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# Later Attempts to Relocate the Capital of Washington

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## LATER ATTEMPTS TO RELOCATE THE CAPITAL OF WASHINGTON

The controversy over the location of the seat of government, which had flared up frequently in Washington Territory during the period 1855-1875, was comparatively dormant in the following decade. With the coming of the railroads, the discovery of gold in the Fraser River country and Idaho, the use of irrigation in central Washington, the growth of the sheep and cattle business, the increase in commerce on the Columbia and Snake rivers, the development of the lumber and fishing industries west of the Cascade Range, the population of all sections of the territory rapidly increased, and Washington Territory was soon to be ready for statehood. In 1878 its citizens had sought entry into the Union, but it had been refused. Ten years later, with rapid expansion in full swing, the talk of statehood was once more revived. At the same time there developed the feeling that it was now time to locate the capital in a new place, which should reflect the internal growth and expansion of Washington.

### I.

There were several reasons why relocation of the seat of government at a site in central Washington became an issue of importance during the years just before and after the attainment of statehood. The Northern Pacific Railroad had built its main line through the Yakima valleys,<sup>1</sup> and various other projected lines radiating in several directions had been surveyed through this area. Great hopes were expressed that at least five railroad lines would intersect the fertile valleys drained by the Yakima River. It was, however, only a railroad boom, and many years elapsed before any competing railroad found its way into central Washington. Whether the

<sup>1</sup> By "Yakima valleys" is meant the valleys drained by the Yakima River and its principal tributaries.

capital could have been located in one of the Yakima valleys had there been definite assurance of extensive railroad development is now only a matter of speculation. Doubtless such assurance would have been an inducement of no small degree. Paper rail lines, however, were not sufficiently convincing to the territorial legislature of 1887-1888 to cause the passage of a relocation bill. Nevertheless, the report of the minority member of the legislative committee to which a bill for relocation of the capital at North Yakima<sup>2</sup> had been referred, while opposing this removal, expressed himself as unable to believe that the Northern Pacific would be the only road to be built over the mountains, and as confident that at no distant day there would be "almost a half dozen such roads."<sup>3</sup>

Locating a capital in a new and undeveloped section is always fraught with speculation. Perhaps the new district will fail to grow. Perhaps another section will become more populous and of greater economic importance. As the population shifts, new towns grow up and old ones decline. The possibility of further shifts in population was another argument in the minority report against relocating the capital at North Yakima. The territory had hardly begun to be developed, and a center of population possibly then at North Yakima might in a year be far to the north of it. Indeed, the minority report argued, it was the opinion of some men of good judgment that there would be a greater population in the Salmon River mining country the next summer than in both Kittitas and Yakima counties together in 1887.<sup>4</sup>

The favorable geographical position of both North Yakima and its rival, Ellensburg,<sup>5</sup> was a strong argument for

<sup>2</sup> North Yakima was laid out in 1884 by the Northern Pacific Railway surveyors four miles from Yakima City, incorporated in 1883, and most of the inhabitants of the latter town removed to the new location. In 1917 a law was passed under which North Yakima became Yakima, and Yakima City was renamed Union Gap after January 1, 1918. Edmond Meany, "Origin of Washington Geographic Names," *Washington Historical Quarterly*, XIV, 220-221 (July, 1923).

<sup>3</sup> Washington (Territory) Legislative Assembly, House of Representatives, *Journal*, 1887-1888, pp. 181-182.

<sup>4</sup> *Ibid.*, 182.

<sup>5</sup> The present spelling is Ellensburg, but at this time it was generally spelled Ellensburgh. The Walla Walla *Journal* of March 7, 1889, prophesied that "so long as Ellensburg will insist on spelling the name with an 'h' at the end, we fear that the superfluous letter will be the straw that will break the camel's back." Whether or not the terminal "h" cost Ellensburg the capital location, it was dropped at the request of the Post Office Department shortly after statehood.

the plan to relocate the seat of government in central Washington. Both towns claimed to be situated at the center of the territory. Yet perhaps no single argument did more to spoil the hopes of both rival towns, because each maintained that it was at the geographical center of the territory and thereby negated the force of the geographical center argument which might have been so helpful to either of them. Had North Yakima and Ellensburg united their efforts to relocate the capital at the one town or the other, or perhaps in the hills between them, they might have succeeded in securing its relocation in central Washington.

The intercity rivalry was reflected in the report of the minority of the legislative committee, for in opposing the bill to relocate the capital in North Yakima the minority report observed:

We are free to admit that there are some very strong reasons why the present location [Olympia] should not be the permanent site of the capital and that there are some good ones why the city of North Yakima should be the site at present. Its geographical location, its position with reference to the eastern and western divisions of the territory and its location with reference to lines of railroad now constructed are all in its favor. But these same conditions exist and argue just as strongly in favor of other cities in the territory. We cannot see but that the conditions surrounding the city of Ellensburg are equally favorable to the conditions surrounding the city of North Yakima. In fact, all the geographical reasons advanced for the removal—all reasons based on the center of population and the convenience arising to the inhabitants of the two great divisions of the territory, and all reasons advanced based upon lines of travel already established, will apply just as strongly in favor of the removal of the capital to a point immediately west of the mountains as to a point immediately east of them.<sup>6</sup>

The effort of North Yakima to secure the capital by legislative action in the session of 1887-1888 was futile. The bill was defeated in the house of representatives by one vote, largely because of the forceful arguments in the minority report of W. I. Baker, representative from Whatcom, San Juan, and Island counties. It stands as a fair criticism of the arguments then being used to support relocation of the capital in central Washington. Baker concluded his report by cautioning against hasty action:

<sup>6</sup> *House Journal*, 1887-1888, p. 181.

We hope to be permitted to take on statehood at an early date and we don't know as yet where and what the boundaries of our future state are to be. Then let us wait awhile. Wait in reference to this removal of the capital until some of these questions have settled themselves. The capital when removed should be removed to a permanent location. A location that will accommodate and convenience the greatest number of the inhabitants of this territory for all time to come. We deem it therefore inexpedient and unwise at this time to remove the seat of government of this territory from this place [Olympia] to any point, and we recommend that the bill do not pass.<sup>7</sup>

The critics of North Yakima's claim for the capital site decried its offer of land and money as insufficient, but measured by that of any other candidate it would appear to have been quite generous. The people of North Yakima offered to give fifty acres of land on the hill overlooking the city, and deposited a deed in escrow as evidence of good faith. They also raised \$10,000 in cash with which to erect a new capitol building, and \$2,000 to cover the expenses of moving. It was conceded by the *Tacoma Ledger* that sooner or later the capital must be removed to a more central location, and since the offer made by the people of North Yakima was fair, the newspaper said it ought to be accepted. The *Ledger's* opinion that there was need of a more central location is interesting when considered in the light of its argument a few years later that Tacoma should be the capital. At the later time the argument for a more central location was conveniently forgotten. In 1888, however, the *Ledger* stated in support of the claim of North Yakima:

A building better than the present capitol building at Olympia can be built for \$10,000, so that after removal the financial condition of the territory would be no worse than it is now. The matter, therefore, resolves itself into a simple question of convenience. Is Yakima a more convenient location than Olympia for the capital? This would seem to be affirmatively answered by the fact that Yakima is the geographical center of the territory as well as the center of population. It has railroad connection with the eastern and western parts of the territory and is so located that the other railroads crossing the Cascade mountains will pass through Yakima. It can be reached as conveniently and quickly from Pierce county and all the down sound counties as Olympia. It is much more easily and cheaply reached by the people of the eastern counties.<sup>8</sup>

The principal opposition to the removal of the capital to North Yakima came of course from the people of Olympia.

<sup>7</sup> *House Journal*, 1887-1888, p. 182.

<sup>8</sup> Quoted in the *Yakima Republic*, January 13, 1888.

They were supported by the Seattle *Post-Intelligencer*, which had a grudge against Judge Joseph R. Lewis of Seattle, who favored the proposed change. Lewis was then interested in a business way in the development of North Yakima, and was naturally partial to its interests. The *Post-Intelligencer's* grudge arose, however, from a deeper cause than this. It dated back to the arrival of Lewis in Seattle in 1875 as judge of the third judicial district and the subsequent years when he had refused to accept the political demands of the newspaper. From that time the *Post-Intelligencer* lost no opportunity to browbeat Lewis, and, in the words of the *Tacoma Ledger*, to gratify its spleen by jumping with both feet on the removal bill and attempting to crush it with clumsy sarcasm and silly argument.<sup>9</sup>

The *Post-Intelligencer* attacked the idea of relocating the capital in a boom town, because of the uncertainty involved, and proceeded to advocate a plan to have the territory buy a townsite of its own and to boom it until enough lots could be sold to pay for the erection of the capitol buildings. The *Ledger* criticized that proposal as "senseless," saying:

It would open the door to the worst sort of jobbery and by enhancing the value of a small plot of ground to be sold to residents in the capital city would require the few residents there to pay for a building to be used by all the people of the territory. Real estate speculation is not yet recognized as one of the functions of government. Moreover it is not wise to isolate government officials from the people, as would be the result to a great extent by locating the capital in a wilderness to be turned into a city by making it the residence of officials.<sup>10</sup>

The proposal was intended only to divert attention from the real issue, for its author knew it to be a foolish suggestion. The *Post-Intelligencer* soon brought forward a substitute plan, to move the capital to that place which should donate a large sum of money, sufficient to last a century. This scheme, as the *Ledger* hastened to point out, would offer the capital for sale to the highest bidder, so that the richest city would give the most money and get the capital in complete disregard of the convenience of the people.

<sup>9</sup> Quoted, *Yakima Republic*, January 13, 1888.

<sup>10</sup> *Ibid.*

Among the many newspapers supporting North Yakima's claims in the legislative battle of 1887-1888 and later, the Colville *Stevens County Miner* was one of the most ardent.<sup>11</sup> One of its editorials vividly underscored the objections of eastern Washington to Olympia as a capital site:

Olympia was chosen more than thirty-five years ago, when there were only two settled communities in the whole territory, and what is now eastern Washington was inhabited only by Indians and a few employees of a couple of fur trading companies; this same section is now inhabited by more than 75,000 energetic and industrious people, here to stay, and they are engaged, as never men were before, in developing the various resources of the country and the upbuilding of every industry in which men engage to make money, and to establish a permanent foundation for the state. In the course of business they have need of frequent communication with the seat of government of the rising commonwealth, and they naturally take an interest in the state of public business at the capital. As it is now situated, they can know absolutely nothing about the capital where the business of the territory is transacted; it is also the means of a heavy tax upon the revenue of individuals whose interests require personal appearance at the capital. . . .

The old capitol building situated one mile from the business portion of the town is wholly inadequate, supplying no office for the territorial officers except librarian, and now that the legislature and the supreme court meet at the same time, a new place must be rented for the supreme court; offices have to be rented all the time for all the territorial officers and also for the clerk of the supreme court. The capitol building itself, is an old frame shell and no value to speak of. The town of Olympia is far away from the main line of travel, and is reached only by boat or over a little jerk-water railroad, on which a fare of eight cents a mile is charged passengers. The mail, express and telegraph services to the town are abominable, and for all the convenience, the place might just as well be a hole in the ground. It is not even convenient for the people of Puget Sound, as is conclusively shown by the fact that they have united and procured the removal of the U. S. Land Office from Olympia to Seattle. Another thing, it will wrest the public business out of the foul nests of politicians at Olympia who are moving heaven and earth to retain the capital where it is in order that they may be enabled more effectually to hold their political prestige, and above all, their jobs. For the last reason, if for no other, by all means let the capital be moved from Olympia.<sup>12</sup>

In this phase of the struggle for the capital, in the legislature of 1887-1888, North Yakima was the principal candidate. Ellensburg and Walla Walla also desired the capital.

<sup>11</sup> Among the newspapers supporting North Yakima in its candidacy for state capital were the *Sprague Journal*, Port Townsend *Puget Sound Argus*, Vancouver *Clarke County Register*, Vancouver *Independent*, Spokane Falls *Daily Chronicle*, Goldendale *Tribune*, and the Davenport *Lincoln County Times*.

<sup>12</sup> January 8, 1888; quoted by the *Tacoma Ledger*, September 12, 1889, in support of North Yakima's candidacy.

The argument advanced by Walla Walla, however, was broader than the desire to obtain the capital for itself and explains in part the feeble efforts put forth on its behalf. At this time there was much talk of statehood and of a constitutional convention. The constitutional convention might well consider the capital question and even relocate the seat of government. Walla Walla contended, therefore, that the legislature of 1887-1888 ought not to attempt relocation of the capital lest its action be later upset by the convention.

The minority report opposing relocation of the capital at North Yakima also urged postponement on the ground that statehood was surely near, a prophetic plea indeed.<sup>13</sup> Statehood was less than a year away, and the next session of the legislature was to be the first under a state constitution. The constitutional convention was authorized by the enabling act of February 22, 1889, and to this body the legislature left the capital location problem.<sup>14</sup>

## II.

The next phase of the struggle for the capital opened in the constitutional convention, which met in Olympia on July 4, 1889. The campaign for the capital was renewed. Olympia strongly defended its title to the seat of government, while North Yakima again was its leading opponent, followed closely by Ellensburg, with Pasco, Centralia, Waterville, and Waitsburg also seeking favorable consideration. Walla Walla dropped its own efforts to secure the capital and exerted its strength to defeat North Yakima. Spokane Falls,<sup>15</sup> Vancouver, Seattle, and Tacoma supported one or the other of the leading contenders.

Thus, when the constitutional convention opened, the burning questions were: Where is the capital to be located? Shall it remain on the west side of the mountains where the ma-

<sup>13</sup> An enabling act was passed by Congress on February 22, 1889. *United States Statutes at Large*, XXV, 676-684.

<sup>14</sup> Election of the convention on May 14 was called for under the enabling act by Governor Miles C. Moore. Proclamation of April 15, 1889, *Washington Standard*, April 19, 1889.

<sup>15</sup> Spokane Falls became Spokane after 1892.



jority of the people reside; or be fixed in the sparsely populated central part of the state drained by the Yakima River; or be located in the eastern part, then less accessible than either of the other two sections?

To the residents of central Washington there was but one answer: Locate the capital at, or as near as possible to, the geographical center of the new state. This suggestion was agreeable to the residents of Tacoma, who knew that there was no chance of gaining the capital for Tacoma but were jealous of Olympia for possessing it. The Tacomans favored locating the capital in North Yakima. The same sentiment prevailed in Spokane Falls, but in Walla Walla the press favored leaving the capital in Olympia. Whether Walla Walla was neighborly inclined or not toward the towns of the Yakima River valleys, it is difficult to understand why the Walla Wallans should not have favored a location which would have brought the capital to within one-third of the distance between Walla Walla and Olympia.

The question of where the geographical center of the state was to be found was not easy to answer. Both North Yakima and Ellensburg claimed this distinction, while there was also some contention that the most central point would be the junction of the Wenatchee and Columbia rivers, a place which would require years to develop as a capital site.

In the constitutional convention the capital problem was referred to the committee on state institutions and public buildings, of which Thomas M. Reed of Olympia was chairman. It was later unfairly charged that the president of the convention, Judge John P. Hoyt of Seattle, had selected a committee which was an "Olympia ring." On July 11, 1889, the committee met, selected Addison A. Lindsley of Clark County as its secretary, and directed Reed and Lindsley to prepare for the tentative draft of the constitution the articles dealing with the capital location. The committee decided after consideration to report an article retaining the capital in Olympia during the next three biennial sessions of the legislature, with the question to be submitted thereafter to the people at a general election. If at that election no place should

receive a majority of the votes, then the three places receiving the highest number of votes should become candidates at the general election next following, and if then there should still be no majority for one place the two cities receiving the highest number of votes should contest for the location in the following year. While the committee approved this plan, it was not without the opposition of some of its members to the provision for three candidates after the first election. These members wanted the number reduced to two at the outset.

On July 12 every member of the convention received a handsomely printed little pamphlet with a beautiful frontispiece which showed a landscape a mile from North Yakima, and contained a map of Washington with North Yakima standing conspicuously in the center. The pamphlet was entitled: "The Capital of Washington—Reason for Its Location at Yakima." The contents consisted chiefly of quotations from newspapers supporting the candidature of North Yakima.<sup>16</sup> The *Tacoma Ledger* observed that as the members of the convention turned the leaves of the pamphlet Colonel Luther S. Howlett of North Yakima sat in the lobby and smiled, while Colonel I. N. Muncy of Pasco, a rival community, sat in the lobby to the northeast and frowned.

It was rumored on July 26 that the committee had changed its plan to report an article providing for retention of the capital at Olympia for six years before submitting the question of its location to the electorate. The new plan was to provide that the capital should remain permanently in Olympia. Doubtless this change was the result of the strong defensive lobbying carried on by the Olympians upon a committee already sympathetic to the Olympia location. Before the committee could submit its report to the convention, the *Tacoma Ledger* revealed the plan to the public, and a storm of protest followed.

The protests prompted the committee again to change its plan and decide to recommend the submission of the question of the capital location to the electorate at once. The article

<sup>16</sup> No copy of this pamphlet has been located. It is described at length in the *Spokane Falls Review*, July 12, 1889, as quoted in the *Yakima Herald*, July 18, 1889.

was drafted to provide for this action, but as the *Ledger* reported on August 9, "the committee . . . seemed to be frightened by the idea that it had really arrived at a sensible conclusion and spoiled it by adding the broad provision 'unless otherwise provided for by law.'"

The report of the committee on public buildings and state institutions was received by the convention on August 8, and upon motion of Trusten P. Dyer of Seattle the convention resolved itself into a committee of the whole to consider the report. D. J. Crowley of Walla Walla was then called to the chair. William F. Prosser of North Yakima moved to amend the first section of the article so as to submit the question to the voters on the first Tuesday after the first Monday in November, 1890, instead of the first Tuesday in October, 1889. John F. Gowey of Olympia offered an amendment to the amendment proposing to postpone the question until 1896.

H. F. Suksdorf of Seattle thought the state was so young that settlement of the question should be postponed for several years. Samuel G. Cosgrove of Pomeroy wanted the matter settled at once, while George Turner of Spokane Falls favored Prosser's amendment. Theodore L. Stiles of Tacoma thought the question should be submitted in 1890 or not later than 1892. T. C. Griffiths of Spokane Falls declared that the matter should be settled as speedily as was consistent with fairness to all parties concerned. John R. Kinnear of Seattle thought it would be unwise to submit the matter that autumn. James Z. Moore of Spokane Falls, however, stated that he did not want to make possible such an immense trade of property as would occur if the capital location question were put before the electorate that autumn. Moore said he was like Iago, a plain, blunt man, speaking what he knew; he wanted the capital question settled on its merits at the election that autumn, with no trading between questions. Ralph O. Dunbar of Goldendale declared that he was not like Iago, for while that gentleman claimed to be a plain, blunt man, he was the greatest marplot that ever lived in fiction or elsewhere. Dunbar wanted the matter settled at once, for trading would be done anyway.

According to Matt J. McElroy of Seattle, it had been the intention of the committee to report in favor of Olympia as the permanent capital, but the reporters had got in and published the scheme, so it had fallen through. McElroy wanted the matter settled at once, and thought all objections could be removed by providing that the capital remain at Olympia for one year. The year 1895 was favored for the decision of the electorate by James Power of LaConner because it would take time to rebuild several of the most important cities which had been ravaged by fire.<sup>17</sup> Melvin M. Godman of Dayton favored the report and thought it would be well to retain the seat of government at Olympia until buildings at the permanent capital should be ready for occupancy. Henry M. Lillis of Tacoma was in favor of a choice in 1890, but Robert F. Sturdevant of Dayton wanted the submission of the question to the voters postponed, for he did not believe that the people wanted to consider the matter at that time. Thomas M. Reed of Olympia declared that although he had been criticized on account of the capital location, he would rather see the capital removed from Olympia than be guilty of unfairness. He felt the question should be resolved at once, because, in his opinion, it was contrary to the best interest of the people to allow the matter to remain unsettled for any length of time.

Upon a vote, Gowey's amendment to Prosser's amendment was defeated. Dr. Thomas T. Minor of Seattle then offered an amendment to Prosser's amendment fixing the date of submission in 1892, but it also was lost. The question then recurred upon Prosser's original amendment, fixing the time for submission of the capital location in 1890; it was likewise defeated. On a motion of Gowey, the words "at the election to be held for the adoption of this constitution" were inserted in place of "at the first general election to be held on the first Tuesday in October, 1889." This was a satisfactory compromise. The section was then approved as amended, the committee of the whole rose, and the amended article was submitted to the convention, by which it was duly adopted.<sup>18</sup>

<sup>17</sup> Great fires had occurred in Seattle (June 6, 1889), Ellensburg (July 4-5), and Spokane Falls (August 4).

<sup>18</sup> For the proceedings of the convention, otherwise unpublished, newspaper accounts have been used, especially the *Seattle Post-Intelligencer* and the *Tacoma Ledger*.

The plan of submitting the troublesome question of locating the capital to the people seems to have arisen with the people of Ellensburg. At least, the *Ellensburg Capital* claimed the plan as its own, and in commenting on the action of the committee stated that its decision was "good horse sense," and that now "every candidate for capital honors will stand squarely on its merits."<sup>19</sup> The Olympia *Washington Standard* took the view that it would have been better to have designated in the constitution the town where the capital was to be located, and to have "kept it out of a contest wherein it could have been made the subject of party barter, as well as other means of corrupting the ballot." The editor expressed the further opinion that "Few outside the cities that pose as candidates would raise any objection, and the location would, at least, have been free from the charge of 'jobbery.'"<sup>20</sup>

### III.

After the submission of the proposed constitution to the people, only six weeks remained in which they could make up their minds as to a choice of locations for the state capital. During these six weeks the press of Washington was filled with arguments for and against the claims of the leading contestants for the capital location. Most of these editorials emphasized those qualifications desirable in the site to be selected: a healthful climate, low cost of living, easy accessibility from all parts of the state, a location geographically central, railroad communication, harbor, center of population, topography and scenic attractiveness, and city planning. Olympia pointed to its hotels, coal, iron, streets, and even sewer system. The *Ellensburg Capital* of August 15, 1889, stressing the shortness of time before the election, sought to impress upon its readers that there was "no time to be lost to present the claim of this city, and as citizens of Ellensburg always work as one man, they should present their case and enthuse the whole state

<sup>19</sup> August 8, 1889. The *Ellensburg Capital* was established with a view to securing the capital for Ellensburg.

<sup>20</sup> September 20, 1889.

in their behalf." In other cities, too, newspaper editorials spread broadcast local claims, largely exaggerated in character and optimistic beyond any possibility of complete attainment, but the dreams of a people fifty years ago. Especially fantastic were the claims as to future railroad development and expansion, and for the most part the soaring expectations of increases in population have fallen far short of realization.

The *Walla Walla Union*, urging the cause of Olympia, published on September 14, 1889, a letter to the editor from "J. I. B.," who wrote to express an "east-sider's" opinion. While he admitted that the capital question was next in importance to that of adoption of the constitution, and that the merits of the "rival cities of the plains" (Yakima and Pasco) and of the "little burg at the foot of the Cascade mountains" (Ellensburg) were being discussed at length, the writer felt that the most beautiful and available city in the territory was being overlooked, a city which had been the capital for over thirty years and which should be permitted to retain that position—Olympia. He then presented his reasons for that view. First, there was the low cost of living in Olympia, for, he asserted, there was "no other place in the future state where the necessities and luxuries of life can be obtained at so little cost to the consumer." His claim for Olympia's accessibility might well have been challenged, since this was the argument most frequently set forth by opponents of Olympia as a capital site. With "the natural advantages of its location; its many resources, and reputation for healthfulness and morality," even many of the east siders might have agreed; but with the argument that if taxpayers should pay the traveling expenses of the state officers a large sum would be saved annually by locating the capital at Olympia, many would have disagreed.

In the next issue of the *Union* the editor presented his own arguments, an evidence of the continued support given by Walla Walla to Olympia in an effort to refute the claims of its opponents. He argued that a state capital should not be located in a town because it was either a geographical center or a railroad center but because it was most readily and cheaply accessible to a majority of the present and future population

of the state. If the capital of Washington had to be located at the geographical center of the state, none of the present candidates would be selected, but rather a point north of the most northerly of the contenders. If present and future possibilities of being a railroad center governed the choice, neither North Yakima, Ellensburg, Pasco nor Olympia would be selected—only Spokane Falls then approached being a railroad center. The editor regarded it as virtually indisputable that the majority of the population would always be found in western Washington, where the capital should therefore be because it would be easily accessible to most of the inhabitants. While it might be possible that there was a town in western Washington more conveniently reached than Olympia, such a place had not put forward a claim for the location of the capital. Finally, as a resident of eastern Washington, the editor expressed the hope that the capital would be located so as to give the east siders a change of scenery and climate when they should have occasion to visit it.

The Olympia *Washington Standard* of September 20, 1889, drew a sharply contrasting picture of “Peerless Olympia” and its rivals:

. . . What a contrast it presents when compared with North Yakima and Ellensburgh, with their alkali dust and desert, their unendurable heat and wind storms of summer, and their intense perishing cold of winter, with the thermometer 30 to 40 degrees below zero! And yet the town-site speculators, in their eagerness to di[s]pose of lots, are asking the people to remove the capital from Olympia, where it is so beautifully, centrally and desirably located, to one or the other of the places named, east of the mountains. Unquestionably, the patriotism, the pride, the convenience and comfort of the people of the State of Washington demand that it remain at Olympia, so grandly situated at the head waters of the great Mediterranean of America, where she is easily reached not only by the people of the State, but by all the nations of the earth,—a city too, with a history, a location and a social condition of which she may well be proud; a city honored by being the residence of Gen. Isaac I. Stevens, who in gallantly defending the American Union, laid his noble life on the altar of his country and whose faith in and devotion to this great commonwealth and this city as its capital was most emphatic and enthusiastic.

To place the capital elsewhere than at Olympia, is a proposition so utterly absurd and outrageous, as to arouse the indignation of the patriotic citizens of the whole State, irrespective of sex or condition, and which will result in completely “snowing under” North Yakima and

Ellensburg on the 1st day of October—a “snowing under” at an earlier date and in a different manner than they have ever before experienced.

The correspondent of the *Tacoma Ledger* in Olympia dared to report that not all Olympia residents favored retention of the capital. He wrote that the oldest settlers, moss-backs, considered the loss of the capital would be a catastrophe and believed that possession of it brought a great deal of money into the city through the visitors drawn to the capital during the sessions of the legislature and similar assemblies. Some of the newer element, however, he declared, regarded the removal as a positive benefit to Olympia, since possession of it caused the citizens to rely too much upon it as an illusory element of growth, so that they were lulled into sleep and neglectful of other means which would promote Olympia's rapid growth.<sup>21</sup> The people of Olympia made matters so unpleasant for this reporter, that he saw fit to modify his statements in his next despatch to the *Ledger*.

Among the prominent citizens who toured the state campaigning for Olympia was Judge Samuel C. Wingard. Judge Wingard had formerly practiced law in Walla Walla, but later lived in Olympia while serving on the territorial supreme court. When the capital location fight grew warm, the judge declared he was going to get into it. He got into his buggy and visited Walla Walla and Columbia counties, speaking to farmers on the capital question and advocating the choice of Olympia. His service did much to win the support of that section of the state for Olympia.

#### IV.

Newspaper articles favorable to North Yakima were numerous and flattering. The North Yakima *Washington Farmer* gloomily underscored the unsuitability of Ellensburg as a capital site:

. . . The people of western Washington in all justness and fairness recognize the justness of the intention of the people of the state to locate the capital east of the mountains. To think for a moment that the sand desert of Pasco on the extreme southern border is in the race as a point

<sup>21</sup> *Tacoma Ledger*, August 24, 1889.



worthy of consideration, is an absurdity. Then there is but one point besides North Yakima that is in the race, and that is Ellensburg. . . .

Ellensburg is twice as high above the sea as North Yakima, therefore it is cold and frosty.

Ellensburg is in a valley so narrow that it is practically a canyon, and through it sweep the icy blasts from the snow-towering mountains that make the locality one of the most disagreeable and unhealthy in the world. . . .

There is no possibility of any branch line of road ever being built from Ellensburg to any other point for the simple fact that the surrounding rugged mountains form impassible barriers with no signs of a pass through them. . . .

The streets of Ellensburg are narrow, without hotel or running water, and there is not a lawn nor plat of grass nor garden in the village.

There are five times as many saloons as North Yakima, and the court dockets show that the criminal classes prevail to a greater degree than they do in King County, the most populous county in the territory.

In an editorial entitled "Questionable Procedures," published in the *Yakima Herald*, June 13, 1889, the editor criticized the practices being used by the Ellensburg citizens to promote their capital campaign:

The *Walla Walla Journal*, *Tacoma Globe*, *Tacoma Every Sunday*, *Puyallup Commerce*, *Sprague Herald*, *Dayton Columbia Chronicle*, *Walla Walla Herald* and other papers are publishing the ad of an Ellensburg real estate firm, and giving editorial notices advocating that town for the capital. In payment for this very questionable procedure, they get a lot in the "Washington State Capital Park." But what is this so-called "Washington State Capital Park"? Is it an addition to the town of Ellensburg? Most certainly not. It is a good farm, situated a long distance from that town, which has been spoiled by cutting up into lots for the purpose of obtaining a cheap advertisement for the town and for a shrewd realty dealer.

When a newspaper will sell its editorial columns to endeavor to sell out its patrons, especially at so low a figure, it is no wonder that the public places so little reliance on the statements of their local papers. The Ellensburg boomers are endeavoring to obtain the state capital. Her citizens have been bled for the purpose of forming a big fund—probably for corruption purposes. Quarters have been engaged at Olympia for a strong lobby to work upon the members of the constitutional convention. In this she will labor without a host. As a rule, the truest and bravest men have been selected to frame our constitution, and corruption funds and other questionable methods will find little favor there.

The *Yakima Herald* proceeded to demonstrate that the advantages of climate, location with respect to railway transportation and convenient access, and beauty of site and surroundings were all merits of North Yakima, generally recog-

nized by the people and the press of Washington.<sup>22</sup> Indeed, the *Herald* even declared that the people of North Yakima were doing very little to secure the location of the capital in their city beyond informing the people of these advantages, for the city was the natural site for the capital and it was reasonably certain to be the place selected. The Olympia citizens, when honest with themselves, averred the *Herald*, believed that when the capital was removed it would go to North Yakima, and the Ellensburg claims could be dismissed as "born of a spirit of rivalry and fostered by the small growth of the town for the years past."<sup>23</sup>

## V.

In Ellensburg the campaign for the capital began early, but Ellensburg, like North Yakima, would not admit any serious effort was being made by it to obtain the capital. Before the constitutional convention had assembled, the *Ellensburg Capital* remarked:

The impression has been created that Ellensburg intends making a bitter fight for the state capital at the coming Constitutional Convention. This impression is erroneous. All that Ellensburg has ever asked is, that the question of capital location be submitted to the voters. Starting off as a new state, with a new constitution, it is fair to presume that the people of this new state want a permanent seat of government. Ellensburg aspires to that honorable position, and it is willing to rest its case with the people. Nothing can be fairer; nothing more honorable.<sup>24</sup>

During the fight for the capital, Ellensburg was visited with a great fire which destroyed the entire business portion of the town with a loss of over two million dollars. The people, however, were not dismayed by this loss, but at once set to work to rebuild their town even better than before. This industry was not only a credit to themselves, but to the territory of which it was the center, and of which, according to the *Ellensburg Capital*, "it should be the capital."

Why did Ellensburg desire the capital? The following reasons are those which were then given:

<sup>22</sup> *Yakima Herald*, July 18, 1889.

<sup>23</sup> *Ibid.*, July 18, August 15, 1889.

<sup>24</sup> *Ellensburg Capital*, June 13, 1889.

Because it is accessible from every point in the state.

Because it is on the great highways leading from the east to the west, from the north to the south.

Because it is geographically and politically the heart of Washington.

Because it is a city of the people, built by the people, for the people.

Because it is a self-made, self-reliant town that paddles its own canoe and blows its own horn.

Because it knows no east, no west, no north, no south; but it does know that it is the center of Washington, and the exact spot for the capital of Washington.<sup>25</sup>

The above reasons were indeed simple. When they are analyzed, only one real reason seems to be given, viz: the central location. In this respect its claims for consideration were not spectacular such as were made for North Yakima and Olympia. Since all such claims were of a grossly exaggerated character, it is improbable that the simple and plain reasons put forth by Ellensburg were any less valid or appreciated by the electorate.

With an indication that the contest was becoming bitter, and that certain of the contestants were talking in terms of "paper railroads," and "sun-dried oyster beds," the *Capital* reminded the citizens of Ellensburg that they should not consider the task a "walk-over."

The contending places are vigilant and active. Their paid agents and emissaries are visiting every nook and cranny of Washington, subsidizing presses and people whenever it is possible to do so, and enlisting all in behalf of their moss-covered and contracted villages. There is no yarn too exaggerated, no lie too monstrous for them to circulate. Pointing to their circumscribed hamlets with radiating paper railroads and sun-dried oyster beds, they expatiate on their merits in the most eloquent manner, endeavoring by this method to blind the voters to the true condition of affairs, and thereby to down Ellensburgh, which possesses all the qualities that are required of a great capital city. While Ellensburgh may look with contempt upon the vaporings of its little rivals, it should remember that even a flea can worry a lion, and the business end of a bumble bee can make an elephant get up and hump itself.<sup>26</sup>

In criticizing the other contestants for employing "paid agents" and for extolling the virtues of their "paper railroads," Ellensburg was accusing them of the same sins of which she stood accused by them. In referring to "sun-dried oyster beds,"

<sup>25</sup> *Ellensburgh Capital*, September 3, 1889.

<sup>26</sup> *Ibid.*, September 26, 1889.

the *Capital* had Olympia in mind; while North Yakima was the contestant which was supposedly deceiving the public with its reference to paper railroads radiating in all directions.

Shortly before the election, the Ellensburg press struck back at the *Yakima Herald* for referring to the Kittitas Valley town as being a windy village situated in a narrow canyon, with five times as many saloons as North Yakima. In a caustic editorial, the Yakima County town was referred to as the property of the Northern Pacific Railway, and the tool of a great monopoly, and that,

Yakima's strongest argument is money furnished by the great corporation whose influence is in many ways supreme in this state.

Yakima is the property of the Northern Pacific Railway, and the means and influence of this great monopoly are freely used to secure the location of the state capital at that point.

It remains for the people to decide if they will further the schemes of a great corporation by their votes, endorse the crime that destroyed old Yakima and ruined so many of its citizens; or if they favor a town whose citizens owe no allegiance to corporate influence; whose enterprise is seen in the rebuilding of their city so quickly after fire destroyed it, and in the establishing of industries and building of roads that insure it a great future, whatever may be the issue of the present campaign.

Whatever claims Yakima can present, Ellensburg can show she possesses equally.

While the first [Yakima] has no outlet or connection for trade, save with its own immediate surroundings; Ellensburg, being the only point that is accessible to the Columbia above Priest's Rapids, is the key to the Big Bend country and commands the trade of that section as also the great mining district and stock ranges extending north as far as British Columbia. She holds all this great portion of our state as tribute, and is also in direct connection with all other parts of Washington.<sup>27</sup>

## VI.

Among the lesser contestants for capital honors were the towns of Pasco, Centralia, Waterville, and Waitsburg. Other towns frequently expressed themselves as wishing to have the capital, but their efforts to obtain it were in direct proportion to their chances of success. At the outset, it was generally conceded that the fight was between Olympia on the one hand, and Ellensburg and North Yakima on the other. Pasco was not regarded as having much strength. Notwithstanding this lack

<sup>27</sup> *Ellensburg Capital*, September 26, 1889.

of interest in Pasco's claims, there were those who fostered its hopes by speaking in glowing terms of the natural advantages of the community.

One Walla Walla resident wrote to the editor of the *Walla Walla Weekly Union* in favor of Pasco as the capital site best for the interests of Walla Walla and all of eastern Washington. He claimed to find the general sentiment east of the Columbia to be in favor of a capital on the Columbia, which divided the territory from north to south nearly in its center. The writer advanced a novel argument not used by the advocates of any other contestant. Pasco was a "place where, in case of war our Capital can be protected from ocean fleets, when, if it was located on Puget Sound, it would be sure to fall into the hands of our enemy." He could not, naturally, have foreseen the invention of the airplane. Pasco, he continued, was located so as to encourage the influx of settlers. While the people of Pasco did not claim for it a geographically central location, as claimed for other cities east of the Cascades, Pasco was at the junction of two great rivers, the Columbia and the Snake, where every line of railroad in the territory passed, and where river navigation terminated for transfer from both rivers for 400 miles above. It was in the center of the five great wheat valleys of the territory, and numerous projected rail lines must pass through it, while the only route for a north-south railway constructed from the Canadian Pacific south to tap all the transcontinental lines was via the Columbia. The citizens of Pasco recognized that they must work to obtain the capital and at a meeting on September 9, 1889, had expressed willingness to contribute \$40,000 to erect the necessary buildings. This amount was considerably greater than the contributions of other cities, and to it they offered to add 300 acres of land adjoining the town. The citizens considered these offers generous and sufficient to "take the burden off the shoulders of every tax-payer." It was then that the slogan was chosen: "Keep Your Eye on Pasco." In conclusion, the writer said:

Nature has done too much for her [Pasco], and the work of nature is hard to undo. Other towns can buck and claim railroads which they have not got, harbors on mud flats and populations which every school

urchin knows to be false, but when it comes to a test the voter will advocate right, and so vote for Pasco and Pasco only.<sup>28</sup>

Captain W. P. Gray, a resident of Pasco with large property interests which would be greatly enhanced in value by the location of the capital in that town, sought to enlist support for its claims while visiting in Spokane Falls. The *Spokane Falls Morning Review* reported an interview with him. Pasco was in a dry, desert-like spot, but an artesian well was being bored at public expense. Captain Gray contrasted Ellensburg and North Yakima with Pasco, indicating that of the two former, North Yakima was to be preferred.

Ellensburg was at first a small post-office point in the northwestern part of Yakima county, while Yakima was a good sized town. It was sometimes jokingly called "Robber's Roost" by the early inhabitants of the surrounding valley and owing to the strong winds that nearly always blow there, it was sometimes dubbed "Windy Center." It has now become a flourishing young city and the county seat of Kittitas county.

Ellensburg was not, however, Captain Gray insisted, a suitable capital site because it was so surrounded by mountains as to be inaccessible. Pasco, with a better climate, could be reached from any direction. It would still be as accessible as North Yakima, he argued, even after North Yakima should be connected with the southern part of the state by an extension of a railway line through the Big Bend country to Spokane Falls, as then proposed, and Pasco would always be far more accessible than Ellensburg.<sup>29</sup>

Near Olympia is the city of Centralia. While this place did not have much to offer as an attraction for the state capital other than a plot of land, the citizens were hopeful that some break among the other contestants would throw the capital to them. According to their claims, Centralia had advantages over Olympia which were "patent for anyone who views the matter from an unprejudiced standpoint." What these advantages were, the press did not explain.

In reviewing the prospects of certain of these candidate towns, the *Spokane Falls Morning Review* summed up the situation in an editorial entitled: "Washington's Capital":

<sup>28</sup> *Walla Walla Weekly Union*, September 21, 1889.

<sup>29</sup> *Spokane Falls Morning Review*, March 21, 1889.

All the way from Olympia on the extreme west, to the little town of Pasco on the extreme east, there are to be found candidates for the state capital. The town of Centralia, which used to be known as Skookum Chuck, objects to Ellensburg because the name sounds too much like Susanville or Nancytown; while others object to Ellensburg because it is situated far up in a canyon in the Cascade mountains, and can be reached only by one railroad. The Walla Walla *Journal* concluded that Walla Walla is the proper place, while there are many others who have a quiet notion that Spokane Falls, which is by far the most picturesque and attractive city in the territory ought to be chosen. The Yakima *Herald* states that the Ellensburg people "recently cut some farming property up into town lots under the name of the Capital Park Addition, and by trading these lots off to various papers throughout the territory, have been getting some very cheap advertising." This statement appears to be verified by the Waterville *Immigrant*, which says:

"A real estate firm in Ellensburg sends this paper a half-column advertisement and offers to pay for it in 'gilt-edged real estate.' This ad is headed 'State Capital'! As the *Immigrant* expects Waterville to carry off the capital prize, the 'ad' and the real estate are declined with thanks. Waterville expects to show the citizens of the state that she is the exact geographical center, that Waterville is not a narrow valley in the mountains, but is situated in a great ocean of agricultural and mineral wealth; she will be the most accessible; has the finest townsite, and altogether the most natural advantages for the 'capital'; and so for Waterville this paper will work to the exclusion of all 'ads' paid for in ranch property which the ambitious real estate men of Ellensburg are pleased to term 'gilt-edged town lots.'"<sup>80</sup>

## VII.

After a bitterly fought campaign, the election called to adopt the constitution was held on October 1, 1889. The people were asked to vote on the adoption of the proposed constitution and upon several propositions, among which was the location of the capital. Of the 55,173 votes cast on the capital question, Olympia polled 25,490, North Yakima 14,711, and Ellensburg 12,833. The remaining 2,139 votes were cast for a number of other towns, including 607 votes for Centralia, 314 for Yakima City, and 130 for Pasco.<sup>81</sup>

Under the provisions of the constitutional article, a majority of all votes cast on the capital proposition was required to designate that town as the capital location. Since neither of the three major contestants had such a majority, it was at

<sup>80</sup> *Spokane Falls Morning Review*, June 6, 1889.

<sup>81</sup> *First Report of the Secretary of State of the State of Washington*, 1890 (Olympia, 1891), 51.

once certain that a second election would be necessary. The constitution provided that in case there should be no choice of location at the first election, the legislature should, at its first regular session after the adoption of the constitution, provide for submitting to the qualified electors of the state at the next succeeding general election the question of a choice of location among the three places for which the highest number of votes should have been cast at the first election. In the event no town obtained a majority of the votes at the second election, a third election should be held, at which the towns receiving the two highest votes at the second election should be the contestants.

Following the first election, interest in the location of the capital lagged. While both North Yakima and Ellensburg reiterated their determination to win the fight, little was done to swing votes to their sides. North Yakima did employ a novel method of advertising the community and seeking votes. The people used gummed stickers to attach to mail, fruit boxes, and express packages.

Olympia, on the contrary, worked harder than ever, and when the Spokane County Fair was held in October, 1890, a special car carried an Olympia delegation with two hundred bushels of clams, a number of barrels of cider, and quantities of oysters and celery. The car was decked with banners thirty-two feet in length, reading "Olympia clams for Spokane Falls," and "Vote for Olympia for the Capital." It is not recorded what the reaction was to this boasting when the train moved through Ellensburg and North Yakima.

On the day of the second election (November 4, 1890), the *Tacoma Ledger* commented upon the chances of victory for Olympia :

Olympia must stand this one day's trial and yet one more before she becomes the permanent capital. The wisdom of our lawmakers has so decreed. With mossbacked prudence, they decided that the people of the state should make up their minds very gradually on the capital question.

The vote today on the capital will, no doubt, be more decisive than that of a year ago. The statesmen want to spend their winters in Olympia, and the people want they should. They can reach it more readily than any other point, lots of time and taxes will be saved by going there. Then, the clams of Olympia are wholesome and excellent brain food.



This last sentence was written before Olympia became famous for her oysters.

When the vote was announced, Olympia had won. The vote was 37,413 for Olympia, 6,276 for North Yakima, and 7,722 for Ellensburg, with 3,758 fewer votes cast than at the first election. Thus the second battle was ended, with Olympia again the victor.<sup>32</sup>

But the plan for a direct vote of the people did not prevent another capital location controversy. In fact, it served to open up all of the latent and suppressed antagonisms left over from former defeats, and to bring the capital fight again into the open. The next fight was not to be a minor one; but rather one of major significance and intensity. While it blazed with greatest heat in the months following statehood, it continued to burn for years thereafter. Probably the problem was not definitely settled until the present group of capitol buildings was completed in 1927. These buildings have made the location permanent, not because its site could not again be legally changed, but because the populace would not now consent to the expenditure of further money for a capitol in another location.

## VIII.

The first state legislature assembled in November, 1889, in the old capitol on the Sylvester tract. The building was much too small to house the state government even though the supreme court was then housed elsewhere. Now that Washington had become a state it needed a more pretentious capitol than the building designed in 1856 for the early territorial legislatures. During the recesses in the daily sessions of the first three legislatures, in 1889, 1891, and 1893, frequent discussions concerning the planning of a new capitol took place in the lobbies and adjacent halls and cloakrooms. It was not until the third biennial session in 1893, however, that definite efforts were made to select a new site and to erect a permanent state capitol.

<sup>32</sup> *First Report of the Secretary of State of the State of Washington, 1890 (Olympia, 1891), 52.*

In the session of 1893 three capitol bills were introduced in the senate and one bill in the house of representatives. The bills introduced by Senators James C. Horr of Olympia<sup>33</sup> and Frank H. Richards of Whatcom<sup>34</sup> were designed to create a capitol commission and to authorize the erection of the capitol in Olympia. At the same time, Representative Theodore F. Mentzer of Tenino introduced House Bill 292,<sup>35</sup> which was identical with Richards' bill (Senate Bill 171), and became the basic law under which the capitol was to be constructed. The senate committee on public buildings and grounds gave but scant attention to the Horr bill (Senate Bill 113), but favorably reported out Senate Bill 171.

Under the provisions of the enabling act, the federal government had granted to the state 132,000 acres of land for the construction of public buildings at the state capital.<sup>36</sup> These lands could not be sold for any other purpose and were intended to assure the construction of suitable buildings. At the time the capitol bills were before the legislature of 1893, only 57,145 acres had been selected by the state land commission, and their value was then appraised at \$1,237,640. At this rate of valuation the entire grants would have been worth between two and three millions of dollars.<sup>37</sup> In 1893 this amount was thought to be quite enough amply to provide for a capitol which would suffice for many years. Fortunately, however, unforeseen circumstances delayed the construction of the capitol, for, if built at that time, this sum would have resulted in but a small capitol and would have consumed the entire land grant. When finally built, as will be seen, the present group of capitol buildings cost the state almost \$10,000,000.

The senate committee on public buildings and grounds reported favorably on Senate Bill 171 :

Public sentiment and a sound view of the public welfare alike require that these lands be disposed of as soon as practicable in order that they may be added to the productive resources and to the assessable

<sup>33</sup> Senate Bill 113. *Senate Journal*, 1893, pp. 132, 393.

<sup>34</sup> Senate Bill 171. *Ibid.*, 224, 429-432, 444, 451, 527, 549.

<sup>35</sup> House Bill 292. *House Journal*, 1893, pp. 323, 641-644, 725, 726, 731, 737; *Senate Journal*, 1893, pp. 509, 515, 557-558, 595, 598, 600, 602.

<sup>36</sup> Act of February 22, 1889, sec. 12 and 17, in *United States Statutes at Large*, XXV, 680-681.

<sup>37</sup> Report of committee. *Senate Journal*, 1893, pp. 429-430.

wealth of the state, and bear their proper burden of taxation. The large sum that the state must necessarily realize from this valuable grant insures the erection of a magnificent capitol building that will meet every necessity of this state for generations to come without a particle of expense to our taxpayers. . . .

It is not necessary here to emphasize the imperative necessity for adequate facilities for the conduct of public business. The cramped offices that the state officers are obliged to put up with, the wholly unsuitable chambers in which the deliberations of this body and of the House have been conducted, forcibly impress upon us the necessity of erecting a proper state house without unnecessary delay.

Conceding the wisdom and necessity for the early erection of a capitol building, Senate bill No. 171 . . . seems admirably calculated to secure that object in a manner most advantageous to the state. Every safeguard is thrown about the selection of plans, the letting of contracts, the purchase of material, the employment of labor and the expenditures of money, so that the chance of loss to the state is reduced to a minimum. The provisions of the bill are in line with the strictest economy. Of the five commissioners who are to have the building in charge, two are state officers, thus relieving this commission burdened state of an expensive commission. The heavy bond required of the three commissioners who are not state officers, and the severe penalties imposed for any participation, however remote, in any contract connected with the building, or the furnishing of supplies therefor, insure an absolutely clean management of this great public enterprise. . . .

The appropriation is limited to \$225,000 for the ensuing fiscal year, and \$275,000 for the following fiscal year. Inasmuch as none of this money is to be paid by the taxpayers of the state, and is likely to come well within the limit of the probable proceeds from the sales of the public lands of the state, and can be paid only from the fund created by these sales, it seems to your committee that the sums called for ought to be appropriated.

The bill provides that the building shall be located on the most sightly and suitable place in the present capitol grounds. . . .

In addition to this tract of upwards of eleven acres . . . the people of the city of Olympia have recently procured deeds to the State of Washington for an avenue one hundred feet in width leading from Main street to the center of the capitol grounds on the west, the reasonable value of which tract is twenty-four thousand dollars. This will furnish a handsome approach to the capitol building from the main thoroughfare of Olympia, and enable the building to be located so as to face the east, as capitols are customarily built, if it is so desired, with a proper approach to the front of the building without any expense to the state. . . .<sup>38</sup>

Senate Bill 171 was rejected by the appropriations committee, however, and thereby defeated, but the legislature approved House Bill 292, which was identical with Senate Bill 171 and became a law.<sup>39</sup>

<sup>38</sup> Report of Committee. *Senate Journal*, 1893, pp. 430-432.  
his message to the legislature [January 11, 1899], *ibid.*, 43-44; *Senate Journal*,  
<sup>39</sup> *Laws of Washington*, 1893, pp. 462-470.

Another type of bill was frequently offered during the several legislative sessions in which the capital question was before the public. Such a bill was introduced into the legislature of 1893 (Senate Bill 259), to provide for the submission to the voters of the question of relocating the seat of government.<sup>40</sup> It was offered by thirteen senators under the leadership of the delegations from King and Pierce counties.<sup>41</sup> While the language of the bills makes no reference to specific sites to which the capital might be removed, the sponsors of Senate Bill 259 had in mind the removal of the seat of government to Kent, which is about midway between Seattle and Tacoma. It was thought that this location would be convenient to the two cities and would satisfy the claims of Tacoma for the capital, while at the same time it would bring the capital close enough to Seattle to justify the King County delegation in supporting the bill.

While this form of bill was used on other occasions, it was not until the session of 1915 that a similar bill was again introduced proposing to "change the permanent location of the seat of government from Olympia . . . to some point within the radius of twenty miles of Seattle, King County, Washington."<sup>42</sup> Obviously, the place intended for the location under the terms of this bill was again the little town of Kent.

## IX.

House Bill 292 of 1893 was typical of several capitol bills which were to follow it. In general, it created a commission to which was given the authority to select the immediate site of the capitol on the lands of the Sylvester tract, and to erect the building. Payment of the costs of construction was to be made by warrants drawn against the capitol building fund, which the act established, and into which all moneys received

<sup>40</sup> Senate Bill 259. *Senate Journal*, 1893, pp. 378-379.

<sup>41</sup> While the name of Senator Charles E. Claypool of Tacoma headed the list, he has stated that he did not favor the bill and that his name was added to the list during his absence from the senate and that upon his return he had demanded that his name be removed. He represented Pierce County, but his personal sympathies were with Olympia's effort to retain the capital. (Interview with the writer, August 22, 1940.)

<sup>42</sup> Senate Bill 328. *Senate Journal*, 1915, p. 444.

from the sale of the capitol buildings lands were to be deposited.

His long delay in appointing the capitol commissioners under the act of 1893 gave color to the belief that Governor John H. McGraw was unsympathetic to the building of the capitol in Olympia. This may not have been the case, but the Olympia press was loud in its denunciation of his dilatory course. The governor, of course, denied the charge, and, according to the *Washington Standard* of May 26, 1893, declared that the delay was caused only by the lack of funds with which to start work.

He says he has been corresponding with Eastern loan brokers, with a view of placing the warrants against the land fund, but has been, so far, unsuccessful, mainly on account of no provision being made for payment of interest at stated intervals, and the uncertainty of the date when the warrants may be redeemed. It must be admitted that the Governor manifests an unusually frugal disposition in this matter, as well as a very complacent estimate of his own ability to decide upon all the preliminary monetary questions involved; but, we hold that our law-makers intended that he should appoint a commission, who with himself and a certain other state officer, should decide all such questions of expediency. The reason why he has not done so, however satisfactory to himself, is not received with that readiness which a perfect faith would command. It is, in fact, believed by many that the Governor would about as readily relegate the whole matter to oblivion until another Legislature meets, and make the subject a matter of further political barter and trade. This judgment is, we think, premature. It does not comport with the dignity of the Chief Executive of a great State, and we have yet to be convinced that the people have elected a man who fails, in such a degree, to realize the magnitude of the trust reposed in him.

In compliance with the capitol act, Governor McGraw appointed on June 7, 1893, a capitol commission consisting of Edmund Rice of Thurston County, James N. Glover of Spokane County, and John McReavy of Mason County. With the governor as chairman *ex officio* it held its first meeting on July 26. The commission then proceeded to have the site surveyed and the necessary contour maps prepared, along with notices to architects. The general instructions were submitted on August 24, 1894, a year after the first meeting of the commissioners.

The personnel of the commission, according to the *Washington Standard* of June 9, 1893, were such as to remove any feeling of distrust that some of the sensational newspapers

had tried to arouse, and while they were supposed to receive five dollars per day for each day given to their duties, there was no provision for payment of their salaries, so that they had to serve for the "glory" of the cause.

This long delay in getting started tended further to incite the Olympia people to believe that Governor McGraw, elected from Seattle, was deliberately procrastinating in his duty, and that he might even go so far as to defeat the will of the legislature, which had directed that the capitol be built in Olympia. It was evident from the beginning that the governor was determined to dominate the commission. This led to disagreement among its members, and finally to the removal of McReavy, the validity of which was challenged but was upheld by the superior court of Thurston County. McGraw appointed Judge Thomas Burke of Seattle in McReavy's place, an act which led the *Washington Standard* to comment:

Taken in connection with the original delay of several weeks in signing the bill, and of several months in appointing the Commission; the time that has been frittered away at almost every stage of proceedings of the commission, it is extremely difficult for people to sanction a course that seems to rival the movements of that intricate machine described by Chas. Dickens, as a part of the English government—the Circumlocution Office—in which the prime object of governmental action was, *How Not to Do It*.

The political faction to which Gov. McGraw belongs are assuring people that he is anxious to have the work proceed; the other Republican faction is as positive that his real desire and intent is to defeat the construction of a capitol at the present time. . . .

The summary removal of one of the Commissioners because he did not agree with the Governor regarding details on which either had an equal right for preference, and the appointment of a "Democrat" who had supported him for Governor in his own county—a man who it is acknowledged accepts the position at a personal pecuniary sacrifice—has not served to restore confidence in the belief held by some that he is friendly to Olympia, and determined to administer the law as he finds it.<sup>43</sup>

Dissension within the commission continued, and on April 3, 1894, Joseph S. Allen, a Spokane attorney, was selected to replace James N. Glover, and on August 27 Charles F. Munday, a Seattle attorney, was appointed to the place of Judge Burke, who had resigned. All of this trouble resulted in much delay and prompted the governor to remark in his message to

<sup>43</sup> *Washington Standard*, March 2, 1894.

the legislature of 1895 that the settlement of these differences “in accordance with the dictates of duty compelled a reluctant and regrettable exercise of executive authority.”<sup>44</sup>

In referring to Judge Burke’s resignation from the commission, the *Washington Standard* reported that the reason given was that Burke could not attend to exacting demands of his own business and at the same time serve on the commission. This reason, in the opinion of the editor, was indeed strange, since at that time all business was at a low ebb. Rather, he stated, it only gave “color to the rumor that the resignation was made at a nod from the Executive.”<sup>45</sup>

The capitol commission received 186 sets of plans for consideration in response to the instructions given out to architects. Professor William Robert Ware, head of the school of architecture at Columbia University, was called to assist the commission in the enormous and technical task of examining the plans. He recommended that the first prize be given to the plans of Ernest Flagg of New York City.<sup>46</sup> The capitol was built in accordance with the Flagg plans under the supervision of their designer.<sup>47</sup>

Flagg’s drawings were checked by a board consisting of Morgan J. Carkeek and A. J. Wells of Seattle, and George B. Evans of Tacoma, who were selected because of their large experience as contractors and builders and their familiarity with the type of work required. After a careful and exhaustive study of the Flagg plans, they reported to the commission that the building could be completed and furnished well within the limits fixed by the legislature.

In view of doubts expressed as to whether the commission was proceeding legally in drawing warrants against the capitol building fund in the absence of any money in that fund, the

<sup>44</sup> Message of January 14, 1895. *Senate Journal*, 1895, p. 23; *House Journal*, 1895, p. 30.

<sup>45</sup> *Washington Standard*, August 31, 1894.

<sup>46</sup> Some of the other well known buildings designed by this noted architect are the Corcoran Gallery of Art, in Washington, D. C., St. Luke’s Hospital and the Singer and Bourne buildings in New York City, and the United States Naval Academy, Annapolis.

<sup>47</sup> For a detailed description of the Flagg plans consult the *First Biennial Report of the State Capitol Commission of the State of Washington* (Olympia, Wash., 1895); also, Clark V. Savidge, *Brief Outline of the History of Washington’s State Capitol Group* (Olympia, Wash., 1927).

commission decided to institute a test court action. The decision of the state supreme court was in favor of the commission, holding that it was proceeding legally.<sup>48</sup> Fortified by this court decision, the commission proceeded with the advertising for the excavation and construction of the foundation. The contract for excavation went to Martin Welsh of Tacoma for \$1,150, while that for the foundation was awarded to Moffatt Brothers of Spokane for \$47,000, upon which bid the latter firm lost considerable money.

Late in the summer of 1895 the capitol commission sought bids on the superstructure of the capitol, and three bids were received, but these did not conform to the statutory requirements and were rejected. New bids were sought. Five offers were received this time, but once again the provisions of the law had not been observed, so these, too, were rejected.

It was apparent to the commission that favorable bids could not be secured unless definite arrangements could be made in advance for placing the warrants that would be issued during the course of construction. Accordingly, in October, 1895, Commissioner Rice visited the eastern money markets and made a thorough but unsuccessful effort to secure an arrangement whereby the investment bankers would take these warrants. The commission next attempted, upon the advice of the state attorney general, to issue all warrants at one time with the hope of selling them as a lot, which, if that could have been done, not only would have enabled the work of construction to proceed on a cash basis, but also would have secured the submission of the lowest possible bids. The warrants were therefore issued, and a call made for bids. While this notice was pending, a second but unsuccessful court action was instituted to restrain the commission from selling the warrants.<sup>49</sup> The commission found that this plan secured a spirited and satisfactory bidding, with twelve bids received. On January 30, 1896, the bids were opened, and Fenton H. Goss of

<sup>48</sup> *Allen v. Grimes*, State Auditor (Supreme Court of Washington, July 18, 1894), *Washington Reports*, IX, 424-428; *Pacific Reporter*, XXXVII, 662-663.

<sup>49</sup> *State ex rel. Attorney General v. McGraw, Governor, et al.* (Supreme Court of Washington, December 26, 1895), *Washington Reports*, XIII, 311-323; *Pacific Reporter*, XLIII, 176-180.



Tacoma was found to be the successful bidder with a bid of \$822,951. The contract was therefore awarded to him.<sup>50</sup>

At that moment the warrants had not been sold, and all later efforts to sell them proved fruitless. In an effort to expedite their sale, the commission sent Clarence J. Lord, president of the Capital National Bank of Olympia, to consult with eastern bankers with full authority to place the warrants. However, he was likewise unsuccessful in doing so. The money market was in an unsettled condition, and notwithstanding the ample security behind the warrants and their high rate of interest, they were not a popular form of investment. The reason for the unpopularity of this form of investment, according to the commission, was not so much the fear of insecurity but that interest was payable on the date of call rather than periodically. Investors, the commission explained, required reasonable returns upon their loans, and this defect in the warrants could not be atoned for by their high interest rate. The commission concluded, therefore, that additional legislation was needed to secure the early completion of the capitol.<sup>51</sup> Such legislation was obtained in 1897, but the act was vetoed by Governor Rogers.

The legislature of 1895 amended the capitol building act of 1893 to appropriate \$930,000 from the state capitol building fund.<sup>52</sup> The amendatory act was based on House Bill 216, which the house committee on state buildings approved with but one dissenting vote.<sup>53</sup> This was cast by John R. Rogers of Puyallup, who stated at the time that:

This bill is reported favorably by a majority of the quorum present, but this majority is really a minority of the whole committee. It appropriates a half million of money for a luxury which the people of Washington can at the present time do without. The bill should be squelched.<sup>54</sup>

This minority report clearly expressed the attitude toward the new capitol of the man who was to be the next governor of

<sup>50</sup> *Second Biennial Report of the State Capitol Commission of the State of Washington* (Olympia, Wash., 1897), 5.

<sup>51</sup> *Ibid.*, 5-7.

<sup>52</sup> *Laws of Washington*, 1895, pp. 104-105.

<sup>53</sup> House Bill 216. *House Journal*, 1895, pp. 158, 410, 568-569, 676, 677, 680, 803, 814, 908; *Senate Journal*, 1895, pp. 518, 521 544-545, 598, 609.

<sup>54</sup> *House Journal*, 1895, p. 569.

Washington. It is not surprising, therefore, that Rogers, when he had the opportunity as governor to block capitol construction in Olympia, did so. His opportunity came after the legislative session of 1897, when House Bill 620 was enacted into law. This bill, one of several capitol bills introduced at this session, appropriated \$500,000 upon half of which the state was to guarantee the interest at the rate of four per centum.<sup>55</sup> Governor Rogers declared that the bill lacked a constitutional number of votes in the house of representatives, and felt that the law did not adequately protect the state, and for that reason he vetoed it.<sup>56</sup>

Two identical bills introduced into the legislature of 1897 provided for the removal of the capital and for the creation of a commission to select a site in addition to Olympia, between which the people should choose at the next general election. The commission was not to include any member from the counties of King, Pierce, or Thurston, thereby eliminating any supposed prejudice for or against Seattle, Tacoma, or Olympia as capital sites. Lewis C. Crow of Latah introduced such a bill into the senate,<sup>57</sup> and Cornelius E. Mohundro of Palouse its counterpart into the house.<sup>58</sup> No action was taken by the senate, while consideration was postponed in the house. Three other bills designed to "expedite the completion of the state capitol and making an appropriation therefor" also died in that session.<sup>59</sup>

## XI.

The opening of the legislative session of 1899 was the occasion for the outbreak of suppressed hostility between Olympia and Tacoma over the capital location. This antagonism had been evident for several preceding sessions, but had not been openly displayed. In the legislative sessions of 1899 and 1901, the fight came out into the open.

<sup>55</sup> House Bill 620. *House Journal*, 1897, pp. 681, 724, 863, 876, 881, 977, 978, 979, 980-982, 983, 990; *Senate Journal*, 1897, pp. 726, 768, 769, 779, 780, 781, 796.

<sup>56</sup> Veto message, March 19, 1897, in *House Journal*, 1899, pp. 70-72. See also his message to the legislature [January 11, 1899], *ibid.*, 43-44; *Senate Journal*, 1899, pp. 30-31.

<sup>57</sup> Senate Bill 158. *Senate Journal*, 1897, p. 239.

<sup>58</sup> House Bill 172. *House Journal*, 1897, pp. 150, 342, 391-392, 437-438.

<sup>59</sup> Senate Bills 165 and 225. *Senate Journal*, 1897, pp. 261, 384. House Bill 434. *House Journal*, 1897, pp. 470, 517, 863.

The opposition to Olympia was the same argument heard from the very beginning of the capital controversy, viz.: the inaccessibility of the location at Olympia from the state as a whole. In this criticism there was a great deal of merit. The Northern Pacific Railroad operated a train from Tacoma, and there was a one-car train connecting Tenino and Olympia with the Portland train. There was no wide, permanent highway such as now exists, and the trip to Olympia by boat required almost a full day. This was all before the day of the automobile, at a time when all persons having business in the capital had to use either the railroad or the boat in order to get there. So there was a growing feeling that the capital should be located in some more accessible place.

The foundation for the capital had been completed, and was being used as a playhouse by children or as a corral for sheep by some Olympia citizens. No work had been done on the superstructure for the want of funds. Hence, most of the capitol bills the Olympia delegation introduced at the session of 1899 were directed toward the completion of the structure as the most logical means of retaining the capital in Olympia; while those legislators who sought the removal of the capital felt that their own best move was to prevent the completion of the building, and at the same time to endeavor to relocate the capital. If the capital were to be relocated it would be best to effect its removal before any additional funds were expended on the building in Olympia.

The leaders of the fight upon behalf of Olympia were Representative Alonzo J. Falknor and Senator Thomas J. Miller. Between them, they introduced five capitol bills at the session of 1899, one of which was passed by the legislature, only to be vetoed by Governor Rogers.

It has been stated by Falknor that Governor Rogers, while not openly hostile toward Olympia, was nevertheless unfriendly. His home was in Puyallup, and, therefore, he favored Tacoma as the site of the capital. He had served in the legislature with this bias and retained it even after he had become governor. Falknor has said that he conferred with the governor upon the capital question, but could get no as-

surance of any aid in completing the capitol building.<sup>60</sup> Governor Rogers realized that the state needed better capitol facilities, but secretly hoped that the permanent capitol would be built in Tacoma. Times were very bad, and it seemed to be a poor time to spend so much money for a capitol. While the land grants were designed to provide the revenue with which to construct the capitol without cost to the taxpayers of the state, there was a feeling among many people, no doubt shared by Governor Rogers also, that ultimately the state would have to redeem the warrants issued to provide money for the capitol construction. Realizing the need for more space for state offices, he had leased the three floors of the McKenney Block in Olympia, and the state offices had been moved into this building, leaving the legislature and state library in the old wooden capitol located on the Sylvester tract.

Furthermore, the governor had recommended to the legislature in his message of 1899 that temporary relief might be obtained by buying the recently constructed Thurston County courthouse, which had become a "white elephant" to the county. By the construction of a legislative wing the courthouse could be made to serve the state adequately for some time to come.<sup>61</sup> This suggestion was regarded by the Olympia delegation merely as a means of prolonging the capital controversy until the capital could be moved to Tacoma. They did not consider it as an attempt to solve the problem. Besides, what was to be done with the foundation already constructed? For this reason, they did not favor the governor's suggestion, and were, in fact, afraid of it.

It is only fair to state upon behalf of Governor Rogers that he was trying to protect the state from what might become an extravagant expenditure of state money, and from any scandal that might arise out of the construction of a state capitol. He felt that while the contracts might be for a definite amount, the final costs might well run much higher. Such had been the history of capitol construction in other states, and in this respect the capitol of Washington, as finally constructed,

<sup>60</sup> Interview with the writer, summer, 1940.

<sup>61</sup> Message to the legislature [January 11, 1899]. *Senate Journal*, 1899, p. 31; *House Journal*, 1899, p. 44.

was to be no exception. Governor Rogers pointed to Iowa as an example where a capitol appropriation of \$2,000,000 had been increased to \$5,000,000, and to New York, where the capitol estimated to cost \$10,000,000 had cost more than double that amount. "The people of this state," he stated, "are radically opposed to any plan which commits the state to extravagance of this character, just as we are beginning to pay off past indebtedness and improve our financial standing."<sup>62</sup>

One of the difficulties encountered in the construction of the capitol was the governor's domination of the capitol commission. It has been pointed out how several members had been either removed or asked to resign because of personal differences with Governor McGraw over details of the capitol construction. A remedy for this difficulty, and one which might permit the work to proceed more rapidly, would have been a change in the composition of the capitol commission. Representative Falknor introduced at the session of 1899 a bill (House Bill 233) to make the state land commissioner *ex officio* the state capitol commission, and repealing the remainder of the act setting up the commission.<sup>63</sup> Being unsuccessful with this bill, Falknor in the house<sup>64</sup> and Miller in the senate<sup>65</sup> introduced identical bills also to amend the capitol construction act of 1893 by changing the composition of the capitol commission. These bills proposed to take away from the governor the power of appointing the personnel of the commission and to confer it upon the legislature, both in respect to initial appointments and to the filling of vacancies. Again, the sponsors of these bills were striking at the governor's domination of the personnel of the commission. Miller's bill was enacted into law,<sup>66</sup> only to be vetoed by Governor Rogers.<sup>67</sup> Such action on the part of the governor was expected, but the sponsors believed that they could repass the measure over his veto. In this

<sup>62</sup> Message to the legislature [January 11, 1899]. *Senate Journal*, 1899, p. 31; *House Journal*, 1899, p. 44.

<sup>63</sup> House Bill 233. *House Journal*, 1899, p. 183.

<sup>64</sup> House Bill 410. *Ibid.*, 434.

<sup>65</sup> Senate Bill 222. *Senate Journal*, 1899, pp. 414, 439, 464, 484, 518, 539, 542, 614, 632, 660; *House Journal*, 1899, pp. 685, 724-725, 728, 730.

<sup>66</sup> The bill named L. C. Gilman of Seattle and A. A. Phillips of Olympia as capitol commissioners to act with the state land commissioner, the *ex-officio* member under the bill.

<sup>67</sup> Veto message, March 8, 1899. *Senate Journal*, 1899, pp. 660-663.

belief they were mistaken. The act in question took away from him an appointive power generally conceded as belonging to the executive and conferred it upon a legislative body, a policy inconsistent with good political practice.

As a companion measure to House Bill 233, Falknor introduced House Bill 234,<sup>68</sup> and Miller, Senate Bill 99,<sup>69</sup> the bills being identical. These bills proposed to expedite the completion of the capitol, but at the same time to economize in the construction costs by cutting out the dome, all elevators except one, and substituting pressed brick for stone, as a compromise between opponents of the high cost of the capitol and those who favored the Flagg plans. By providing that if at any time the capitol building warrants did not sell for par the contractor must stop work until such time as they could be sold at face value, these bills were a bid for support from those who feared that the capitol building warrants would become a drain upon the general funds of the state. This provision, however, would have made it hard for a contractor to bid safely on the contract for construction. Under this proposal, Olympia made a substantial sacrifice in its hopes for a beautiful capitol, but through it hoped to get the building completed and the capitol thereby saved to the city. The legislature, however, did not favor the economy bait, and did not pass the bill.

The public seldom knows the extent to which vote trading is carried on within the legislative halls. The fight for the capitol in the sessions of 1899 and 1901 was no exception. Some idea of the methods used by the Olympia delegation in their fight to save the capital has been recalled by Representative Falknor:

The capital situation in 1899 was quite tense. There was considerable hostile feeling between Tacoma and Seattle. Olympia played strong with King County because Tacoma was trying to relocate the capital at Tacoma. Mr. E. H. Guie, an attorney of Seattle, was the Speaker of the House. He was friendly toward Olympia and gave us complete control of the Public Lands Committee. We named every man on it. He would send to that committee every bill relating to public buildings. This gave us the advantage. We had no assurance from Governor Rogers, and felt that if our bill did get through, he would veto it, and this he did.

<sup>68</sup> House Bill 234. *House Journal*, 1899, p. 183.

<sup>69</sup> Senate Bill 99. *Senate Journal*, 1899, pp. 151, 201, 205, 206, 208, 216, 219.

This session was the last one in which the legislature elected a United States Senator. We cast our lot with Senator John L. Wilson for reelection. Judge Wallace Mount was the spokesman for Senator Wilson. It became apparent that Levi Ankeny was going to beat Wilson, so Tacoma brought out Addison G. Foster. Notwithstanding the fact that Tacoma was fighting us, the vote was going to be close between Ankeny and Foster. Mason and Chehalis [now Grays Harbor] counties told us to use their votes in trading for the capital. Accordingly, we tied up with Tacoma on the understanding that they would let up on trying to get the capital. Through our votes, Foster was elected. However, Tacoma forgot her promise, and this made the feeling even more bitter. It was so bitter that the Olympia Chamber of Commerce took up the fight, and began a boycott of Tacoma merchants, and in this condition the session ended.<sup>70</sup>

It was not until the session of 1899 that the heirs of Edmund Sylvester made known their intention to seek a reversion to themselves of the title to the capitol tract. This decision came as a result of the agitation of the "annex group," who sought to purchase the Thurston County courthouse as a capitol building. This group was headed by the Tacoma delegation who thought that it would be better to concede a temporary capitol to Olympia rather than take a chance on the construction there of a permanent capitol, which, if it could be delayed, might be eventually won for Tacoma. Such a bill did not get before the legislature in 1899, but a bill to expedite the construction of the permanent capitol was introduced, and, as pointed out above, was passed. The Olympia supporters used the threat of the Sylvester heirs as an argument to divert Governor Rogers from his intention to veto the bill which had been passed to expedite the construction of the capitol in Olympia.

According to the *Washington Standard*, the opponents of the courthouse or "annex" scheme claimed "that the grounds were inadequate; that the tract should embrace much more than the mere site for the building and that much money had already been spent in securing plans and constructing a splendid foundation." Fearful that the governor would veto the bill to expedite the construction of the capitol, they sent a delegation of prominent citizens, headed by James A. Haight, an attorney of Tacoma, to discuss with him the legal points involved in the bill. The committee arrived promptly, and after

<sup>70</sup> Interview with the writer, summer, 1940.

a two-hour conference ending at 11 o'clock P. M., they were assured by the governor that he would give their petition his earnest attention. When the delegation left his office, it met by mere chance a friend of one of the members, who was then a telegraph operator in Olympia. According to the *Standard*, the following conversation took place: "Well, how are you satisfied?" the telegraph operator inquired. "Very well," was the reply, "the governor has promised to carefully consider our appeal." "Consider be hanged!" was the retort. "You are fooled. Did he not tell you he had vetoed the bill?" "No, indeed, and I do not believe that he has done it!" "Come with me," said the operator, "I'll convince you." He led the way to the telegraph office, took up the file, turned over several later messages, and produced a telegram to a Spokane newspaper signed by J. E. Ballaine, the governor's private secretary, dated at 6:30 P. M. (or two and a half hours before the time set for the reception of the committee) and reading: "The Governor has vetoed the capitol bill."

The editor of the *Standard* referred to this incident in order, as he said, to show the extraordinary animus which had prompted Governor Rogers once to say that "the capitol shall never be built upon a McGraw foundation." The objections raised by the opponents of the courthouse scheme were all in vain, but, as the editor pointed out, would prove a guide for the future, and "with a fair Executive in the chair, the new capitol will, in due time, arise, although it be upon a McGraw foundation."<sup>71</sup>

## XII.

In his message to the legislature in 1901, Governor Rogers again referred at length to the capitol controversy. He re-

<sup>71</sup> *Washington Standard*, January 20, 1905. In 1891 the *Standard* called attention to the restrictive covenants in the deeds to the capitol site from the Sylvester family. The occasion was the introduction into the legislature of a resolution to determine whether the Sylvester tract contained enough land for capitol purposes, and if not, to have reported the desirability of selling the Sylvester tract and purchasing another site. Nothing was said in the resolution about the purchase of land adjacent to the Sylvester tract in order to enlarge it. The newspaper, therefore, denounced the move as a stealthy attempt to remove the capital from Olympia for the benefit of real estate operators. The resolution was not carried. *Ibid.*, January 16, 1891.



viewed the unsuccessful efforts of the capitol commission to sell the capitol warrants, and again recommended, as a solution to the problem, the purchase of the Thurston County courthouse. This time the legislature followed his recommendation and purchased the building which became the capitol for the next twenty-six years. That the governor's recommendation was a wise one, history can now attest.

Speaking to the legislature in 1901 in a plain and straightforward message, Governor Rogers said:

The question of the erection of a State Capitol is again to be presented to the legislature. On this, it may be said, without contradiction from any source, that if the state possessed the necessary funds with which a suitable building could be constructed, no question would arise among members regarding the urgency and the necessity of such action as would result in the early completion of a building to be devoted to state purposes. But, the state does not possess these funds. It has no moneys not called for in the payment of obligations previously entered into. It is in honor bound to liquidate its indebtedness. This indebtedness is even now far in excess of the \$400,000, which is our legal limit. This excess is really an unauthorized and an illegal liability which former legislators have imposed upon the rate-payers. But while technically illegal every patriotic Washingtonian desires it paid to the last farthing. A moral responsibility rests upon us which with our people is as binding as a legal one. Interest upon this debt must also be paid. And, although interest payments have, for the time, been largely reduced, it certainly is incumbent upon us to proceed with extreme caution in the creation of additional illegal indebtedness which must some day be paid to the last dollar. . . .

The state has from the general government a grant of 132,000 acres of wild lands, donated for the purpose of aiding in the erection of public buildings at the state capital. But this donation is unproductive. It is agreed that these lands cannot now be sold. Regarding their future value a great difference of opinion prevails. Much of this land, in eastern Washington is practically valueless. Some timber land in western Washington is said to be valuable. It lies, however, for the most part, in, at present, inaccessible locations. The largest amount is found within the Olympic Reserve, in the foothills of the Olympic mountains. The timber could only be obtained with great difficulty, which reduces its present value to a nullity. As the matter now stands, the state can only build by the creation of a debt, the interest upon which, at least, must be paid by the taxpayers, from year to year. Eight years ago, when the value of real property in Washington was at least twice that of today, an attempt was made to build a costly and ornate state capitol. An appropriation was made from "The Capitol Building Fund" which had no existence, commissioners were appointed to serve at good salaries; plans procured and a foundation completed. The foundation was paid for by the issuance of less than \$48,000 in warrants. In all, nearly \$100,000, in warrants, have been issued, bearing eight per cent. interest. These, with accruing interest, amount to some \$150,000, and this amount is annually increased

by nearly \$8,000 in interest due. No dollar of this issue has ever been paid, or is likely to be, very soon, at least, and the holders of these warrants are writing beseeching letters to the executive, asking that he recommend their payment from the public funds. Sooner or later these warrants, drawn upon a mock fund, must be paid, if the lands cannot be sold. Eight years ago, it was thought they might become immediately available, but that time appears now even farther away than then.

[In] Spite of this specimen of inefficient management, by which the commission has already incurred a liability of twice as much, for interest and "services" as its foundation is worth, it is gravely proposed to proceed with the erection of a million-dollar structure by making use of the same brilliant financial methods. In this manner, two millions, for "services" and interest, could readily be "absorbed." But, adopting the views of even the most rosy-hued optimist regarding the future value of the capitol grant, it still must be said that wild lands do not increase in value, while the property of the state, with the rapidity with which interest on money mounts up. All experience has shown that after public lands are sold to private individuals they sometimes become valuable, not often before.

Two years ago, it was said that if a state capitol was immediately desired a proposition to purchase the Thurston county court house might be successfully managed. This is a beautiful building, centrally located, costing \$150,000. The state holds, in the permanent school fund, \$150,000 of Thurston county warrants. An exchange of paper might transfer the title; \$100,000 carefully expended, would build an addition to the rear, in the same general style of architecture, containing comfortable quarters for the State Legislature. . . .<sup>72</sup>

Eight bills relative to the capital were submitted to the 1901 legislature. Two of these bills, which were identical in form, related to the removal of the capital to the city of Everett.<sup>73</sup> They received but scant attention because the Everett delegation was in reality supporting the claims of Olympia.

Tacoma openly made a bid for the capital at the session through identical bills offered by Senator Stanton Warburton and Representative Joseph H. Easterday, providing for the removal of the capital to Tacoma.<sup>74</sup> There followed a conflict during this session between these Tacoma bills on the one hand, and identical Olympia bills on the other hand, introduced into the senate by A. S. Ruth and in the house by Alonzo J. Falknor,<sup>75</sup> which followed the recommendation of the governor, and

<sup>72</sup> Second inaugural message, January 16, 1901. *Senate Journal*, 1901, pp. 40-42; *House Journal*, 1901, pp. 42-44.

<sup>73</sup> Senate Bill 139. *Senate Journal*, 1901, p. 184. House Bill 240. *House Journal*, 1901, pp. 183, 414, 456.

<sup>74</sup> Senate Bill 113. *Senate Journal*, 1901, p. 136. House Bill 180. *House Journal*, 1901, pp. 143, 414, 454.

<sup>75</sup> Senate Bill 44. *Senate Journal*, 1901, pp. 68, 106, 157, 178, 211, 447, 458, 464; *House Journal*, 1899; pp. 231, 241, 267, 415, 450-451, 462. House Bill 155. *House Journal*, 1901, pp. 134, 159.

provided for the purchase of the Thurston County courthouse. The senate bill so providing was enacted into law.<sup>76</sup>

Shortly after the introduction of the bills to purchase the Thurston County courthouse, the Portland *Morning Oregonian* observed that it was well known that Governor Rogers favored the removal of the capital to some other Puget Sound city, preferably to Tacoma, and that he would willingly see his courthouse recommendation disregarded, "if in doing so Olympia's hopes could be blasted forever."<sup>77</sup> "True;" added the *Washington Standard*, "and with this fact amply demonstrated, 895 voters of Thurston county voted for the man who had a knife at their throats. O Shame, where is thy blush!"<sup>78</sup>

Two other capital bills were introduced into the session of 1901. One provided for the removal of the capital to Seattle.<sup>79</sup> While Seattle would have been pleased to acquire the capital, and in fact had its Capitol Hill, as had many other cities, it made no serious effort to secure the capital. Rather, the Seattle delegation usually supported the claims of Olympia. The Seattle bill was referred to the house committee on corporations and a certain death. Seattle made no serious effort to obtain the capital, but was determined that Tacoma should not get it. There was, however, Seattle agitation in this session for the removal of the supreme court to Seattle. The argument used was that the lawyers of the state wanted it there because of the presence of the law school and its fine library, and also because it would be a benefit to the state. This move did not please Olympia, where it was felt that it amounted to taking away the government piecemeal. There was no constitutional impediment to the scheme, and it was legally possible to accomplish it.

The remaining capital bill was offered by Representative C. D. Ulmer to build the capitol in Olympia. It was referred to the judiciary committee, of which Falknor was chairman, and there it died.<sup>80</sup> It is interesting to note that the house bills

<sup>76</sup> *Laws of Washington*, 1901, pp. 54-56.

<sup>77</sup> Portland *Morning Oregonian*, quoted by the *Washington Standard*, January 25, 1901.

<sup>78</sup> *Washington Standard*, January 25, 1901.

<sup>79</sup> House Bill 463. *House Journal*, 1901, pp. 419, 508.

<sup>80</sup> House Bill 500. *Ibid.*, 482.

to remove the capital to Tacoma and Everett were referred to the committee on constitutional revision, which was alien to the subject matter of the bills and spelled defeat for them; while in the senate, the same bills were referred to the judiciary committee, which was controlled by the Olympia sympathizers.

In recalling the events of the legislative session of 1901, Representative Falknor has said:

We thought we could beat Governor Rogers at the next election, but we didn't; he was re-elected. So we had to undertake new manoeuvres. We felt that this was to be a fight for the life of Olympia. I had gained some notoriety in the previous session, but not enough to be elected Speaker. Through the good influence of people, I got quite a respectable number of votes behind me for Speaker; enough so I held the balance of power. Tacoma was hotter than ever to get the capital. They tried to organize the southwestern part of the state, which was naturally loyal to Olympia. R. B. Albertson was the candidate for Speaker from Seattle, and naturally we began to play with Seattle until we came to terms. He had as his spokesman, Joseph Dawes, who was a good politician. Joe wanted to get our votes in order to get his man elected Speaker. We said, "Joe, we will have to name the Buildings Committee if you get our votes, and fifteen of the Appropriations Committee." Joe said, "All right." But we demanded more. The committee that handled most of the legislation was the Judiciary Committee. "I want to be the chairman of that," I said, and he agreed. We got all we asked for. It gave us such a grip that we could block Tacoma. We realized that we might have to go against a veto. But Governor Rogers had said, "I will consent to buy the County Court House, and I will consent to an appropriation of \$35,000 to put a new wing on it." This would take care of the problem temporarily anyway. The people of Olympia realized that half a loaf was better than none. We said "All right, we will take you at your word." Tacoma was not satisfied. They put forth a project whereby they would donate Wright Park for the capitol grounds. Everett then got into the fight, but made no offer of land. We decided to check up on the title to Wright Park, and in doing so, we found a provision in the deed that, if the city ever used it for any other purpose, it would revert to the original grantor. We played that up, and it helped us to win the fight.

It fell to my lot to be spokesman for the community. Everything had been mobilized in Olympia for the fight. Every card party and bit of entertainment, and all of the women's clubs were mobilized in favor of putting the bill through. We waited until the close of the session when we had worked up as much favorable feeling toward Olympia as we could. Before the bill came up in the Senate, we checked up on our strength, and concluded we had just enough votes to put it through. On the night preceding the day the bill was to come up, one of the members was missing. We found he was on a drunk. It put us on the spot because it looked as though we would lose by one vote. I went to see Senator Harold Preston at 2 A. M., and told him my predicament. "Can't you get us one more vote?" I asked. "Yes, I can. The Senator from Black Diamond, Dr. J. J. Smith, can give you his vote." I went over to make sure. When the voting was called, we believed that we had just enough

votes by counting the one from Black Diamond. As the vote was being counted, the drunken member walked in. He shouted "I'm for Tacoma, but I vote 'yes.'" The opposition had taken him on a drunk to get him to switch his vote, but it was the "yes" that counted, so we got his vote after all.

Everett never made a serious bid for the capital. Representative Gorham was working under cover for Olympia. The people of Everett worked up an entertainment, but Gorham said, "Don't worry. Let the legislators enjoy the entertainment, and then we'll vote for Olympia."

The abilities and efforts of Olympia were mobilized behind the fight for the capital; it was everything to them. In 1899, and during the next session or two, the women organized. Mrs. Hardaway Chambers, wife of a prominent local business man, was a strong leader. She organized the women, who made every effort to make it pleasant for the women whose husbands were there in the legislature. C. J. Lord was prominent among the men; also L. B. Faulkner, head of the Olympia Light and Power Company. The women worked on the wives of the legislators; they had card parties for them. Olympia treated them nicely and entertained them, breaking down their opposition. The women did heroic work along that line. George Mills helped; also J. O'B. Scobey, editor of the *Morning Olympian*. I was merely the spokesman, but I had behind me 100 per cent the men and women of Olympia.<sup>81</sup>

And to this statement, John D. Atkinson, then the state auditor and later attorney general of the state, has said:

In substance, Olympia and some of the friendly neighboring counties in Southwest Washington, succeeded in organizing a legislative "bloc" to operate its voting power, and played the capital-removing question against any and all bills desired to be passed for the good, or wants, of sections of the state. In many ways, this was a political hold-up by Olympia, but it brought a final victory in the capital for her.<sup>82</sup>

The *Seattle Review* observed of this success by Olympia:

"This time the Olympians feel jubilant and can enjoy a good night's rest, thanks to Governor Rogers. They have settled the capital question beyond any question of a doubt and the land-poor resident can now plat his prospective acreage and assure a prospective purchaser that the capital will remain and, if need be, give him a guaranty bond to that effect. There is no man, however, in the city or State for that matter, who enjoys the situation greater than his excellency John R. Rogers. Abused, maligned and insulted as he has been since coming to the State capital because he would not consent to stand for another capitol building robbery, he now comes out of the fray smiling and with colors flying, and all Olympia at his feet."

After quoting these observations, the *Washington Standard* expressed its opinion of the governor:

<sup>81</sup> Interview with the writer, summer, 1940.

<sup>82</sup> In a letter to the writer, July 25, 1939.

Nobody has changed his opinion of John R. Rogers, unless to confirm the belief that he is cold and calculating in all his movements and utterly unprincipled when it comes to party matters. . . . Rogers wanted to stop capitol construction to afford Pierce county the opportunity she has had for a relocation nearer the realty possessions of the Rogers family. . . .<sup>83</sup> Rogers was forced to approve his own alternative for a Statehouse to keep the Republicans in the assembly from . . . providing a capitol in accordance with the original plans. This course was seriously discussed after the court-house bill had passed, but did not secure the unanimity necessary to make action absolutely certain, on account of adoption of the alternative measure.

The STANDARD does not believe that the present course has settled the capitol question "for all time," any more than has the average resident of this county given up hope of an adequate Statehouse on the splendid foundation already constructed.<sup>84</sup>

### XIII.

In the succeeding sessions, the principal fights were for appropriations with which to proceed with capitol construction, rather than to relocate the capital. It was now quite generally agreed by all citizens that the capital should remain in Olympia. Only one further serious attempt to remove the capital was made. This was in the legislative session of 1905 when a bill was passed by both branches of the legislature to submit to the citizens the question whether the capital should be removed to Tacoma or remain at Olympia.<sup>85</sup> The bill, however, received a veto from Governor Albert E. Mead. In exercising his veto of the measure, the governor expressed the feeling of the great mass of the citizens of the state that the capital question was then settled; and that public opinion demanded that it be left alone.<sup>86</sup>

This effort to make Tacoma the capital was not blandly accepted by the Olympians. The *Standard* severely criticized the legislature for passing a bill calling for a vote of the people on their choice of Olympia or Tacoma for the capital, and then

<sup>83</sup> Further reference to the so-called land scheme of the Rogers family is to be found in the *Washington Standard*, February 10, 1905, where it was asserted that George Stevenson had been employed as a lobbyist for the removal of the capital to Tacoma, and that part of his price was a slice of the 2,000-acre tract purchased by the Rogers syndicate for speculation.

<sup>84</sup> *Washington Standard*, March 22, 1901.

<sup>85</sup> Senate Bill 124. *Senate Journal*, 1905, pp. 206, 217, 220, 221, 227, 362, 374-375, 396, 420, 433-437; *House Journal*, 1905, pp. 227, 242, 334, 350-352, 363, 405, 423.

<sup>86</sup> Veto message, February 27, 1905, in *Senate Journal*, 1905, pp. 433-436.

initiating a bill to require the governor to quit-claim the title of the state in the capital site to the Sylvester heirs. This amounted to selling the state capital grounds, and leaving Tacoma as the sole location for the capital, which the *Standard* characterized as having been “conceived in spite, born in iniquity and grown to active life by a united effort to perpetuate the grossest frauds upon the people.”<sup>87</sup>

The quit-claim deed to the state from the Sylvester heirs contained a covenant that the state would use the land for capitol purposes, and that the title thereto would be forfeited if the state used the tract for any other purpose, or abandoned the use of it for capitol purposes. Did the purchase of the courthouse and the transferring of the seat of government to it, constitute an abandonment of the Sylvester grant for capitol use? While considerable opinion so regarded the matter, the legislature had regularly made provision for the keeping of a roof over the foundation constructed in 1894. This action, the supreme court held, was sufficient evidence of the state’s intention not to abandon the site, as contended by the heirs of the grantor, Edmund Sylvster.<sup>88</sup>

Since the story of the building of the present capitol group has been told by another writer,<sup>89</sup> it is sufficient only to enumerate here the steps which comprised its later developments:

- (a) In 1907 the governor’s mansion was built.
- (b) In 1909 the legislature authorized the completion of the Flag plans, but made no appropriation for the construction.
- (c) In 1911 the legislature provided for another nation-wide competition for plans for a capitol group and authorized the immediate construction of the temple of justice.
- (d) The legislative sessions of 1913 and 1915 authorized bond issues against the capitol land grants, but the supreme court held they exceeded the constitutional debt limit, and were therefore void.
- (e) In 1917, an appropriation was made to complete the temple of justice, and erect the administration building on the old foundation, but the outbreak of war made it inadvisable to do more than finish the stone facing on the exterior of the temple of justice.
- (f) In 1919 the legislature appropriated \$2,500,000 for further building plans.

<sup>87</sup> *Washington Standard*, February 24, 1905.

<sup>88</sup> *Sylvester et al. v. State* (Supreme Court of Washington, July 15, 1907), *Washington Reports*, XLVI, 585-596; *Pacific Reporter*, XCI, 15-20.

<sup>89</sup> Savidge, *Brief Outline of the History of Washington’s State Capitol Group*.

- (g) In 1920 the insurance building was built.
- (h) In 1921 the new capitol committee, which replaced the capitol commission, authorized the completion of the interior of the temple of justice.
- (i) In 1921 the plans for the administration building on an enlarged foundation were adopted and the first floor erected.
- (j) In 1923 another appropriation of \$2,000,0000 was made for erection of the superstructure to the base of the dome.
- (k) In 1925 the legislature authorized the completion of the dome and the interior, and the capitol committee issued \$4,000,000 in bonds to provide the necessary funds.
- (l) In 1927 the legislature met in the new capitol building.
- (m) Since that date, several other buildings have been added.

Thus, what had started out in 1895 to be a million-dollar capitol, has cost more than \$9,000,000, but has given the state of Washington one of the most beautiful and impressive capitols in the United States.

Surely the capital and the capitol are now permanently and acceptably located, and the location controversy settled forever.

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