which was adopted. on state, school and granted lands; SEC. -. Whereas grave doubts now exist, and have existed, in legislative and judicial minds since the day when Moses was found in the bullrushes, as to what constitutes tide lands in law and in fact, therefore, in order to settle that question forever it is hereby declared that the true definition of the term tide lands, as established by immemorial usuage on Puget Sound is "muck amuck Illahe," or clam lands, and | into domestic traffic. that all lands and waters producing clams shall be held and treated as tide

Convention.

Citizens.

Made.

[SPECIAL TELEGRAN TO THE REVIEW.]

dent and members of

OLYMPIA, Aug. 3 .-- To the presi-

Montana Convention

clams shall be held and treated as tide lands as hereinafter provided. SEC. —. Whereas said lands have been exclusively claimed and held by the old settlers by right of discovery and occu-pation as tenants in common for fishery and pasturage for a time to which the memory of man runneth not to the con-trary, the title of said claims to said HELENA, Aug. 3.—In the convention to-day the judiciary committee recom-mended that no action be taken regard-ing Indian reservations, as under the laws of congress the state las no author-ity. Marshall introduced a resolution classifying and providing the manner of the leasing of the lands granted for school funds. The bill on senatorial aplands in fee simple is hereby acknowledged.

portionment came up, and section 4, providing for sixteen senators, or one for each county, created a perfect upoar, after a heated debate. The proposition was carried by a vote of 41 SEC. - Said tide or clam lands shall hereafter be held in severalty, and to to 26. The motion for reconsideration was carried, and there the matter now carry this provision into effect the governor of the territory shall immediately appoint a commission to take a census The Idaho Canvention.

of the old settlers upon Puget Sound. BOISE CITY, Idaho, Aug. 3.—The con-SEC. -The county commissioners of The county government is framed so effectual and economical that it will be a saving to tax payers of between \$50,000 and \$60,000 per annum over the present territorial system, there being a marked change in county government. every county abutting upon the Sound shall immediately appoint a board of viewers, one af whom shall be a surveyor and the other two old settlers. whose duty it shall be to view out and

estimate the number of acres of tide or COUR D'ALENE LEAD.

clam lands in their respective counties, A Rough Estimate of the Total Out-put of the Mines in That Region. [From the Helena Journal.] and to mark them off by driving four poles at least eighteen inches at the butt

poles at least eighteen inches at the built at each of the four corners, which stakes or piles shall conform to stakes and mounds prescribed in the regulations of the secretary of the interior for the sur-vey of public lands, except that the mounds shall be made of claim shells in-stend of earth or stones. The piles or stakes shall be plainly marked with works claim lands, and the mouse of the There is now in this city a gentleman There is now in this city a gentleman who has for some time past been oper-ating in the Cour d'Alene region, and is thoroughly conversant with the lead question in relation to cost of transpor-nation and treatment. Yesterday he gave the following rough estimate of the daily output of ore (in tons) of the prin-ty cipal mines of the district: Poorman 59, Tiger 40, Morning 40, San Francisco 20, Gem 15, Custer 10, Granite 30, Sierra Nevada 25, Stemwinder 15, Emma and Last Chance 20, California 15. The fig-ures were jotted down hurriedly, and the sum total is probably below the actual output, because some of the smaller and newer enterprises have been omitted. words clam lands and the name of th county in which said lands are situated. Said viewers shall be governed by the road laws of Washington territory

the road laws of Washington territory so far as they may be applicable, but if, in their judgment, such laws do not con-tain sufficient legislation to cover the case, they may make such additional rules for their own government as they may deem necessary, and for that pur-pose the same powers are given to them as are delegated to railroad commission-ers under section 21 of the article upon corporations in the constitution. SEC, -. As soon as the census com-missioners and the land viewers have completed their duties they shall re-port the result of the same to the governor of the territory, who shall General Warren, who is one of the principal owners in the Poorman was hown these figures and said they were shown these figures and said they were certainly not too large. The sum total as can be found by addition is 280 tons per day for the district. If to this, is added fifty tons per day, the output of the Bunker Hill and Sullivan mines completed their duties they shart to port the result of the same to the governor of the territory, who shall thereupon proceed to divide the total number of acres of tide lands by the to-tal number of old settlers, after adding the number seventy-cight thereto, and thereupon it shall be the duty of viewers theretofore appointed to proceed at once to divide all said lands into as may lots. Containing such number of seach as there are old settlers with seven-s twoight added thereto as aforesaid, seach containing such number of seach con when operating, brings the figures up to 830 tons. The general says the ship-ments from the Cour d'Alenes are either

Stiles. ¹ Mr. Stiles proposed to amend and make the motion clearer, by substitut-ing the report of the committee on state, school and granted lands, and at the suggestion of Mr. Turner, added "report of the committee on harbors, tide waters, etc."

waters, etc." Minor called for the previous question, which was renewed and allowed, and under that form of procedure Mr. Moore's amendment, as amended by Stilles and Turner, was adopted by a de-

cided vote. Mr. Dyer moved to go into committee of the whole for further consideration of THE CORPORATION ARTICLE.

Bo voted. Mr. Bowen resumed the chair. The Mr. Bowen resumed the chair. The debate was on section 21, the railroad commission section, and had reached the motion to adopt the majority report (which recommends the establishment of a commission in the constitution), when Griffitte asked if the majority re-port was open to amendment, and for when Griffitts asked if the majority re-port was open to amendment, and for the sake of getting a ruling, he offered an amendment adding to section 21 as recommended by the majority report the following: "Provided, that the leg-islature may aboliab the commission therein created by a two-thirds vote." Sharpstein suggested "majority" and Griffitts accepted it. Bullivan of Tacoma raised a point of order that on the question before the

Sullivan of Tacoma raised a point of order that on the question before the house this amendment was out of order. The chair was inclined to that view, but took the sense of the committee on the question state

SHALL ARY AMENDMENTS DE PERMITTED until the pending question of "majority" or "minority" report is decided The convention decided against the amend-ment by ayes 2, noes 24. Mr. Griffitts said the only question stemed to be whether the commission bould be established by the constitution or left to the sweet will of the legisla-

The should vote for the majority report as between that and the glittering gener-alties of the minority report, but he should never vote for the majority report until it was considerably amended. He believed in elective and not appointive computationers, with short terms. Such commissioners, with short terms. Such a commission was, as usual, right, and railroads were altogether too far beyond control, citing the destruction of the town of Yakima by the Northern Pacitic, the litigation over which was still pending and undecided in the supreme court since the winter of 1884 85,

TIME WAS UP.

and the gavel fell, and Griffits grace-fully victoed in the middle of of a sen-tence. Mr. Weisenburger said the history of the state and nation had shown that these railroad commissions were a nece-sary and useful part of government.

land.

TIME WAS UP.
and the gavel fell, and Griffits grace-tence.
Mr. Weisenburger said the history of the siste and harlon had shown the those railroad commissions weres neces-these railroad commissions weres neces-the siste and harlon had shown the these railroad commissions weres neces-the siste and harlon had shown the these railroad commissions weres neces-the siste and harlon had shown the these railroad commissions weres neces-the siste and harlon had shown the the siste and harlon had shown the court. In its musty archives to day more out its siste harlon had shown the the sister and harlon had shown the court. In its musty archives to day more out its sister and harlon had shown the sister or the sister the source is not now a vestige re-making that party the minority party of making that party the minority party of making that party the sister of regulation we obta this mijority arising in the termines. Fronty sand the the courts are there is not now a vestige re-making that party the minority party of making that party the from the sister of the sourd of trade of Spokane fails is
Mr. Different show and the siste courts are not were there is no logislation. If is the board of trade of Spokane fails is

officers as if the consent herein given had not been made. AMENDMENTS OFFERED. Mr. Buchanan thought it necessary to

him that such a commission was liable to keep in power the monopoly by which the territory was already ground down. He was inclined to bear the evils they had rather than flee to those they knew not of. More railroads was a necessity, and by and by a railroad commission might be a beneficial power. He favored the majority report because it provided for a commission without waiting for the legislature. "While the grass grows the horse may starve," might well be applied there. He believed in defining the pol-ticy of the state so that capital would know exactly where it stood and would thus be far more likely to come in than on an uncertainty. Mr. Bachman monght it necessary to take action in order that the government might go ahead and make certain im-provements on the lands involved. Mr. Griffitts moved to add "so long as the same shall be so held and reserved by the government of the United States" after the words, "constitution of the United States."

on an uncertainty. Mr. Turner said that as between a railroad commission in the constitu-tion and no railroad commission, he

railroad commission in the constitu-tion and no railroad commission, he was unequivocally in favor of a com-mission, though this present situation might need modification. This was a narking out and defining of parts of government, and might just as well be put in the constitution as the judiciary, executive or any other part. Hailroad development and the necessity for com-missions had arisen since the constitu-tions of most states had been formed, and hence they had necessarily to be
The the state state state state state state states to the state state state state that of the united states constitution. The state of the state state state state state state state state that of the united states constitution. The state of the state the united states constitution. The state of the state state state state state state state state state of the state state state state state state state state state of the state s

would be in the state without question. He also suggested that the 3d section had been changed in the previous de-bate on this subject to the 8th section of the United States constitution. The amendment was adopted. Mr. Turner moved to amend by strik-ing out the words, "and other needful buildings," and to further so amend as to include lands now or hereafter to be occupied by the United States govern-ment. and hence they had necessarily to be created by legislatures. He did not be-lieve capital was driven away by rail-road commissions, unless by the abuse of such powers, and that was no fault of the system. Railroad abuses had pressed upon Washington territory with a strong hand, and he did not wish to

Ment. Mr. Comegys said this 'would defeat the object of the article, because the government intended to take some other lands besides those now occupied. Mr. Turner said the gentleman (Com-egys) 'misunderstood his amendment. 20, noes 18. Mr. Moore offered an amendment making the last words, "as if the consent herein had not been given," but laugh-ter beat it. Mr. Griffitts moved that the rules be suspended and the article be read a third time and put upon its baseage. Bules wait until giant monopolies had the SO BY THE THROAT

that it was powerless. He preferred to have progress and justice go hand in hand. He doubted such statements as that freight could be shipped cheaper from Indiana than from elsewhere, clse why did merchants buy in Chicago and New York. Spokane Falls has been egys) 'misunderstood his amendment. It was for the express purpose of includ-ing other lands hereafter to be selected. He presumed that no member proposed to abdicate the sovereignity of state over any kind of state land not actually oc-cupied by the United States. As to other 'needful buildings,' unless that included postoffice, custom houses, etc., it did no good, and he did not believe it was intended to ABBICATE JURISDICTION Mr. Griffitts moved that the rules be suspended and the article be read a third time and put upon its passage. Rules were suspended and the article read a third time. The vote on the final pas-sage was as follows: Ayes—Allen, Berry, Bowen, Buchan-an, Burke, Corie, Comegys, Dickey, Dyer, Eldredge, Fay, Gray, Griffitts, Hay-ton, Hicks, Hungate, Jamison, Jones, Joy, Lindsay, McCroskie, McElroy, Myers, Moore, Neace, Power, Reed, J M. Schooley, Sturdevant, Stiles, Sulli-van, E. H. Travis, Weir, West, Willson, Withsor-37. New York. Spokane Falls has been ground down and cursed by a corporate i monopoly and has grown in spite of it, i and is in a ferment to-day because that monopoly gives Tacoma and Seattle and Portland such rates that freight can be sent them and then reslipped back to o the very doors of Spokane Falls and yet her merchants be undersold. Yakima, in 1884, had 700 souls and taxable prop-erty of \$500,000.

ABDICATE JURISDICTION

ABDICATS sound houses, over postoffices and custom houses, E. H. Sullivan favored all of the pro-E. H. Sullivan favored all of the pro-

"The universe and a second striking out "other needful buildings," which was the same wording as that which was in the United States constitution. . Mr. Moore offered an amendment "The gavel fell and he stopped, but was by general consent and numerous calls of "Go on" allowed to proceed. One lelegate offered him his time, Mr. Turner-Not germane to my

delegate offered him his time, Proceeding, Turner said the Northern Pacific railroad had then completed its road to within twenty-live miles of Yak-ima. It had a section of land four miles further along and refused to stop its trains at Yakima, though running through its corporate limits, and-built a station and a town on that section of land.

Mr. Turner-Not germane to my amendment. The Chair-Not in order. Mr. Comegys said this would give rise to the question of what was "occupancy" under this section. He was opposed to it, believing it would result in stopping government work. Mr. Willison moved that Mr. Rancie, the government officer who had charge YAKIMA WAS BUINED,

statute of the United States and could be unnade and easily made. Mr. Comegys called Turner to order The Chair—The gentleman is entitled to close the debate on his own motion. Mr. Biles—then before that I would like to read a clause from the statutes of California; and he read it. It was sim-fur to the clause under debate. Turner was closing again when Grif-the could. Mr. Biles—the chair The chair The chair suid that. The chair suid he could. Suid that. The chair suid he could is not suite their aggregate of sixty tons to Den-to that. The chair suid he could the to read a clause from the statutes of California; and he read it. It was sim-fur to the clause under debate. Turner was closing again when Grif-thought the genteman had a right to close, heing the maker of the motion. Griffitts insisted on a ralling. The conmittee as to whether Turner should weich fulle contract the other fellows to Ilee and sixty years, after the claus on the sense of the motion. Griffitts said "OR, LKT IT GO ON." Weich and said the ore more than Deveer for loss inder by the several the call. Borner and california ship to the call. Borner and the Poorman and California ship to Great Falls, and the Poorman and the Poorman and the could the clause from the statutes of the clause inter of the sense of the committee as to whether Turner should which falled to mater of the motion. Griffitts insisted on a ralling. The constitue as to whether Turner should "OR, LKT IT GO ON." Mr. Birth and a triffit to said "OR, LKT IT GO ON." Mr. Birthe and the the first publication of said prochamation the cide of the poor and started it promptly slong. The coll was called one more—ayes 22. Mr. Griffitts got there first again with a demand for the again with a demand for the again wither the called one more—ayes 22. Mr. Griffitts got there first again be a constitor of the setty again more for the sither sone "OH, LET IT GO ON."

Mr. Grifflitts got there first again with Mr. Turner proceeded, claiming that the statutes of California could not con-trol here. The amendment was lost. Mr. Godman proposed an amendment to the effect that land so used should a motion that the previous question be ordered on Dyer's motion to go into committee of the whole.

committee of the whole. The chair declined to recognize that motion, and amid seven sorts of confu-sion put the question, "shall the con-vention go into committee of the whole on the report of the committee on water and water rights?" and declared the mo-tion carried amid not be larger than necessary, but this was laughed out. Mr. Moore renewed his amendment to make the seventeenth clauso re ad the seventeenth paragraph." Lost by ayes

A PERFECT HOWL of "division," and protests, which he diregarded, and called Dyer of King, to the chair.

WIND AND WATER The Question of Water and Water

Rights Taken Up. Rights Taken Up. Mr. Dyer took the chair and called upon the sergeant-at-arms to preserve-

order. Section 1 of the report was taken up

Bection 1 of the report was taken up as follows: SECTION 1. That the water of every natural stream not heretofore appropri-ated within the state of Washington is hereby declared to be the property of the public and the same is dedicated to the use of the people of the state, sub-ject to appropriation as hereinafter pro-vided.

E. H. Sullivan, Mires, Warner, Pow-

Noes-Clother, Dunbar, Glasscock, Jodman, Gowey, Henry, Lillis, Minor, Goore J. Z. Morgan, T. M. Reed, houdy, Turner, Van Name, Warner, Veisenberger-17 Absent and not voting--Blalock, E. H. Sullivan, Mirss, Warner, Pow-er, Goodman and Siurdovant debated the legal aspect of this case as to the right to turn a natural stream entirely from its channel (which it seemed evident was contemplated by this sec-tion) and thus deprive settlers on that stream of their rights to nse of the water. Apprehensions of danger were expressed by several speakers, and the absence of so many members was referred to. Browne, Cosgrove, Crowley, Dallam, Durie, Fairweather, Jeffs, Keilogg Manly, McDonald, McReavy, Newton, Sharpatein, Sohns, Stevenson, Suaks-dorf, P. C. Sullivan, Tibbetts, Mr. President-21. Dallam, Kellogg dorf, P. C. Bullivan, Tibbetts, Mr. President-21. The chair declared the article adopted, a majority of the delegates elected (38) having voted for it. Mr. Turner gave notice of his inten-tion to file a written protest against the action of the convention in adopting this article. Ar. Sturdevant said it was a short ar-ticle, but might be fraught with a good deal of serious consequence to the people of the state, so he moved that the com-mittee rise and report progress. So

oted. T. M. Reed resumed the chair. Mr. Alger reported progress and leave o sit again was granted. Mr. Warner

NOVED TO ADJOURN. Moore, Griffitts and Warner called for the ayes and noes, Griffitts saying he wanted to see who was here. The ayes and noes were ordered and roll called, and this time the ring was vaceted by ayes 25, noes 20, and at 4:10 P. M. the convention stands adjourned to Monday morning at 9 A. M.

NORTH DAKOTA

Bismanor, Aug. 8.-At last evening's Besique of the convention it was decided that the salary of members of the legis-lature ah libe is per day, and the length

action of the convention in adopting this article. The clerk called attention to an error in figuring and showed that only tilirty-seven members had voted aye. Mr. Henry called the attention of the convention to rule 45, "no proposition to be considered agreed to unless a ma-jority of all the delegates elected should vote therefor." Those voting aye and no ware read in detail, and the chair then reversed the decision on the ground that a majority of the members elected had not voted in the affirmative. Mr. Comegys asked leave to change his vote. his vote. Mr. Henry thought he couldn't. The chair thought he could, and he did, and gave notice of his intention to moves reconsideration. E. H. Sullivan said that the roll call having shown twenty the shorters, he

The Preamble and Bill of Bight Reached at Bigmarchhaving shown twenty-oas absentees, he moved to adjourn to Monday morning at 9 o'clock, but withdrew at the reques

insor-37. Noes-Clothier, Dunbar, Glasscock.

Mr. Gowey asked leave before

t at 50 each containing such number of acres (given as the result of said divis-work- ion) as there are old settlers with seven-

as different localities and with the snelter site a smelting company will pay for lead ore-a very comprehensive term-depends almost entirely upon the characteristics of the ore when taken in r connection with the stock on hand or the characteristics of the ore when taken in r connection with the stock on hand or the characteristics of the ore when taken in r connection with the stock on hand or the characteristics of the ore when taken in r connection with the stock on hand or the r different localities and with widely different localities and with the snelter is receiving. For instance, a smeller with a large stock on hand or the rore than and the stock on shald or stock on the stock on the rore than the stock on hand or the ron-silicious ores, or with contracts ahead for large quantities, would pay more for hand for large quantities, would pay more for ron-silicious the price paid for silicious for large quantities, would pay more for charge to the proper point. If on the charge to the proper point. If on the charge to the proper point. If on the charge to the proce main for silicious fore, would be increased. In the state with a large stock on hand of the silicious ores, or with contracts ahead for large quantities, would pay more for charge to the proper point. If on the charge to the proper point and fuel are charge to the proper point. If on the charge to the proper point and fuel are charge to the proper point. If on the charge to the proper point and fuel are charge to the proper point. If on the charge to the proper point and fuel are charge to the proper point. If on the charge to the proper point and fuel are char

three times but all to no avail. Dave is sick to-day and insisted on my writ-ing to you, which I am pleased to do to ing to you, which I am preases to do to keep any more good boys from getting fooled, and I know you want to hear from us. We are thinking seriously of taking the next steamer for Panama but have not decided yet. Stay where you are, boys, you are in the best country in the civilized world. It is impossible for while men to connect with

(SPECIAL TELEGRAN TO THE REVIEW.) INDEFENDENCE, Aug. 3.—William Staats of Airlie, an aged and prominent pioneer, was drowned Friday under pe-culiar circumstances. He had gone to the spring for water. It is about eight, feet deep, and is three feet down to the water. He had his hand resting on a plank, reaching down for a bucket of water, when the plank broke and he fell in. Being unable to get out, he was drowned. the civilized world. It is impossible for white men to compete with mative labor. You will see men carry ing sacks which average 400 pounds each on their heads, containing saltpetre, from the warehouses to the scows, and walk-ing waist deep in water for twelve hours a day. They live principally on beans and only two meals of them a day. There was a nice lot of ore came down from the mines this morning and I hear it averages \$12,000 per ton. Tell any of the boys enquiring about

in. Being drowned. [SPECIAL TELEGRAM TO THE REVIEW.] [SPECIAL TELEGRAM TO THE REVIEW.] BACHAMENTO, AUG. 3.—The SUPREME court has filed a decision in the cases of Drager and Olsen, convicted of the mur-der of John Lowell, a ranchman, in El Dorado county. Myers, who was con-victed at the same time, was hung for the crime. The court confirms the judg-ment and sentence of death imposed on the defendants by the El Dorado court. The motive for the crime was robbery. Tell any of the boys enquiring about us that we will do some more writing in four days

a few days. Your sincere friends, THOS F. THORE, DAVID O'NEILL

A Sheepherder Lost. [From the Garfield Enterprise.]

Considerable excitement prevails on The motive for the crime was robbery. Deep Creek over the mysterious diap-pearance of a man named Earnest Householder who has been herding

Fire in the Cascades. Householder who has been herding sheep in the mountains on the head of Deep creek, about ten miles east of Gar-field. On last Sunday his camp was found deserted and the sheep scattered. Further search discovered a suit of clothes belonging to the missing man lying a half mile from camp, carefully covered with an ulster. It is believed by some that the man was murdered, prob-ably in some contention over the range. ISPECIAL TELEGRAM TO THE REVIEW.I ELLENSBURG, Aug. S .- Forest fires in

ELEXSBURG, Aug. 3.—Forest fires in the Cascade range continue to spread, doing great damage to timber, saw-f mills, mines, etc. There is no estimat-ing the damage, but the timber is de-stroyed for miles on the upper Yakima and Clealum rivers. Ranchers are now engaged night and day in that section fighting fire. A dense smoke covers the entire country for 100 miles.

WEEKLY EDITION.

WESTERN NEWS.

at Victoria Creates a

Two Scattle Horse Thieves Captured After a Two Hours'

Fight in the Brush.

Colonel Tobin Found Dead in His

Bed--Other Matters of

Interest.

[SPECIAL TELEGRAM TO THE REVIEW.]

VICTORIA, Aug. 3 .- The greatest ex-

citement prevails in this city over the ar-

rival of the schooner Black Diamond

from Behring Sea. After her capture

by the American cutter Rush, a scaman

named John Hakarson was nut aboard.

He was appointed special officer, and

sel to Sitka. Captain Owens, of the

Diamond, told the lieutenant of the Rush.

that he would not go to Sitka. If he

wanted her to go there he would have-to

put a larger force than one man aboard.

The Rush took the scal skins, about

eighty, and steamed away, leaving the

schooner's papers and everything else.

alaska, thinking to find a British

warship. As she went into Ounalaska, a Port Townsend

Ounslaska, a Port Townsend-schooner told Owens that no British warships were therabouts. Owens then determined to come to Victoria, and ar-rived here early this evening. Haka-son says he was well treated by the schooner's crew. He made an official report to Vice-Consul Marvin, who has wired the facts to Consul Stevens in San Francisco. Great satisfaction is felt here over the Diamond's escape. It is thought it will bring a speedy settle-ment of the matter.

A PLUCKY MARSHAL.

Two Horse Thieves Captured at

Puyallup.

[SPECIAL TELEGRAM TO THE BEVIEW.]

PUYALLUP, AUG. 3.—'Two men who stole a horse and buggy at Scattle were arrested here this afternoon. While Marshal Oldham was handcuffing one the other escaped to the brush, well-armed and stood off the crowd for an

armed and stood off the crowd for an hour. He shot at the marshal twice. The marshal entered the brush and forced him to surrender. The horse-thief said he would never have sur-rendered if he had not been hit. Hog was not seriously injured, only a flesh-wound near the knee by a pistol shot from some one in the crowd. Both theyes started back to Scattle in custody of the officers.

A Family of Comets.

[SPECIAL TELEGRAM TO THE REVIEW.]

PORTLAND, Aug. 3.—Hon. Ben Simp-son, formerly a prominent politician of this state, but for the past live years a

resident of Selma, Ala, arrived here to-day. He and Hon. John Shoup and: Captain N. B. Humphrey have been ap-pointed a commission to negotiate with the Ceur d'Alene Indians for the pur-chase of timber and mineral lands and

the navigable waters comprised within their reservation. The leave for Cour: d'Alene on Mondry.

San Francisco Races.

[SPECIAL TELEGRAM TO THE REVIEW.]

commenced this afternoon. The track was fair, weather windy and cold. The

main event was a match race between Wanda and Semicolon for \$500. Wanda

on the first heat by seven length

time 2:26. Semicolon took the second heat by three lengths in 2:20%. Wanda took the third heat in 2:20% and fourth and last heat by five lengths in 2:33%.

Drowned in a Spring

They Will Hang.

(SPECIAL TELEGRAN TO THE REVIEW.)

SAN FRANCISCO, Aug. 3.-The falls neeting of the Bay District Association

be per- The Black Diamond sailed towards Oun-

ment of the matter.

of the officers.

the South American mining district by miners who are capable of judging for themselves which of the two countries is the better.
Iquique, Chili, South America, June 19, 1880.
DEAR FRIEND JACK: For God's sake stay away from here or any other part of South America and advise all your triends to do the same. We arrived here about ten days ago after being ninety triends to do the same. We arrived here about ten days ago after being ninety trients is the principal mining district of the south America not and wise all your triends to do the same. We arrived here about ten days ago after being ninety trients is the principal mining district of the South America continent, and the mines are all worked by natives, who are very poorly paid. The country is nothing but a perfect desert, with not a tree, a blade of grass nor sign of vegetation or a drop of water for a hun-tred and fifty miles into the interior. They haul condensed water for that dis-tance to the mines. Without a doubi tance to the mines.

ves-

was ordered to take the

Commotion.

The Arrival of the Black Diamond

tice, and presents the only practical so-lution of the tide land question, but would have been better pleased with the plan if the distribution of lots had

Ceni slignuy Carlos [Signed] R. S. C. We concur in the above: [Signed] THOMAS BURKE, ORANGE JACOBS, J. R. LEWIE, C. LI. HANFORD, B. F. DENNISON, C. C. HEWITT.

C. C. HEWITT. I believe these sections will hold water

NOT DUTIABLE.

Fruit Can Be Run Into Canada Free

of Duty. WASHINGTON, Aug. 3. - Secretary Tracy this afternoon rendered a decision on the question submitted by the collector of customs at Detroit as to the dutiable or

non-dutable character of foreign fruit by cars coming into the United States from Canada, laden or for the purposoof being laden with mails, passengers, etc.

being laden with mails, passengers, etc. The decision says in part that cars en-gaged in such trade never have been re-garded as importations subject to duty, but simply as vehicles of transportation for conducting an established and legal-ized office. This principle has remained in force more than twenty years, and in view of settled rules and practice on the subject the denoty mark does not doesn

View of settled rules and practice on the subject, the department does not deem it conformable to the public interest to disturb the decision deliberately reached and repeatedly affirmed, and must hold that the question is no longer open to the administrative construction, al-though the practice is not to be per-mitted to degenerate into a license for free importation of foreign-built cars

free importation of foreign-built cars

The Maybrick Trial.

the prisoner as the woman who occupied a bedroom in the hotel with the man

After the introduction of their testi

mony the prosecution announced its case closed. Sir Gharles Russell opened

A witness named Bateson, who lived with Maybrick in America from 1887 to

1888, a mariner Thompson and a negre whom the Maybricks formerly employed

as a servant, all testified that the de-ceased took arsenic habitually. Prof. Tidy testified that the symptoms mani-fested by Maybrick were not typical of

arsenical poisoning. The appearance of the organs was consistent with the theory that death resulted from gastraentritis.

Stay Where You Are.

Stay Where You Are. [From the Mullan Tribune,] The following letter we publish with the the kind permission of Mr. Lucy, to whom it is addressed. It seems to be a straightforward and honest opinion of the South American mining district by miners who are capable of judging for themselves which of the two countries is the better. Iquique, Chill, South America,

They haul condensed water for that dis

tance to the mines. Without a doubt the ore is very rich, and all the miners are searched as they come out from work. A white man has no chance to do anything unless he can speak Spanish and then he minets are in an end.

Brierly.

J. B. METCALFE.

been slightly extended.

n any court. [Signed]

the

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The state of the state