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STATE OF WASHINGTON

A PAMPHLET

CONTAINING

A Copy of All Measures "Proposed by Initiative Petition," "Proposed to the People by the Legislature," and "Amendment to the Constitution Proposed by the Legislature."

**To be Submitted to the Legal Voters
of the State of Washington for Their
Approval or Rejection at the
GENERAL ELECTION to be held on
Tuesday, Nov. 3, 1914**

**Together with all Arguments Filed For and Against
Said Measures**

Compiled and Issued by
I. M. HOWELL, Secretary of State

Publication authorized under Chapter 138,
Laws of Washington, 1913



OLYMPIA
FRANK M. LAMBORN, PUBLIC PRINTER





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AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 3, filed in the office of the Secretary of State, June 16, 1914, commonly known as State-Wide Prohibition Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 3, entitled "An Act prohibiting the manufacture, sale, or other disposition of intoxicating liquors, except in certain cases; regulating the keeping, use and transportation of the same; providing for the enforcement of this act; and fixing punishments and penalties for the violation thereof."

FOR Initiative Measure No. 3.....

☐

AGAINST Initiative Measure No. 3.....

☐

Initiative Measure No. 3.

BALLOT TITLE

"An act prohibiting the manufacture, sale, or other disposition of intoxicating liquors, except in certain cases; regulating the keeping, use and transportation of the same; providing for the enforcement of this act; and fixing punishments and penalties for the violation thereof."

AN ACT relating to intoxicating liquors, prohibiting the manufacture, keeping, sale and disposition thereof, except in certain cases, the soliciting and taking of orders therefor, the advertisement thereof and the making of false statements for the purpose of obtaining the same, declaring certain places to be nuisances and providing for their abatement, regulating the keeping, sale and disposition of intoxicating liquors by druggists and pharmacists, the prescription thereof by physicians, the transportation

thereof, and providing for the search for and seizure and destruction thereof, prescribing the powers and duties of certain officers, and the forms of procedure and the rules of evidence in cases and proceedings hereunder, and fixing penalties for violations hereof, and the time when this act shall take effect.

Be it enacted by the People of the State of Washington:

SECTION 1. This entire act shall be deemed an exercise of the police power of the state, for the protection of the

economic welfare, health, peace and morals of the people of the state, and all of its provisions shall be liberally construed for the accomplishment of that purpose.

SEC. 2. The phrase "intoxicating liquor," wherever used in this act, shall be held and construed to include whiskey, brandy, gin, rum, wine, ale, beer and any spirituous, vinous, fermented or malt liquor, and every other liquor or liquid containing intoxicating properties, which is capable of being used as a beverage, whether medicated or not, and all liquids, whether proprietary, patented or not, which contain any alcohol, which are capable of being used as a beverage.

SEC. 3. The word "person," wherever used in this act, shall be held and construed to mean and include natural persons, firms, co-partnerships and corporations, and all associations of natural persons, whether acting by themselves or by a servant, agent or employee.

SEC. 4. It shall be unlawful for any person to manufacture, sell, barter, exchange, give away, furnish or otherwise dispose of any intoxicating liquor, or to keep any intoxicating liquor, with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same, except as in this act provided: *Provided, however,* That it shall not be unlawful for a person to give away intoxicating liquor, to be drunk on the premises, to a guest in his private dwelling or apartment, which is not a place of public resort.

SEC. 5. It shall be unlawful for any person owning, leasing, renting or occupying any premises, building, vehicle or boat to knowingly permit intoxicating liquor to be manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this act, or to be kept with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same in violation of the provisions of this act thereon or therein; and all premises, buildings, vehicles and boats whereon and wherein intoxicating liquor is manufactured, sold, bartered, exchanged, given away, furnished or otherwise dis-

posed of or kept with intent to sell, barter, exchange, give away, furnish or otherwise dispose of the same in violation of the provisions of this act are common nuisances, and may be abated as such, and upon conviction of the owner, lessee, tenant or occupant of any premises, building, vehicle or boat of a violation of the provisions of this section, the court shall order that such nuisance be abated, and that such premises, building, vehicle or boat be closed until the owner, lessee, tenant or occupant thereof shall give bond, with a sufficient surety to be approved by the court making the order, in the penal sum of one thousand dollars, payable to the State of Washington, and conditioned that intoxicating liquor will not thereafter be manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of thereon and therein, or kept thereon or therein, with intent to sell, barter, exchange, give away or otherwise dispose of the same contrary to law, and that he will pay all fines, costs and damages that may be assessed against him for any violation of this act; and in case of the violation of any condition of such bond, the whole amount may be recovered as a penalty, for the use of the county wherein the premises are situated; and in all cases where any person has been convicted before a justice of the peace of a violation of the provisions of this section, and no appeal has been taken from such conviction, an information or complaint may be filed in the superior court of the county in which such conviction was had to abate the nuisance, and in any such action, a certified copy of the records of such justice of the peace, showing such conviction, shall be competent evidence of the existence of such nuisance.

SEC. 6. It shall be unlawful for any person to take or solicit orders for the purchase or sale of any intoxicating liquor, either in person or by sign, circular, letter, poster, hand bill, card, price-list, advertisement or otherwise, or to distribute, publish or display any advertisement, sign or notice, naming, representing, describing, or referring to the quality or qualities of

any intoxicating liquor, or giving the name or address of any person manufacturing or dealing in intoxicating liquor, or stating where any such liquor may be obtained.

SEC. 7. Nothing in this act shall be construed to prohibit a registered druggist or pharmacist from selling intoxicating liquor for medicinal purposes, upon the prescription of a licensed physician, as herein provided, or for sacramental purposes, upon the order of a clergyman, as herein provided, or from selling alcohol for mechanical or chemical purposes only; but it shall be unlawful for such druggist or pharmacist to permit any such liquor to be drunk upon the premises where sold. Every druggist or pharmacist selling intoxicating liquor or alcohol for the purposes above provided shall keep a true and exact record in a book provided by him for that purpose, in which shall be entered at the time of every sale of intoxicating liquor or alcohol made by him or in or about his place of business the date of the sale, the name of the purchaser, his place of residence, stating the street and house number (if there be such), the kind, quantity and price of such liquor or alcohol and the purpose for which it is sold, and, when the sale is for medicinal or sacramental purposes, the name of the physician issuing the prescription or of the clergyman giving the order therefor, and, when the sale is of alcohol for mechanical or chemical purposes, the purchaser shall be required to sign the record of the sale in the book. Whenever any druggist or pharmacist fills a prescription for intoxicating liquor, he shall cancel the same by writing across the face thereof, in ink, the word: "cancelled," with the date on which it was presented and filled, and shall keep the same on file, separate from other prescriptions, and no such prescription shall be filled again. Such book and all prescriptions for intoxicating liquor filled shall be open to inspection by any prosecuting attorney or city attorney, judge or justice of the peace, sheriff, constable, marshal or other police officer, or member of the city or town council. It shall be unlawful for any druggist or pharmacist to fail or neglect to keep

such record, or to destroy or in any way alter any such record or entry therein or any prescription filled, or to permit or procure the same to be destroyed or altered, or to refuse inspection thereof to any person entitled to such inspection, or to fail or neglect to cancel any such prescription, or to refill any prescription or to sell intoxicating liquor for medicinal purposes except on a written prescription of a licensed physician, or for sacramental purposes without an order signed by a clergyman, or to sell any alcohol for mechanical or chemical purposes without obtaining the signature of the purchaser: *Provided*, That nothing herein contained shall be construed to prohibit the sale by a druggist or pharmacist of such intoxicating liquor as may be needed by or for a sick person in case of extreme illness where delay may be dangerous to the patient. A druggist or pharmacist who has been convicted of selling intoxicating liquor or of any other act in violation of this section, shall not, within two years thereafter, either personally or by agent, sell intoxicating liquor for any purpose whatsoever; and upon a second conviction of a violation of the provisions of this section, such druggist or pharmacist shall forfeit his right to practice pharmacy, and the justice of the peace or superior judge before whom such druggist or pharmacist is convicted of a second violation of this section shall so adjudge, and shall send a copy of such judgment to the board of pharmacy, who, upon receipt thereof shall forthwith cancel the license of such druggist or pharmacist, and no other license shall be issued by the board of pharmacy to such druggist or pharmacist within two years from the date of such cancellation.

SEC. 8. It shall be unlawful for any licensed physician to issue a prescription for intoxicating liquor except in writing or in any case, unless he has good reason to believe that the person for whom it is issued is actually sick, and that the liquor is required as medicine. Every prescription for intoxicating liquor shall contain the name and address of the physician, the name and quantity of liquor prescribed,

the name of the person for whom prescribed, the date on which the prescription is written, and directions for the use of the liquor so prescribed. Upon the conviction a second time of any licensed physician of a violation of the provisions of this section, it shall be unlawful for such physician thereafter to write any prescription for the furnishing, delivery or sale of intoxicating liquor, and it shall be unlawful for any druggist or pharmacist to knowingly fill any such prescription written or signed by any physician who has been convicted the second time of a violation of the provisions of this section.

SEC. 9. The issuance of an internal revenue special tax stamp or receipt by the United States to any person as a retail dealer in intoxicating liquor, shall be *prima facie* evidence of the sale of intoxicating liquor by such person at the place of business of such person where such stamp or receipt is posted if, at the time, the stamp or receipt is in force and effect: *Provided*, That this section shall not apply to druggists. A copy of such stamp or of the records of the United States Internal Revenue office certified to by any United States Internal Revenue officer, deputy or assistant having charge of such records or stamps, which shows that the United States special liquor tax has been paid by any person charged with selling, bartering, exchanging, giving away, furnishing or otherwise disposing of intoxicating liquor in violation of this act, shall be competent and *prima facie* evidence that the person whose name appears on said records or stamp, as shown by said certified copy has paid the special liquor tax for the time stated therein.

SEC. 10. It shall be unlawful for any person to directly or indirectly keep or maintain by himself or by associating with others, or to in any manner aid, assist or abet in keeping or maintaining any club house or other place in which intoxicating liquor is received or kept for the purpose of use, gift, barter or sale or for the purpose of distribution or division among the members of any club or association.

SEC. 11. If, upon the sworn complaint of any person, it shall be made

to appear to any judge of the superior court or justice of the peace that there is probable cause to believe that intoxicating liquor is being manufactured, sold, bartered, exchanged, given away, furnished or otherwise disposed of or kept in violation of the provisions of this act, such justice of the peace or judge shall, with or without the approval of the prosecuting attorney, issue a warrant directed to any peace officer in the county, commanding him to search the premises designated and described in such complaint and warrant, and to seize all intoxicating liquor there found, together with the vessels in which it is contained, and all implements, furniture and fixtures used or kept for the illegal manufacture, sale, barter, exchange, giving away, furnishing or otherwise disposing of such liquor, and to safely keep the same, and to make a return of said warrant within three days, showing all acts and things done thereunder, with a particular statement of all articles seized and the name of the person or persons in whose possession the same were found, if any, and if no person be found in the possession of said articles, the return shall so state. A copy of said warrant shall be served upon the person or persons found in possession of any such intoxicating liquor, furniture or fixtures so seized, and if no person be found in the possession thereof, a copy of said warrant shall be posted on the door of the building or room wherein the same are found, or, if there be no door, then in any conspicuous place upon the premises.

SEC. 12. Upon the return of the warrant as provided in the next preceding section, the judge or justice of the peace shall fix a time not less than ten days, and not more than thirty days thereafter, for the hearing of said return when he shall proceed to hear and determine whether or not the articles so seized, or any part thereof, were used or in any manner kept or possessed by any person with the intention of violating any of the provisions of this act. At such hearing, any person claiming any interest in any of the articles seized may appear and be heard upon filing a written

claim setting forth particularly the character and extent of his interest, but upon such hearing the sworn complaint or affidavit upon which the search warrant was issued and the possession of such intoxicating liquor shall constitute *prima facie* evidence of the contraband character of the liquor and articles seized, and the burden shall rest upon the claimant to show, by competent evidence, his property right or interest in the articles claimed and that the same were not used in the violation of any of the provisions of this act, and were not in any manner kept or possessed with the intention of violating any of the provisions of this act. If, upon such hearing, the evidence warrants, or if no person shall appear as claimant, the judge or justice of the peace shall thereupon enter a judgment of forfeiture, and order such articles destroyed forthwith: *Provided, however,* That if in the opinion of the justice of the peace or judge, any of such forfeited articles other than intoxicating liquor are of value and adapted to any lawful use, such judge or justice of the peace shall as a part of the order and judgment direct that said articles other than intoxicating liquor shall be sold as upon execution by the officer having them in custody and the proceeds of such sale after payment of all costs in this proceeding shall be paid into the common school fund of the school district in which the same were seized. Action under this section and the forfeiture, destruction or sale of any articles thereunder shall not be a bar to any prosecution under any other provision or provisions of this act.

SEC. 13. In any action or proceeding under this act or under any other law relating to the unlawful disposition or possession of intoxicating liquor, no person shall be excused from testifying in any court or before any grand jury, on the ground that his testimony may incriminate him, but no person shall be prosecuted or punished on account of any transaction or matter or thing concerning which he shall be compelled to testify, nor shall such testimony be used against him in any prosecution for any crime

or misdemeanor, under the laws of this state.

SEC. 14. Any citizen or organization within this state may employ an attorney to assist the prosecuting attorney in any action or proceeding under this act, and such attorney shall be recognized by the prosecuting attorney and the court as associate counsel in the case, and no prosecution shall be dismissed over the objection of such associate counsel until the reasons of such prosecuting attorney for such dismissal, together with the objections of such associate counsel, shall have been filed in writing, argued by counsel and fully considered by the court.

SEC. 15. The county auditor of each county within this state shall procure and keep, as a part of the records of his office, a well bound book of blank applications for permits to ship or transport intoxicating liquor. Any person desiring to ship or transport any intoxicating liquor shall personally appear before the county auditor and shall furnish him the necessary information to fill in a blank application, which application shall contain the name of the applicant, the statement that he is over twenty-one years of age, the person, firm or corporation from whom said shipment is to be made, the place from which said shipment is to be made, and to what point the same is to be made, a statement that the applicant is not the holder of any internal revenue special tax stamp or receipt from the United States Government, authorizing him to sell or to deal in intoxicating liquor, and a statement that he has not theretofore been convicted of any violation of the laws of the state, relating to intoxicating liquor. Such facts shall be incorporated by the county auditor in one of said blank applications, and said application shall be signed by the applicant and sworn to by him before the county auditor or his deputy. Upon the applicant signing said application and taking the necessary oath thereto, the auditor shall issue a permit for the shipment or transportation of intoxicating liquor. Such permit shall be printed upon some shade of red paper,

and shall be substantially in the following form:

State of Washington }
County of..... } ss.

....., residing at....., is hereby permitted to ship or transport from....., in the state of....., to....., in the county of....., State of Washington, intoxicating liquor, to-wit:

(insert kind and quantity,

..... not exceeding in quantity one-half gallon of intoxicating liquor other than beer, or twelve quarts of beer or twenty-four pints of beer.)

This permit can only be used for one shipment and will be void after thirty days from the date of issue.

Dated this.....day of....., 19...

.....
County Auditor.

This permit shall be attached to and plainly affixed in a conspicuous place to any package or parcel containing intoxicating liquor, transported or shipped within the State of Washington, and when so affixed, shall authorize any railroad company, express company, transportation company, common carrier, or any person, firm or corporation operating any boat, launch or vehicle for the transportation of goods, wares and merchandise within the State of Washington, to transport, ship or carry not to exceed one-half gallon of intoxicating liquor other than beer, or twelve quarts or twenty-four pints of beer. Any person so transporting such intoxicating liquor shall, before the delivery of such package or parcel of intoxicating liquor, cancel said permit and so deface the same that it cannot be used again. It shall be unlawful for any person to ship, carry or transport any intoxicating liquor within the state without having attached thereto or to the package or parcel containing the same, such permit, or to transport or ship under said permit an amount in excess of the amount or quantity hereinbefore limited. Any applicant desiring to have

a permit issued to him under the terms hereof shall pay to the county auditor issuing the same the sum of twenty-five cents, which sum shall be accounted for by such auditor, as other fees of his office. This section shall not apply to registered druggists or pharmacists actually engaged in business within the state.

SEC. 16. It shall be unlawful for any person to take out or have issued to him more than one permit as provided for in the preceding section, in any twenty-day period. This section shall not apply to registered druggists or pharmacists actually in business within the state.

SEC. 17. Any registered druggist or pharmacist actually engaged in business within the state, desiring to transport or ship any intoxicating liquor within this state, shall make and file with the county auditor a statement in writing, under oath, which statement shall contain the name of the said druggist or pharmacist, the name under which he transacts business, or if made by the agent of a corporation or a co-partnership, shall state the name of such corporation or co-partnership, and the official position or connection of the person making said statement with said firm or corporation, the location of the place of business of said persons, firm or corporation; that he, they or it is regularly engaged in business as a druggist or pharmacist, at such point; and that it is necessary from time to time to make shipments of intoxicating liquor, and that such liquor is not to be sold in violation of the laws of the state, but is obtained for use for purposes permitted by this law only; that the applicant for such permit or any of the members of the said partnership, as a partnership, or of the officers, agents or servants in the employ of said corporation and in charge of its business at such location, have not been theretofore convicted of any violation of the laws relating to intoxicating liquor of the State of Washington. It shall be the duty of the county auditor to file said application, when properly sworn to, and give the same a serial number, and thereafter said applicant shall, from time to time, as he, they

or it, desire to make shipments of intoxicating liquor for lawful purposes, file with said county auditor a written request for permits, giving the serial number of said application on file. Such requests need not be sworn to, but shall be signed and shall state the place from which such shipment is to be made, and to whom, and the name and quantity of intoxicating liquor to be shipped. Upon receipt of such written request from any druggist or pharmacist, in good standing as hereinafter specified, said county auditor shall issue and deliver to said druggist or pharmacist a permit, in substantially the following form:

PERMIT TO DRUGGIST OR PHARMACIST
TO TRANSPORT INTOXICATING LIQUOR.

State of Washington }
County of..... } ss.

....., residing at....., a druggist or pharmacist in good standing, is hereby permitted to ship or transport from....., in the State of Washington, to....., in the County of....., State of Washington, intoxicating liquor not exceeding in quantity..... (here insert kind and quantity to be shipped.) This permit can only be used for one shipment and shall be void after thirty days from the date of issue.

Dated this....day of....., 19....

.....
County Auditor.

Such permit shall be printed upon ordinary white paper, and the county auditor shall keep the applications and requests therefor on file in his office as a part of the records of his office, and as each permit is issued, shall endorse on such application "permit issued" with the date of issue.

SEC. 18. It shall be unlawful for any express company, railroad company or transportation company, or any person, engaged in the business of transporting goods, wares and merchandise, to knowingly transport or convey any intoxicating liquor within this state, without having a permit issued by the county auditor for the transportation of such intoxicating liquor affixed in a conspicuous place to

the parcel or package containing the liquor, or to deliver such liquor without defacing or cancelling such permit so that the same cannot be used again. It shall be unlawful for any person to knowingly receive from any railroad company, express company, transportation company or any person engaged in the business of transporting goods, wares and merchandise any intoxicating liquor without said intoxicating liquor having a permit issued by the county auditor for such shipment attached thereto and properly cancelled.

SEC. 19. No county auditor shall issue a permit to any person or druggist or pharmacist who has been convicted of the violation of any of the liquor laws of the state, or to any person other than a druggist or a pharmacist, who is the holder of an internal revenue special tax stamp or receipt, issued by the United States Government, permitting or relating to the sale of intoxicating liquor, or to any person not a registered druggist or pharmacist who has, within twenty days immediately preceding, obtained a permit for the shipment of intoxicating liquor.

SEC. 20. It shall be unlawful for any person, to ship, transport or consign any intoxicating liquor, or for any express company, railroad company, transportation company, or any person, engaged in the business of transporting goods, wares and merchandise, to knowingly transport or convey any intoxicating liquor within this state, or for any person to knowingly receive from any express company, railroad company, transportation company or any person engaged in the business of transporting goods, wares and merchandise any intoxicating liquor, unless the package or parcel containing such liquor be clearly and plainly marked in large letters:

"THIS PACKAGE CONTAINS INTOXICATING LIQUOR."

SEC. 21. It shall be unlawful for any person to make a false statement to a physician, druggist or pharmacist for the purpose of obtaining intoxicating liquor or alcohol, or to the county auditor for the purpose of obtaining a permit for the shipment of intoxicat-

ing liquor, or to any railroad, express or transportation company, or any person, engaged in the business of transporting goods, wares and merchandise for the purpose of obtaining the shipment, transportation or delivery of any intoxicating liquor.

SEC. 22. It shall be unlawful for any person to have in his possession more than one-half gallon or two quarts of intoxicating liquor other than beer, or more than twelve quarts or twenty-four pints of beer: *Provided, however,* That this section shall not apply to registered pharmacists or to persons keeping alcohol, to be used for mechanical or chemical purposes only.

SEC. 23. In any prosecution for the violation of any provisions of this act, it shall be competent to prove that any person had in his possession more than two quarts of intoxicating liquor other than beer, or more than twelve quarts of beer, and such possession and the proof thereof, shall be *prima facie* evidence that said liquor was so held and kept for the purposes of unlawful sale or disposition.

SEC. 24. The provisions of this Act relating to the shipment or having in possession of intoxicating liquor shall not apply to shipments transported by any common carrier of unbroken packages of intoxicating liquor in continuous transit through this state from a point outside of the state to another point outside of the state.

SEC. 25. The provisions of this Act shall not be construed to prohibit the manufacture of vinegar, sweet cider or unfermented fruit juice for domestic consumption or for sale, nor to prohibit the manufacture and sale of denatured alcohol.

SEC. 26. If any provision or section of this Act shall be held void or unconstitutional, all other provisions and all other sections of the Act, which are not expressly held to be void or unconstitutional, shall continue in full force and effect.

SEC. 27. Every justice of the peace or superior judge shall recognize and act upon any sworn complaint of a violation of this act filed by any citizen of the state in the same manner

and to the same extent as though the same were filed by a prosecuting officer.

SEC. 28. Within ten days after the date when this act has become operative, every person except registered druggists and pharmacists shall remove or cause to be removed all intoxicating liquor in his possession from the state, and failure so to do shall be *prima facie* evidence that such liquor is kept therein for the purpose of being sold, bartered, exchanged, given away, furnished or otherwise disposed of in violation of the provisions of this act: *Provided, however,* That this section shall not apply to alcohol kept for chemical or manufacturing purposes, or to one-half gallon of intoxicating liquor, other than beer, or twelve quarts or twenty-four pints of beer held by an individual: and, *Provided, further,* That for said ten-day period of time, it shall not be necessary to obtain any permit or permits for the shipment of any such intoxicating liquor, lawfully held within the state at the date this act goes into effect, to points outside of the state.

SEC. 29. It shall be unlawful for any person other than a common carrier to transport, carry or bring into this state any intoxicating liquor in excess of one-half gallon of liquor other than beer, or twelve quarts or twenty-four pints of beer, within any twenty-day period.

SEC. 30. It is hereby made the duty of the attorney general to enforce the provisions of this act, and prosecute violations thereof in any county where the prosecuting attorney of such county fails, neglects or refuses to enforce the provisions hereof and said attorney general may assist the prosecuting attorney of any county in any prosecution for the violation of this act.

SEC. 31. All persons convicted of any violation of this act where the punishment therefor is not herein specifically provided shall be punished by a fine of not less than fifty dollars nor more than two hundred fifty dollars, or by imprisonment in the coun-

ty jail for not less than ten days nor more than three months, or by both such fine and imprisonment.

SEC. 32. Any person convicted the second time of the violation of this act shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and by imprisonment in the county jail for not less than thirty days nor more than six months; and any person convicted the third time of a violation of the provisions of this act shall for such third and each subsequent violation be fined not less than two hundred fifty dollars, nor more than five hundred dollars, and be confined in the county jail for not less than three months, nor more than one year. Prosecuting attorneys and justices of the peace having knowledge of any previous conviction of any person

accused of violating this act shall in preparing complaints, informations or indictments for subsequent offenses, allege such previous conviction therein and a certified transcript from the docket of any justice of the peace or a certified copy of the record under seal of the clerk of any court of record shall be sufficient evidence of any previous conviction or convictions of violations of this act.

SEC. 33. This act shall take effect and be in full force and effect from and after the first day of January, 1916.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, January 8th, 1914.

I. M. HOWELL, Secretary of State.

ARGUMENT FOR Initiative Measure No. 3.

STATE-WIDE PROHIBITION.

FACTS, NOT THEORIES.

The best argument for or against State-Wide Prohibition is the experience of a State that has tested it out. The statistics and statements of facts herein shown can easily be verified by addressing Governor Geo. H. Hodges, Topeka, Kansas, and enclosing postage. Kansas has had prohibition for thirty (30) years and under it in spite of agricultural disaster, so frequent in earlier years as to give it the name of "Bleeding Kansas," has become the richest state per capita in the Union. Assessed valuation is \$1,750.00 per capita. Assessed valuation of Missouri, a license state adjoining Kansas, is less than \$300.00 per capita. Kansas has bank deposits of \$120.00 per capita; Missouri, \$20.00 per capita. Kansas under prohibition spends \$1.48 per capita for liquor; Missouri under license spends \$24.00 per capita. Every man, woman and child in Kansas has just \$22.52 more to spend for food, clothing, education and entertainment than the Missourian. In Kansas one farmer in five owns an auto; in Missouri, one in one hundred. In Missouri common labor receives \$8.00 per week. In Kansas \$14.00 per week. Why? In Missouri there are 4,000 saloons into which the people pay Eighty Millions Dollars per year. In Kansas there are no saloons. Kansas creates wealth faster than any state in the Union. The state tax rate is \$1.04 on \$1,000. In Washington the State tax is \$8.06 on \$1,000.00. Kansas has 105 counties. Eighty-seven have no insane; ninety-six have no inebriates; fifty-four have no feeble minded; fifty-three no prisoners in jails; sixty-five no prisoners in the penitentiary. Kansas has practically no paupers and as a consequence the poor farms in forty-nine counties have been turned into experimental stations under the control of the State Agricultural College and are called Prosperity Farms. Kansas death rate is seven in one thousand. Missouri, seventeen.

The North American (Phila.) says, "Something is the matter with Kansas." It is found in the clause in her Constitution which reads: "The manufacture and sale of intoxicating liquor shall be forever prohibited in this state. It is this defiance of what other states have legalized as a "necessary" evil that has helped to make her citizens the richest per capita in the country and the richest of any agricultural folk in the world; that has given her a permanent school fund of \$10,000,000 and has reduced her illiteracy to an almost negligible quantity. It is this insistence upon what slaves of custom always have sneered at as "impractical," that has given her a balance of more than a million and a quarter in her state treasury and no bonded debt, save \$370,000 held by the permanent school fund; this alone that makes possible the statement that 98 per cent. of her 400,000 school children never have seen a saloon. Yes; something's the matter with Kansas. Of what it is there can be no doubt in the mind of any unprejudiced observer. And in view of the effect in the Sunflower state, there is little wonder that an increasing number of persons believe that this nation will be past the most dangerous rocks in its course when the thing that is the matter with Kansas is the matter with every square mile of territory from Eastport to San Diego and from Walla Walla to Key West."

Prohibition in Washington would mean increased wealth, low taxes and prosperity just as it has in Kansas.

STATE-WIDE PROHIBITION COMMITTEE OF WASHINGTON.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, June 25, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 3.

STATE-WIDE PROHIBITION.

FACTS, NOT THEORY.

The State-wide Prohibition Committee of Washington, in its official argument in behalf of Initiative Measure No. 3, gives what purports to be statistics concerning conditions in Prohibition Kansas. These alleged statistics are taken from speeches made by Governor Hodges and Attorney General Dawson of Kansas, leaders and campaigners in the cause of prohibition.

The figures quoted are not taken from any recognized authority and do not state the facts.

They will be taken up in this answer in the order in which they are set forth in the argument for the bill.

The true value of all wealth, by states per capita, in 1904, the latest report available, is found on page 44 of the Special Report of the Director of Census on Wealth, Debt, and Taxation. Kansas is there credited with \$1,468. Washington had \$1,806 at the same time. In Kansas only \$44 per capita were exempt from taxes, while the Washington exemptions totaled \$112 per capita. The true value of all property in Missouri was \$1,147 per capita with per capita exemptions of \$49.

The report of the comptroller of the currency up to June 4, 1913, the latest from the government presses, page 49, shows total bank deposits in Kansas per capita of \$100.12 with \$4.12 per capita in savings banks. On the same day Missouri had total deposits per capita of \$137.43 with \$12.50 in savings; Washington, \$129.82 total deposits and \$37.62 savings.

Kansas with 1,732,000 persons, government estimate, had 39,881 automobiles on June 30, or one for each 44.9 persons. Washington with 1,362,000 persons on the same day had 36,405 automobiles or one for each 37.4 persons.

There is no way to tell how much Kansas spends per capita for liquor as the bootleggers do not keep books, but Kansas people do ship in liquor which is registered under the law, and the reports filed with the county clerks show total registered individual shipments of 18,000,000 quarts of liquor in 1913, mostly whiskey.

Insanity in Kansas has more than doubled during twenty years of Prohibition. In 1890 Kansas had 88.4 insane persons for each one hundred thousand of its population. In 1910 it had in-

creased to 172.2 (See page 76 of the Statistical Abstract of the United States for 1912) and on June 1st, 1914, the number was 202.4. (Report Kansas State Board of Control.)

The facts are that in 1913 Kansas had 4,883 inmates in its county jails. (Reports of County Sheriffs, 1913.) In June, 1914, Kansas had 892 penitentiary inmates and Washington 666. Kansas had 385 reformatory inmates and Washington 332. Kansas had 3,427 insane and Washington 2,719. Kansas had 448 juvenile delinquents and Washington 308. (Figures taken from reports of the State Board of Control, Kansas, and State Board of Control, Washington.)

According to a table on page 73 of the Statistical Abstract of the United States for 1912 paupers per 100,000 in alms houses on January 1, 1910, were: Kansas 43.5, Alabama 34.7, Florida 27.5, Louisiana 11.3, Minnesota 33.1, Idaho 29.8, So. Dak. 24.8 and Wyoming 13.

Kansas is not in the registration area, hence the death rate is an unknown quantity. The death rate of Missouri is 13.1 instead of 17 and Washington is 8.9, the lowest in the Union.

Nebraska, Colorado, Washington, Oregon and California all exceed Kansas in per capita expenditures for educational purposes. Kansas per capita is \$25.63; Washington, \$49.36; Nebraska, \$28.45; Colorado, \$33.60; Oregon, \$49.29; California, \$51.87. (See pages 118 and 119 of the Statistical Abstract of the United States for 1912.)

The State-wide Prohibition Committee in its official argument in behalf of Initiative Bill No. 3 gives only one authority, Governor Hodges of Kansas, and he is a rabid Prohibitionist.

In this answer the statistics given are taken from the latest available Statistical Reports of the Census Bureau of the United States Government, the highest authority in existence, and from Official State Records. This state is big enough to decide its own question without having to go to the Governor of Kansas for dictation. The citizens of the State of Washington are invited to address him for such verification. Governor Hodges may therefore be called upon to answer 350,000 inquiries, the Voting population of the

State of Washington. He could not possibly personally answer more than 100 inquiries per day. It is therefore evident that the answers have been already prepared by the Anti-Saloon League.

A pamphlet used by the Anti-Saloon League and circulated throughout the State, is evidence of the methods used by the opposition. The man labeled the "Finished Product" was found after the entire state had been scoured and was made drunk on liquor bought and paid for and served to him by the Anti-Saloon League. They got him drunk and then took his picture.

Initiative Bill No. 3 would destroy taxable property in this state worth more than \$17,000,000; wipe out an annual pay roll of more than \$8,000,000; would destroy revenues and taxes of \$2,600,000; destroy a hop crop sold last year for \$1,320,000 and valued this year at \$1,800,000, an industry employing 15,000 people, an annual malt and barley crop of 3,200,000 bushels, \$800,000 worth of which is used locally; depreciate the value of 216,000 acres of barley lands and 5,500 acres of hop lands, causing a loss of more than \$2,000,000; would lose to the state more than \$2,000,000 for 300,000 barrels of beer brewed here and sold in other states and countries; would lose to business \$12,000,000 now spent annually in trade channels; and would throw 8,300 men out of employment and deprive 33,200 other persons dependent on them of their bread and butter.

The loss in values caused by such a law would reach the stupendous total of \$43,000,000 in a single year.

This is not a fight for or against temperance. Temperance and prohibition are not the same. Temperance is self enforced. Prohibition is force applied by one set of individuals to or against another set. The question at issue is not moral, for no attempt is made by this bill to prevent the use of liquor. To the contrary it is encouraged under section 15, which provides that every person of legal age may secure one half gallon of liquor or 12 quarts of beer every twenty days.

To the individual the bill says: "You may have all the liquor you want but you must not spend your money at home. You may have a case of beer every twenty days, but it must not be made by Washington labor from Wash-

ington grown barley or hops in a Washington brewery."

To the 8,300 men at work in the liquor industry the Prohibitionist says: "You must find employment in other lines. Go out and be barbers, carpenters, plumbers, teamsters, waiters, clerks, hod carriers and brick layers," and this in a state whose labor market is already seriously overcrowded.

Washington has a local option law today under which communities can eliminate the saloon where such action is favored by a majority and this already has been done. The licensed saloons in the cities are under constant police supervision and public observation; remove them and the traffic in this state would be driven to secret haunts as it is in Kansas and Maine today. Prohibitory laws do not remove the appetite for liquor. They merely change the channel through which the supply is received.

Initiative Bill No. 3 would destroy police supervision and public observation of the liquor traffic. Initiative Bill No. 3 would place a premium on crime. It would make liars and perjurers of men and women as similar legislation has done in other states.

Between the years 1900 and 1910 the population of Kansas increased only 15 per cent., while during the same period the population of Washington increased 120 per cent.

The State of Washington is inviting tourists of the world to visit this commonwealth. Already agitation for Prohibition has caused a decrease in travel. Tourists always avoid a so-called "Dry" State.

Initiative Measure No. 3 would send millions out of the state annually to pay for liquor consumed within the state with no resulting material or moral compensation.

The ocean is in front of us. British Columbia is to the north. Whiskey smuggling and its distribution through secret and vicious channels would monopolize all the activities of all the state, county and municipal law machinery in the impossible task of enforcement.

BREWERS ASSOCIATION OF THE NORTH-WEST.

By Louis Hemrich, President.

STATE OF WASHINGTON—88.

Filed in the office of the Secretary of State, July 3, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 3.

STATE-WIDE PROHIBITION.

REFLECT SERIOUSLY—DISMISS FEELING—ACT SLOWLY.

The "best argument" for Initiative Measure No. 3 is an eastern yellow journal's scream, a summary of Attorney General Dawson's and Governor Hodges' Kansas political speeches, with a request to write and ask Governor Hodges if he tells the truth or not. Dawson's printed speech, page 7, not quoted in "argument," admits "that there is some illicit selling in Kansas is undeniable," and page 14 that "It is often said that prohibition does not prohibit. And that is true." The purported "facts" are half truths, the most vicious form of special pleading. Some Kansas counties "have no prisoners in jail," but some counties are too poor to have jails. Ottawa Herald, Jan. 6, 1914, gives jail population in 1913, 3 counties missing, as 4,883, or 1 in 366.9. Some Kansas counties have no "poor farms." The reason is they "board out" paupers. See p. 182, 2d report, Kansas Board of Control, Charitable Institutions; page 385 same report says "there is doubtless a real increase in the percentage of insanity in Kansas as elsewhere." In 1909 4,500 federal liquor licenses were issued for Kansas, one for 344 of population—report Kansas Collector Internal Revenue 1909. According to U. S. Census Bulletin No. 163 Kansas has lowest percentage church membership of 12 North central states. Page 976 above census rep. shows Kas. spent \$402,999 on police and \$110,954 on jails, to Washington's \$232,032 police, and \$41,077 jails. Most of "best argument's" figures can be exploded by reference to Abstract of the census and other official documents. If writing to Governor Hodges, also write Bishop Lillis, Kansas City, Kansas, who,—Harper's Weekly of Dec. 24, 1910, said—"Absolute prohibition has proven impracticable, if not indeed a dismal failure." Glowing assertions given in the "best argument" will also be found to be dismal failures.

No act can dispose of a question involving religion, public and private morals, taxes, revenue, industry, business, mental and physical health and welfare, politics and each individual. Prohibition is un-christian. Grapes and their natural fermentation are the Creator's acts. Christ drank wine and made it at Cana. Biblical wine was fermented alcoholic wine, not mere grape

juice. Genesis xlix:12 refers to eyes "red with wine;" Ecclesiastes x:19 to "Wine maketh merry;" Isaiah v:11 to "wine inflames them." Proverbs xxx:1 says "give strong drink unto him that is ready to faint and wine unto them that be of heavy hearts;" while Ephesians v:18 says "Be not drunk with wine, wherein is excess." These and other texts show that the Creator and His Son intended that man may use alcohol in some form at will but in moderation.

Prohibition is unscientific, ignoring vital facts of biology, physiology, and psychology, stated by leading authorities, American and foreign, who oppose prohibition; though agreeing on the evils of alcoholism. Lombroso on Crime, Little Brown & Co., pub. 1912, Chapter III, says of prohibitory laws that their "lack of success is due especially to the fact that no repressive law can accomplish its purpose, when it runs counter to our instincts. Now among these instincts is that desire for psychic stimulation such as one may get from wine, a need which increases with the progress of civilization." Saleeby on Worry, N. Y., F. A. Stokes Co., "it is certain beyond certainty that neither denunciation nor warning, nor legislation, nor any other measures whatever will wean mankind as a whole from its addiction to alcohol." Prof. Munsterberg, the Harvard psychologist, in McClure's Magazine says: "To say that certain evils come from a certain source suggests only to fools the hasty annihilation of the source before studying whether greater evils might not result from its destruction, and without asking whether the evils might not be reduced, and the good from the same source remain untouched and untampered with." Krafft-Ebing, Kiernan, Spitzka and other alienists show that intolerance of alcohol is an expression of degeneracy. "Such total abstainers," says Dr. E. S. Talbot in his book on Degeneracy, "leave degenerate offspring in which degeneracy assumes the type of excess in alcohol as well as even lower phases."

Prohibition is uneconomic. Federal income tax estimates for 1914, \$87,000,000. Estimated tax receipts from liquors \$228,000,000. Under nation wide prohibition to meet such a defi-

cit, a \$25 income tax would become \$62.50. With state wide prohibition this state's taxes will increase exactly as the nation's would. Loss of revenue in one way must be made up in another. Will the already over-burdened submit? Wherever prohibition exists taxes have had to be increased without corresponding benefits. In 1906 in 41 states average tax rate on \$100 was in 343 prohibition towns \$2.54, as against \$1.58 in 846 license towns. Taxes were 61 per cent. higher in the prohibition towns. Do you want your taxes increased 61 per cent.? Galveston News says, special taxes had to be levied in Texas' prohibition towns to offset loss of liquor license revenue. In 29 Kansas towns tax rate has been as high as \$5.63 per \$100. Prohibiting manufacturing beer in this state affects sixty-one trades and unions. Breweries of British Columbia, Oregon, Idaho and any other state can and will ship into every corner of the state, and into present dry areas, their product at the expense of Washington capital, labor and farmers. Prohibitionists argue beer production is not "useful." This argument would prohibit every church picnic, "movie," newspaper, and things not made for food, clothing and shelter. Under civilization, man's pleasures, aesthetic, intellectual and social are as important to him as are bare utilities. It should bear weight on the economic side that Theodore Roosevelt, Progressive; William Howard Taft, Republican, and Woodrow Wilson, Democrat, are not Prohibitionists.

Prohibition's impracticability is not a question for assertion but fact. Any one can secure official facts, by writing to the Commissioner of Internal Revenue, and asking if it is not true that nearly one-third of the government's Spanish war revenue was raised by the beer tax and that without it the government would have been badly crippled, or else all taxes increased a third; also, if Kansas, pet prohibition state, has not a greater number of federal liquor licenses in proportion to population than almost any other state. As the Mayor of prohibition Nashville in statement to Oregon in 1910 said: 'If you want your tax rate increased, your revenue reduced, real estate values decreased and business in general hampered without promoting temperance, morality, or reducing the amount

of liquor consumed, favor state wide prohibition.'

Prohibition is immoral, being based on false assumptions that man can be legislated into morality. As Rev. P. G. Duffy said, North American Review, Dec., 1908, "to place the blame on the thing abused, and not on the abuser is to avoid the whole question." Moreover, whenever the use of alcohol has been prohibited the use of dangerous and deadly drugs has increased. Rev. W. A. Wasson of the Episcopal Church well said, Pearson's Mag., Aug., 1909, "the prohibition propaganda parades in the livery of heaven" but is "the supreme immorality that confronts and threatens the Christian church in this country." With such eminent Protestant clergymen as the reverend Washington Gladden, Lyman Abbott, Geo. Trumbull Ladd and Dr. Parkhurst; with the venerable Cardinals Gibbons and Logue among the many of all sects outspoken against prohibition, its advocates cannot claim all morality theirs, nor all opposing them to be agents of Satan.

You can get drunk on any liquor under this bill. Sec. 4, 15, 16 provides that any adult can buy half a gallon of spirits or 12 quarts of beer every 20 days to drink in his home or give to guests. He can drink about a gill of brandy a day or tank up on 3 gallons of beer in one day. Sec. 7 provides that druggists may sell liquor needed by persons extremely ill, and alcohol for mechanical or chemical purposes only. These loopholes are open as barndoors. Cases of deadly ailments will increase. Mechanics and chemists will be numerous. Sec. 25 permits the manufacture and sale of denatured alcohol. This will let every bootlegger and blind pigger ply their trade.

The idea of calling such a bill a prohibition law is absurd. It is full of holes and leaky as an old sieve. It puts out of business the breweries and the many industries connected therewith; it will change now legalized and tax-paying saloons into law-breaking, non-taxpaying bootleggers and blind pigs. It should be called a bill to encourage secret vice and lawbreaking.

ANTI-PROHIBITION ASSOCIATION.
By Erastus Brainerd Vice President.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 6, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 3.

HONEST FACTS IN OPPOSITION.

The History of prohibition, in states where it has been tested, is such that, if proper consideration were given the subject, few persons would vote for initiative Bill No. 3, which should be properly entitled "An act in favor of breweries located outside of the state, and against those within the state employing labor here, living here, and paying taxes here."

This bill imposes upon the citizen, who uses liquor as a beverage, and not to excess, a restriction that will engender disregard for this bill itself, and disrespect for laws in general.

It is unnecessary and vicious legislation, as the State of Washington, has a local option law, under which any community may eliminate the saloon, where such an action is desired by a majority. Initiative Bill No. 3 would destroy local self-government, which is dear to the heart of every American and represents the basic principles of our Constitution.

On April 7th of this year President Wilson reiterated his declaration made to Rev. Thomas B. Shannon, of Newark, New Jersey, "I am in favor of local option, and I am a thorough believer in local self-government, and believe that every self-governed community, which constitutes a social unit, should have the right to control the matter of the regulation or the withholding of license."

Section 15 of the Anti-Saloon Bill No. 3 provides for the purchase of more liquor outside of the state and the shipment of the same into the state than is at present drank within the state, but no provision is made for the manufacture within the state. The Anti-Saloon League makes ample provision for the importation into the state of liquor of all kinds but makes it a crime to manufacture beer within the state.

The State of Washington is, geographically, particularly adapted to the manufacture of beer, owing to the high quality of hops and barley grown within its borders. Washington breweries manufacture a quality of beer that is second to none in the world, and have built up an export business valued at over \$2,000,000 annually, and bring that sum back into this state to be paid out in wages for labor, to circulate and add to the wealth of the state.

Every chamber of commerce and

commercial club within this state is making an earnest endeavor to induce immigration and to secure additional capital for public enterprises. The adoption of this law would force over thirty thousand men out of employment, and compel them to leave the state or to seek work along other lines, which are now overcrowded.

The prohibitionists quote Kansas as a model prohibition state, and rely upon their perverted facts and figures to establish the alleged beneficial effects of prohibition. The report of the Comptroller of the Currency, June 4, 1913, page 49, shows total bank deposits in Kansas per capita \$100.12, with \$4.02 per capita in savings banks; Washington deposits \$129.28 per capita, and \$37.62 per capita in savings banks for the same period. Nebraska, Colorado, Washington, Oregon and California, all exceed Kansas in per capita expenditure for educational purposes. Kansas per capita is \$25.63, Washington, \$49.36, Nebraska, \$28.45, Colorado, \$33.60, Oregon, \$49.21, and California, \$51.87. (See pages 118 and 119 of the Statistical Abstract of the United States for 1912).

The government census for 1910, showing population from 1900 to 1910, show an increase for North Carolina of 17 per cent., Tennessee 8 per cent., Maine 7 per cent., and Kansas, 15 per cent., all dry states, while Washington, an increase of 120 per cent., the greatest in the Union. This unprecedented increase in the population of the State of Washington indicates that people migrate to a wet state where there are great business opportunities, and not to dry states where restrictive legislative measures create high taxation and business depression, as well as wilful interference with personal liberty.

The people of this state would be wise to exercise care in the legislation they demand, and be slow to adopt new and radical changes in their laws. Washington is a new state, with wonderful possibilities, and the adoption of radical laws will prevent development and be our own undoing.

The growing of hops and barley in this state is one of the important industries that would be destroyed by this bill. The hop crop of the State of Washington in 1913 sold for over \$1,320,000, and from a conservative

estimate placed upon the crop for 1914, the value will exceed \$1,800,000. In 1913 there were 15,000 persons employed in picking hops, and one-half the total value of the crop was paid out in labor. Washington has 5,500 acres of land growing hops at this time, valued at \$2,250,000. Hop yards are valued at between \$400 and \$500 per acre. While the same land, without the growth of hops, would have a value of but \$150 to \$200 per acre, which means a loss of over \$1,650,000 to the hop grower and a like amount of taxable property, lost to the state, and other property will have to bear increase in tax levy. Initiative Bill No. 3 does not alone affect hop growers but will affect taxpayers in an increase in taxes. This bill would destroy the hop and barley industry as we would have no market at home, and outside manufacturers will not buy hops from a prohibition state.

The annual barley crop of 3,200,000 bushels, of which \$800,000 worth is used per annum locally for malting purposes, would be greatly decreased and the value of 216,000 acres of barley land would also decrease.

Initiative Bill No. 3 destroys the brewing industry, wipes out revenue and taxes paid to the state and municipalities, but does not prevent the consumption of alcohol. The desire of mankind for alcohol will result in the secret manufacture. Every article of food contains alcohol in varying quantities, and a mixture of sugar and yeast, permitted to ferment, will result in a liquid from which alcohol can be made, by distilling the same as water is distilled to purify it.

The Anti-Saloon League, by Initiative Bill No. 3, seeks to destroy, and not to create industries in this state. Its agitators, composed of political preachers, seeking publicity in the limelight of prohibition, living a transitory existence from city to city, are united in their efforts to destroy the brewing, hop and barley industries.

People of this age do not confine themselves to the bare necessities of life. If they did there would be but few mercantile establishments of any kind.

Five cents spent for a glass of beer is not all profit, and does not go out of circulation. Five cents spent for beer is divided into many channels of trade. The farmer gets his portion for

barley and hops. The transportation companies get theirs for hauling, and pay out a portion to employes. A part goes to expenses of federal, state and municipal governments. The saloonman pays \$25 a year to the government, \$25 to the state, \$1,000 a year to the city. Then comes rent, light, heat, state, county and city general taxes, insurance, salaries, and this is not all; the various brewery workers must have their portion of the nickel. All the men engaged in the numerous activities necessary to the production and sale of beer must have clothing and food, and they pay rent and taxes. Prohibition does not reduce liquor drinking. Its only accomplishment is to take away revenue and regulation and to destroy taxable property and payrolls. The bootlegger and blind pig takes the place of the licensed saloon and the taxpayer must make up for loss of revenue and taxation that is completely wiped out.

The destructive tendency of the Anti-Saloon League is only crowned by their impudence when they say to us: "This State of Washington is in a bad way; it is all run down and on the verge of total collapse; it is not a safe place to live in or raise a family in; it is sending all of its citizens to the penitentiary and insane asylums. But look to us; we can save you and lift you out of this horrible condition; take prohibition medicine, and it will cure every ill of man or municipality; it has been tried in Kansas, Maine, Tennessee, North Dakota, North Carolina, and has worked wonders. Write to the Governor of Kansas and he will tell you how to build up the State of Washington." Then they quote a lot of their self-made figures which are not susceptible of proof.

No, "Mr. Anti-Saloon League doctor," we do not need your medicine, thank you; we have read your prescription and letters of commendation, but we think we are doing quite nicely, we know the conditions in the states you mention and, in all candor, we do not like to trade as we excel in every way, in population, in wealth, in industry, in health, education and culture.

STATE HOP GROWERS ASSOCIATION.
By Alvin Muehler, President.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 6, 1914.

I. M. HOWELL, Secretary of State.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 6, filed in the office of Secretary of State, July 3, 1914, commonly known as the Blue Sky Incorporation Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 6, entitled "An act relating to corporations, co-partnerships, associations and persons engaged in the business of dealing in lands, stocks, bonds and other securities, to prevent fraud and imposition in the sale of the same, and transferring to the public service commission all authority vested in the secretary of state in respect to corporations."

FOR Initiative Measure No. 6.....

☐

AGAINST Initiative Measure No. 6.....

☐

Initiative Measure No. 6.

BALLOT TITLE

"An act relating to corporations, copartnerships, associations and persons engaged in the business of dealing in lands, stocks, bonds and other securities, to prevent fraud and imposition in the sale of the same, and transferring to the public service commission all authority vested in the secretary of state in respect to corporations."

AN ACT Concerning the Formation of Corporations, and to Prevent Fraud and Imposition in the Sale of Stocks, Bonds, and Other Securities, and in the Sale of Lands and Interests therein, and Regulating Corporations Engaged in the Business of Selling Such Properties; Fixing a Penalty, and Making an Appropriation.

Be it enacted by the People of the State of Washington:

SECTION 1. In this act the term "Investment Company" shall mean any co-partnership, association, corporation or other dealer (except state banks, trust companies, building and loan associations and national banks) which

shall offer any securities to any person or persons in this state or elsewhere, other than those specifically exempt herein. An individual engaged in dealing in securities shall be included within the meaning of the term "Investment Company," but this act shall not be construed to include individuals, co-partnerships, associations or corporations who in the usual course of business are not engaged in the occupation of offering securities.

Every such investment company organized in or under the laws of any other state, territory or government, shall be known for the purposes of this act as a "Foreign Investment Company."

The term to "offer" shall mean to invite inquiries about or bids for securities, through advertising, circularizing, letter writing, personal solicitation or agents; or by any other means sell or seek to effect sale.

The term "securities" shall mean stocks, bonds, debentures, units of ownership, real estate mortgages, certificates of participation or other evidences of indebtedness other than the following: commercial paper, bonds, warrants or other securities of the federal, state or territorial governments; or of any county, municipality, legally constituted assessment or improvement district, or subdivision in this state; the bonds, warrants, or other securities of any county or municipality of any state or territory of the United States of America; or of any nation, province, city or legally constituted subdivision of any foreign country, the government of which is officially recognized by the United States; or securities offered by any corporation, the bonds of which are a legal investment for savings banks in Massachusetts, Connecticut or New York; securities issued by any interstate railroad, or other interstate common carrier, or by any public service corporation in this state, or public service corporation actually in operation for three years in any other state, territory or foreign country, where such public service corporations are subject to control by the authorities of such state, territory or country, in a manner similar to that exercised by the public service commission of the State of Washington over similar corporations within this state.

The term "Commission" shall mean the public service commission of the State of Washington.

SEC. 2. Articles of incorporation required to be filed with the secretary of state and fees paid to that official under existing laws shall, upon the taking effect of this act, be filed with and paid to the commission. All authority now invested in the secretary of state over corporations shall, upon taking effect of this act, be vested in the commission.

SEC. 3. Upon the filing of articles of incorporation as required by law, and payment of the prescribed fees, it shall be the duty of the commission to immediately investigate the proposed company and its proposed plan of busi-

ness, and determine whether it provide for a fair, just and equitable plan for the transaction of business.

SEC. 4. If after due investigation the commission find the proposed plan of business is fair, just and equitable, it shall issue a license to said company to transact business as a corporation, and to sell the stocks and bonds of such corporation. If the commission find that the proposed plan of business is unfair, unjust and inequitable, or that the company does not intend to do a fair and honest business, the commission shall notify the company in writing of its findings, and shall thereupon refuse to issue a license to such company. Such decision shall be final unless set aside by a court of competent jurisdiction, which may direct the commission to issue such license.

SEC. 5. Upon complaint in writing that any corporation in this state engaged in the business of offering securities or promoting, platting or selling townsites or other subdivisions of real property in this state, or elsewhere, is conducting its business dishonestly, unjustly or unfairly to its members, stockholders, contributors or purchasers of securities or real property, or upon its own motion the commission may make an investigation. Upon sufficient evidence the commission may suspend or revoke the license of such corporation, which action shall be final unless set aside by a court of competent jurisdiction.

SEC. 6. Any dealer, company or corporation affected by any finding or order of the commission may apply to the superior court of the county in which its principal place of business is located, or its authorized agent resides, for a writ of review for the purpose of having the reasonableness of the finding or order inquired into and determined. The further proceedings thereon shall be under the provisions of chapter 117 of the Laws of 1911, governing the public service commission.

SEC. 7. Before offering any securities to any one other than banks, investment bankers, investment companies, or its own members, shareholders, stockholders, or employes, or transacting any business whatever in this state, except preparing the docu-

ments herein required, an investment company shall file in the office of the commission, together with a filing fee of twenty-five dollars, the following:

(a) A statement under oath showing the company's name and principal place of business, the names, residences and business addresses of all persons interested as principals, officers, directors, or trustees and agents, if any, residing within this state.

(b) A statement under oath showing in full detail the plan upon which it proposes to transact business, together with a description of the class or classes of securities which it proposes to offer.

(c) Such other information under oath touching its affairs or the character, standing and business history of its principals, officers, directors or trustees as the commission may require.

(d) A foreign investment company shall also file a duly executed and acknowledged appointment, or power of attorney, authorizing a resident agent to accept service of process in behalf of said company, and agreeing that actions may be commenced in the proper court of any county of this state in which a cause of action under the provisions of this act may arise: *Provided*, That where service cannot be made upon said agent, or where no agent has been appointed, then service may be made by the service of process on the secretary of state.

SEC. 8. To enable the commission to determine the character of securities offered by an investment company, it may require such company to file a complete list of securities, including those exempted in section 1 of this act, sold or offered during the preceding year and which it is then offering, such list to be under oath, if so ordered. The commission may also order the company to mail to it, as soon as any copies are mailed or shown to any prospective purchaser, in this state or elsewhere, a copy of all circulars and advertisements describing or relating to any security the company is offering.

SEC. 9. The commission shall examine the statements and documents so filed, and if it shall deem advisable, then, or at any subsequent period it may make, or have made by its employes, a detailed examination of such

company's affairs, the expense of such examination to be paid by the company examined.

SEC. 10. If the commission find the plan provides for a fair, just and equitable method for the transaction of business, it shall issue to the investment company a permit to do business upon the specified plan, and offer securities of the specified class or classes, but no other except with the approval of the commission. But if the commission find that such plan of business is unfair, unjust or inequitable to any class of investors, it shall refuse to issue such permit. If the commission decide from an examination of an investment company's affairs at any time subsequent to the issuance of a permit that the company is not solvent or is not doing a fair and honest business, it may require such investment company to so change its plan of business as to satisfy the commission that it is solvent and that its business will thereafter be conducted fairly, justly and equitably, and the permit to do business issued to such company may be suspended until the plan of business is changed as herein provided.

SEC. 11. Every investment company shall file at the close of business on December 31st of each year and at such other times as required by the commission, a statement, which may be required to be under oath, setting forth in form prescribed by the commission such information concerning its affairs as may be required. Each annual statement shall be accompanied by a fee of ten dollars. Any company failing to file its annual report, or any other report required by the commission, within thirty days after requirement or requisition therefor, shall forfeit its right to do business in this state in the discretion of the commission.

SEC. 12. An investment company engaged in buying securities for its own account to resell, who may be known as an "Investment Banker," may obtain a special permit to do business, without further compliance with this act except as specifically required by the commission. The application for such permit shall be accompanied by a sworn statement showing the company's name and principal

place of business, also the name, residence and business addresses of all persons interested as principals, officers, directors or trustees, together with satisfactory evidence that the character, financial standing and business history of the company, are such that it is entitled to the confidence of the investing public, and a fee of fifty dollars which shall be paid annually thereafter. Such special permit may be suspended or revoked by the commission at any time upon sufficient showing.

SEC. 13. All statements and information furnished to, or obtained by, the commission under the provisions of this act, shall be considered a confidential record of its office, and shall not be used for any purpose other than herein contemplated.

SEC. 14. All fees and expenses herein provided shall be collected by the commission and by it turned into the state treasury. The commission is hereby authorized to appoint as many employes as may be necessary to carry this act into full force and effect. All salaries and expenses incurred hereunder shall be paid as are other salaries and expenses of the commission.

SEC. 15. Any person, dealer, company, corporation or officer thereof violating any of the provisions of this act, or who shall knowingly subscribe to, make, or cause to be made, any false statement or entry in any record of such dealer or company, or exhibit any false paper with intent to deceive any person authorized to ex-

amine into its affairs, or knowingly make or publish any false statement of the financial condition of such company, or concerning the securities by it offered for sale, shall be deemed guilty of a gross misdemeanor.

SEC. 16. The commission shall make such rules and regulations not inconsistent with this act as may be necessary to carry it into full force and effect.

SEC. 17. Should the courts declare any section of this act unconstitutional or unauthorized by law, or in conflict with any other section or provision of this act, then such decision shall affect only the section or provision so declared to be unconstitutional and shall not affect any other section or part of this act.

SEC. 18. All acts and parts of acts in conflict herewith are hereby repealed.

SEC. 19. For the purpose of carrying out the provisions of this act, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated the sum of fifty thousand dollars, or so much thereof as may be required, but not to exceed the total amount of fees paid into the state treasury under the operations of this act.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, January 30, 1914.

I. M. HOWELL, Secretary of State.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 7, filed in the office of Secretary of State, July 3, 1914, commonly known as Abolishing Bureau of Inspection and Supervision of Public Offices Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 7, entitled "An act abolishing the bureau of inspection and supervision of public offices, vesting in the state auditor all the powers and duties of such bureau, and requiring the state auditor to prepare a balance sheet showing the operations, transactions, receipts and expenses of each department and institution of the state."

FOR Initiative Measure No. 7.....

☐

AGAINST Initiative Measure No. 7.....

☐

Initiative Measure No. 7.

BALLOT TITLE

"An act abolishing the bureau of inspection and supervision of public offices, vesting in the state auditor all the powers and duties of such bureau, and requiring the state auditor to prepare a balance sheet showing the operations, transactions, receipts and expenses of each department and institution of the state."

AN ACT vesting in the state auditor all the powers and duties of the Bureau of Inspection and Supervision of Public Offices, requiring him to prepare a general balance sheet showing the receipts and expenditures of each department of state government, abolishing the Bureau of Inspection and Supervision of Public Offices and repealing sections 8352 and 8356 of Remington and Ballinger's Annotated Codes and Statutes of Washington as amended by chapter 30, Session Laws of 1911.

Be it enacted by the People of the State of Washington:

SECTION 1. The state auditor shall have the power and it shall be his duty to exercise all the powers and perform all the duties now vested in and required to be performed by the Bureau of Inspection and Supervision of Public Offices.

SEC. 2. It shall be the duty of the state auditor to list and marshal all the assets of the State of Washington showing the amounts invested in the various educational, penal, reforma-

tory and eleemosynary institutions of whatever kind and character belonging to the state, and shall prepare a balance sheet showing the cost of operating the several institutions and all departments of the state government, whether executive, legislative or judicial, the income derived from whatever sources and the expenses in carrying on the same. For this purpose the state auditor is hereby authorized and directed to require from any department or executive of the state a balance sheet showing its operation, which shall be prepared by the department or executive at the expense of such department or executive. Thereupon a consolidated balance sheet shall be prepared by the state auditor showing clearly the operations, transactions, revenues and expenses of the state. Such balance sheet shall be submitted to the governor annually and to the legislature at the beginning of each regular session and published in a report separate from the regular report of the state auditor.

SEC. 3. The state auditor shall employ not to exceed three expert ac-

countants to be termed traveling auditors at a compensation not to exceed eighteen hundred dollars a year each, together with necessary traveling expenses to be paid as other employees of his office to assist him in carrying out the provisions of this act.

SEC. 4. Should the courts declare any section or provision of this act inoperative or unconstitutional, such decision shall not affect any other section or provision of this law.

SEC. 5. The Bureau of Inspection and Supervision of Public Offices is hereby abolished. Sections 8352 and 8356 of Remington and Ballinger's Annotated Codes and Statutes of Washington as amended by chapter 30, Session Laws of 1911 and all acts and parts of acts in conflict with this act are hereby repealed.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, January 30, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 7.

The Bureau of Inspection and Supervision of Public Offices is the only safeguard between the taxpayers and the official who spends the taxpayer's money. It is the only authority empowered to check receipts and disbursements of public funds and insure proper accounting of the same.

The examinations to April 1, 1914, revealed the following: Illegal claims, officers contracting with themselves in counties, cities and towns, school and road districts, \$739,745.00; shortages, \$603,993.69; interest on bank deposits not collected, \$5,975.83; total, \$1,349,714.52. Of this the bureau collected \$289,954.57 in cash and returned it to the public treasury. Cost of audits to April 1, 1914, \$220,219.30. Amount recovered over cost of audit, \$69,735.27. The uncollected claims are now in the hands of the Attorney General.

Many illegal practices were uncovered. Licenses, franchise taxes and many other revenues were not collected, embezzlements, forgeries and padded payrolls were found and a lack of system everywhere. Where contractors had been paid with local improvement bonds they had illegally received in three years \$340,000 of accrued interest earned by the bonds before the contractor was entitled to payment. This practice has been stopped and suits are pending for the recovery of the amounts not already collected.

The bureau was organized June 10, 1909. The warrant debt of the school districts at that time was \$3,212,856.95. With an average attendance of 142,275 pupils, this made a per capita warrant debt of \$22.58. Through its efforts this debt has been reduced to \$2,039,589.15, with an average attendance of 169,441 pupils or a per capita debt of \$12.03.

It found over \$1,600,000.00 road warrants issued in excess of legal limitations. Provision was made for the retirement of this debt and a limit fixed, which the bureau enforces, and road indebtedness is a thing of the past. Interest saved on these two items alone amounts to more than \$166,000.00 per annum.

There are 56 state departments and institutions, 2654 school districts, 39 counties, 204 cities and towns, 72 townships, 272 road districts, 4 port districts, and numerous drainage and diking districts, besides several thousand local improvement districts. The law requires that townships, cities, towns

and school districts shall be audited "at least once in every two years and all other examinations shall be made at least once a year." A full report of each examination must be filed with the accounting officer of the district examined, the State Auditor and the Attorney General. Uniform systems of accounting must be maintained in all offices of the same class and comparative statistics must be compiled and published annually.

Under Initiative Measure No. 7 all the foregoing duties remain unchanged under the direction of the state auditor but must be performed with the ridiculous force of three clerks.

Over 18,000 examinations have been made, or 4,500 per year. This for three men would make 1,500 examinations a year, or five for every working day, a manifest absurdity.

The deterrent effects of thorough auditing, such as this bureau is making, upon the office holder of weak moral fibre who is subject to the common temptations of human nature in positions of trust should never be lost sight of. Though intangible they are almost incalculable.

DO YOU WISH TO RETURN TO THE OLD CONDITIONS?

DO YOU WANT CONTRACTORS TO GET UNEARNED INTEREST ON BONDS?

DO YOU WANT PUBLIC OFFICIALS CONTRACTING WITH THEIR OWN DISTRICTS?

DO YOU WANT PUBLIC FUNDS DEPOSITED IN BANKS WITHOUT INTEREST?

DO YOU WANT TO SEE ILLEGAL ROAD WARRANTS ISSUED AGAIN?

DO YOU WANT YOUR SCHOOL DIRECTORS TO INCUR ILLEGAL DEBT?

DO YOU WISH YOUR CITY OR YOUR TOWN GOING INTO DEBT BEYOND THE LEGAL LIMIT?

DO YOU WANT PUBLIC FUNDS SPENT FOR POLITICAL PATRONAGE?

IF YOU DO NOT, VOTE "NO" ON NO. 7.

BUILDING OWNERS' & MANAGERS' ASSN. OF SEATTLE.

By F. T. BRADLEY, *Secretary*.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 23, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 7.

SUBMITTED BY TAXPAYERS ASSOCIATION OF TACOMA.

Initiative Measure No. 7 would abolish the Bureau of Inspection and Supervision of Public Offices.

It does not change that part of the law which prescribes the duties to be performed by the Bureau. The work remains the same.

It takes 3 members of the Bureau and 20 state examiners to do the work required by the law. The initiative measure proposes to have this work done by not more than three men who will each get a salary of not more than \$1800 per year and traveling expenses. On its face this looks like a saving, but it is in fact simply a waste of funds.

The law requires that over 4000 taxing districts, not counting local improvement districts, must be examined each year. How can this be done by 3 men. The initiative measure is absurd when you consider it as a practical instrument.

Remember that these examinations are not a mere checking of accounts for that part of the law which remains unchanged provides "On every such examination inquiry shall be made as to the financial condition and resources of the taxing district; whether the constitution and statutory laws of the state, the ordinances and orders of the taxing district and the requirements of the bureau of inspection and supervision of public offices have been properly complied with and into the methods and accuracy of the accounts and reports."

Initiative Measure No. 7 destroys the whole law by making it impossible of being enforced.

Do you want to know whether the constitution and statutory laws of the state or the ordinances of your city are being properly complied with? The present Bureau law gives you that opportunity. Vote for Initiative Measure No. 7 and you destroy the means of getting that information.

The politician wants the Bureau abolished. Why? Because he doesn't want you to know how he is obeying the constitution or statutory laws of the state.

When you hear an office holder talking about abolishing the Bureau, look up his record.

The present Bureau law affords the only medium through which the taxpayer and voter can secure information as to the manner in which the public business is being conducted.

It is the only safeguard afforded the taxpayer.

Initiative Measure No. 7 takes away the one Bureau that is of benefit to the public.

NOW LISTEN. They will tell you that the measure will save money for the taxpayers. Don't be fooled. For every dollar that the Bureau has cost it has saved hundreds for the public.

It has performed grand service in cutting off graft and waste. That is why the politician wants it abolished.

Taxpayers Association of Tacoma is a voluntary non-partisan organization of Pierce County whose members pay over half of the taxes raised in Pierce County.

For every dollar that the Bureau has cost in Pierce County the members of this Association pay more than half. This association devotes all its time to the problems of reducing taxes.

It feels that this question is so important that it is paying \$200 out of its funds in order that it may have a page in this book to ask the voter to vote against this measure.

This association does not concern itself with politics and is not taking part in any controversy as to any other initiative measure.

Initiative Measure No. 7 is against the interest of the taxpayer.

VOTE AGAINST IT.

TAXPAYERS ASSOCIATION
OF TACOMA

By J. T. S. LYLE, Secretary.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 23, 1914.

I. M. HOWELL, Secretary of State.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 8, filed in the office of Secretary of State, July 3, 1914, commonly known as Abolishing Employment Offices Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 8, entitled "An act to prohibit the collection of remuneration or fees from workers for the securing of employment or furnishing information leading thereto, and providing a penalty for violation thereof."

FOR Initiative Measure No. 8.....

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AGAINST Initiative Measure No. 8.....

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Initiative Measure No. 8.

BALLOT TITLE

"An act to prohibit the collection of remuneration or fees from workers for the securing of employment or furnishing information leading thereto, and providing a penalty for violation thereof."

AN ACT to prohibit the collection of fees for the securing of employment or furnishing information leading thereto and fixing a penalty for violation thereof.

Be it enacted by the People of the State of Washington:

SECTION 1. The welfare of the State of Washington depends on the welfare of its workers and demands that they be protected from conditions that re-

sult in their being liable to imposition and extortion.

The State of Washington therefore exercising herein its police and sovereign power declares that the system of collecting fees from the workers for furnishing them with employment, or with information leading thereto, results frequently in their becoming the victims of imposition and extortion and is therefore detrimental to the welfare of the state.

SEC. 2. It shall be unlawful for any employment agent, his representative, or any other person to demand or receive either directly or indirectly from any person seeking employment, or from any person on his or her behalf, any remuneration or fee whatsoever for furnishing him or her with employment or with information leading thereto.

SEC. 3. For each and every viola-

tion of any of the provisions of this Act the penalty shall be a fine of not more than one hundred dollars and imprisonment for not more than thirty days.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, January 30, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 8.

The advocates of this measure infer that there is now no regulation of private agencies. The agencies are now working under strict city ordinances, under direct supervision of labor commissioners, and each under \$1,000 bond. Licenses can be revoked or suspended at any time, and if there are unreliable agencies the fault must lie with the labor commissioners and the city councils.

There is no greater percentage of unworthy men in the employment agency business than in any other profession.

The private agency guarantees the position, and in cases of failure to supply it, the fee and fare paid to and from the place of employment is returned. The free agency guarantees nothing, and where there is any mistake and the applicant does not secure the position, he is out expenses which he cannot afford to lose.

This act would wipe out a business which has taken years to build up and should be considered from the standpoint of actual facts rather than by an appeal to prejudice.

What system will perform the work of the private agency? The public free agency will not. As proof of this we quote from the 13th Annual Report Labor Statistics, Illinois Free Offices, David Ross, Sec., pp. 7-8:

"It is supposed that the assumption of the state and at its expense, the work of the employment bureaus would eliminate the occupation of the private employment agent, and that people in need of employment would prefer to patronize a state office where the service is free rather than pay fees charged by the private employment agents. * * * In fact, there are more private employment agencies now than before the state entered the business. * * * The strictly commercial agencies transact fully 90 per cent. of the entire business. One single agency was the means of securing * * * over one-third more than the six free employment offices conducted by the state. * * * These comparative figures by no means prove that the effort of the state in this direction has failed, * * * but they do serve to direct attention to the essentially different methods of meeting the requirements of the labor market; and

the mistaken notions of those who supposed that a few offices maintained by the state, could under any circumstances be capable of handling a situation such as that developed in an industrial center * * * where each of a great number of privately conducted offices are catering to a particular business, fortified by years of experience and special equipment in its line. However, discouraging as it may be to the enthusiastic advocate of government functions, it is impossible for one agency, however benevolently disposed, to do the work of a hundred."

Second paragraph, page 2, Illinois report:

"The six state offices show there were 59,827 positions secured. The positions secured during the year were at a cost of 71 cents each to the state."

On the basis of Illinois' experience, the Washington taxpayers would have to pay more than \$250,000 to perform the same work now done by the private agencies. There are approximately 100 employment agencies in Washington.

For years the larger cities of the state and benevolent associations have conducted free employment agencies, yet the private agencies have flourished and grown with the other industries of Washington. This is proof positive that the free agency does not meet the demand of the laborers. Industrial history shows positive necessity for a means of bringing employer and employee together.

The unorganized laborers, representing 70 per cent of the labor world, would lose the only means of finding employment should this measure become a law. The free public agencies have become recruiting stations for the Unions and for that reason measures of this sort are always urged by so-called labor leaders.

SEATTLE EMPLOYMENT AGENTS ASSN.,

By H. A. PRATT, *Secretary*.
WOMANS DOMESTIC GUILD,

By MRS. LUCILE CROSBY, *Mgr.*

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 23, 1914.

I. M. HOWELL, *Secretary of State*.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 9, filed in the office of Secretary of State, July 3, 1914, commonly known as First Aid to Injured Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 9, entitled "An act providing for the payment of the cost of medical, surgical and hospital treatment, nursing, supplies, and other expenses of workmen injured in extra-hazardous employments, by the employer to the amount of one hundred dollars, any excess to be paid by the industry, providing for arbitration of disputes, prohibiting certain deductions from wages, and imposing duties upon the industrial insurance department."

FOR Initiative Measure No. 9.....

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AGAINST Initiative Measure No. 9.....

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Initiative Measure No. 9.

BALLOT TITLE

"An act providing for the payment of the cost of medical, surgical and hospital treatment, nursing, supplies, and other expenses of workmen injured in extra-hazardous employments, by the employer to the amount of one hundred dollars, any excess to be paid by the industry, providing for arbitration of disputes, prohibiting certain deductions from wages, and imposing duties upon the industrial insurance department."

AN ACT to encourage industrial safety and relating to treatment of workers injured in extra-hazardous employment, fixing pecuniary liability therefor, providing for arbitration of disputes, prohibiting certain deductions from wages, and imposing duties on the Industrial Insurance Department.

Be it enacted by the People of the State of Washington:

SECTION 1. The welfare of the workers in extra hazardous employment in the State of Washington as well as the prosperity of industries in which they are employed, demands that injuries to such workers, with the

attendant suffering and expense, and the economic loss to society resulting, shall be reduced to the minimum. The State therefore in the exercise of its sovereign and police power, and in aid of accident prevention and of education in safety practices, hereby declares that the provisions of this Act shall apply to every employment in extra hazardous occupation carried on in the State.

SEC. 2. Every person employed in extra hazardous employment in this State, within the meaning of Chapter 74, Session Laws of 1911, shall, when injured in such occupation, be entitled to receive in medical, surgical and hos-

pital treatment, including nursing, medical and surgical supplies, crutches and apparatus as are reasonably required to accomplish recovery, including transportation from the place of injury to the hospital or other place of treatment.

SEC. 3. The cost of the services provided for in Section 2 of this Act, in a sum not to exceed one hundred dollars for any one workman, shall be paid by the employer in whose plant or service the injury occurred, and itemized receipts for all actual disbursements shall be filed with the Industrial Insurance Department.

SEC. 4. In all cases where the cost of services provided for in this Act exceeds in cost said sum of one hundred dollars, the excess shall be audited and paid by the Industrial Insurance Department out of the Accident Fund of the class to which the employer of such injured worker belongs. The pecuniary liability of the employer or of the Accident Fund for the medical, surgical and hospital service herein required shall be limited to such charges as prevail in the same community for similar treatment of injured persons of a like standard of living when such treatment is paid for by the injured persons.

SEC. 5. In all cases of dispute as to the proper charge for services rendered or materials furnished under this Act, same shall be determined by the findings of a board of arbitration consisting of three persons, one appointed by the person making the charge complained of, one by the employer resisting such charge and the third selected by the other two. The findings shall be endorsed upon or attached to the statement of charges and a copy filed with the Industrial Insurance Department. In case either party to any such dispute fail, within reasonable time, to appoint an arbitrator as herein provided, or two arbitrators cannot

agree upon a third, the Industrial Insurance Department shall make the appointment.

SEC. 6. The payments herein provided to be made by the employer being for the purpose of aiding in accident prevention, it is hereby declared a misdemeanor for an employer to retain any part of any worker's pay as a hospital fee or for any fund whatsoever to be used or drawn upon by himself or any other person, in meeting costs of treatment of injured workers covered by this Act: *Provided, however,* That deduction from wages may be made by the employer, with the written consent of the worker, to accumulate funds for treatment of sickness, or other lawful purposes, such consent to be given upon blank forms approved by the Industrial Insurance Department and showing the date so approved, and providing for the auditing of such funds by said Department; but nothing herein shall be construed to restrict an injured worker or his family in choosing a physician.

SEC. 7. It is hereby declared the duty of the Industrial Insurance Department to preserve and annually publish in statistical form the facts required to be supplied by the provisions of this Act, including the condition of trust funds held by employers under authority of said department. Whenever controversies shall arise with reference to the application of this Act, the said department shall hear and determine same. Appropriate rules, directions and instructions for the carrying into effect of the provisions of this Act, shall from time to time be formulated and published by said Department.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, January 30, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 9.

In 1910 the governor of the state appointed a committee to draft a compensation act, which committee was composed of representatives of capital and labor. In 1911 this committee proposed a bill containing a First Aid provision. In 1913 a similar bill was proposed by the representatives of labor, both bills providing that the cost of first aid should be borne equally by the employer and the employee.

If the bills proposed in 1911 and 1913, as above stated, were fair and satisfactory to the employee, what is the reason for now imposing the entire cost of first aid on the employer, as proposed by Initiative Measure No. 9?

The question of first aid is more complex than the whole subject covered by the Workmen's Compensation Law.

This very fact is apparent when you consider that when the Workmen's Compensation Act was passed by the Legislature of 1911, the First Aid feature was omitted because no correct solution of the difficulties could be worked out. For the same reason, the bill proposed in 1913 failed to pass and also upon the advice of the Chairman of the Industrial Insurance Commission, who could not secure sufficient data to enable the Legislature to intelligently act upon the subject.

Another reason no First Aid law has been enacted is because a practical law providing for surgical and medical attendance and hospital service in case of injuries cannot be drawn that allows the injured workman to choose his own physician and compels the state or employer to pay for the service, until the state passes a law fixing uniform physicians', surgeons' and hospital compensation for service rendered and fixing the liability of the state and employer.

Initiative Measure No. 9 provides no limit on the amount of the assessment which can be levied on any industry for First Aid purposes. The cost of these services is paid as follows:

1st. \$100.00 by the employer in whose plant the injury occurs;

2nd. Any further funds used to accomplish recovery is taken from the class in the accident fund to which the employer belongs. No limit is placed upon the sum that can be used.

The employer is arbitrarily assessed, but has no voice in the disposition of the fund. This will encourage collusion and fraud between the unprincipled employee and the party furnishing treatment and supplies. If the employee carelessly contributes to his own injury, he bears no share of the burden, ignoring all "laws of safety" and individual responsibility.

This provision is so vicious, drastic and confiscatory that if passed, has the possibility of placing the industries of this state under such a handicap as to be beyond successful competition with other states, or the markets of the world.

The proposers of this measure entitle their bill: "An act to encourage industrial safety"—whereas no safety provisions are contained in the measure. This attempt to secure popular support by using a title which will draw on the sympathies of the voters deserves rebuke at the polls and defeat of the measure.

Employees are fully protected under the present laws by the Factory Inspection Act and by the powers given the Commissioner of Labor, whose duty it is to see that all mills, mines and factories are inspected and to see that all machinery is safe-guarded.

This act assumes that industrial accidents are due entirely to failure on the part of the employer to provide proper safeguards. It avoids the fact that a large class of accidents are absolutely non-preventable even where all safeguards required by the state are properly installed. Labor Commissioner E. W. Olson, in a handbook issued March, 1914, says: "A workman who is reckless in his movements is as dangerous around a workshop as an unguarded machine." The statistics of the Industrial Commission for 1913 show as follows:

Fault	Number	Per Ct.
Workman's	951	7.8
Fellow servant's	303	2.4
Employer's	90	.7
Foreman's	12	.1
Third person's	30	.2
Risk of Trade.....	8,543	69.00
Not ascertainable....	2,451	19.8
	<hr/>	<hr/>
	12,380	100.00

It will be seen that the workman's fault and the fellow servant's fault to-

tal ten per cent. whereas the employer's fault and the foreman's fault combined total less than 1 per cent., the greater fault lying with the workman. There is an inherent risk in all hazardous employment that is beyond human control; otherwise it would not be hazardous employment.

The experience of over thirty foreign governments covering an extended period of time, as well as the limited experience of 18 states of the United States having compensation laws, justifies the inevitable conclusion that there should be some reasonable limit on the cost of First Aid not only as to the amount involved, but as to the time in which such aid should continue, bearing in mind the present continuous payment of compensation in addition to such First Aid.

Section 4 of the bill provides: "The pecuniary liability of the employer or of the Accident Fund for the medical, surgical and hospital service herein required shall be limited to such charges as prevail in the same community for similar treatment of injured persons of a like standard of living when such treatment is paid for by the injured person."

Just what standard it provides is impossible to state. Does it mean that the common laborer getting \$2.00 per day and the sawyer or filer getting \$7.00 per day, injured in exactly the same way, shall receive different treatment?

Every hazardous industry in Washington has proper provisions for caring for the injured and taking care of the sick with suitable hospitals and arrangements for competent doctors and nurses. Other employers have similar arrangements where possible. Employees by paying \$1.00 per month are receiving medical attention and hospital care both in case of accident and sickness.

Eighty per cent. of the employees in Washington now enjoy the protection of various hospital and beneficial associations. Records show that of the

funds paid into these associations seventy-five per cent. is spent on cases of sickness and only twenty-five per cent. on cases of accident. Should the proposed First Aid bill be enacted, the employee will lose all the benefits now received in case of sickness to himself, and in many cases to his family, except by the payment of at least 75 cents a month. The tendency of the present hospital system is to secure the most efficient surgical service because it is to the interest of the employer that his injured workmen shall be cured as speedily as possible, thereby reducing the economic loss occasioned by the absence of the workman from his post. It cannot be urged or claimed by any one that in the State of Washington employers have not as a class felt their full responsibilities towards those they employ and have in the past and are today endeavoring in every reasonable way to protect them in their work.

Taking from the individual all personal responsibility does not tend to a better or higher citizenship. Much less is this the case when in addition to being relieved from such responsibility one is encouraged to cast a burden on others.

The First Aid question does not alone concern the employer and workman in the extra-hazardous occupations. It is so far-reaching in its effect that every person in the state is concerned.

WEST COAST LUMBER MFGRS.,

By W. C. MILES, *Manager*.

COAL OPERATORS ASSN. OF WASH.,

By CHAS. E. JONES, *Secretary*.

EMPLOYERS ASSN. OF WASH.,

By G. N. SKINNER, *President*.

EMPLOYERS ASSN. OF INLAND
EMPIRE,

By J. C. H. REYNOLDS, *Secretary*.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 23, 1914.

I. M. HOWELL, *Secretary of State*.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 10, filed in the office of Secretary of State, July 3, 1914, commonly known as Convict Labor Road Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 10, entitled "An act providing for the employment of all convicts upon public highways except in certain cases, authorizing the payment of certain sums to dependent families of such convicts, creating a state road fund, providing a tax levy of not to exceed one-half mill therefor, transferring the public highway fund thereto, and making an appropriation of two million dollars for carrying out the provisions of this act."

FOR Initiative Measure No. 10.....

☐

AGAINST Initiative Measure No. 10.....

☐

Initiative Measure No. 10.

BALLOT TITLE

"An act providing for the employment of all convicts upon public highways except in certain cases, authorizing the payment of certain sums to dependent families of such convicts, creating a state road fund, providing a tax levy of not to exceed one-half mill therefor, transferring the public highway fund thereto, and making an appropriation of two million dollars for carrying out the provisions of this act."

AN ACT providing for the employment of convict labor on the public highways of the State of Washington, providing for sentencing criminals to work upon the public highways without being taken to the state penitentiary or the state reformatory, compensation to dependent families of convicts, a term of employment to convicts who serve out their terms under good behavior, making a levy to create a state road fund, repealing chapter 64, Session Laws of 1913, transferring the public highway fund to the state road fund, and making an appropriation.

Be it enacted by the People of the State of Washington:

SECTION 1. Every person confined in the state penitentiary or the state reformatory, physically able to perform manual labor, shall be employed upon the public highways designated by law as primary and secondary roads, and the preparation of material for their construction, improvement and maintenance: *Provided*, That persons sentenced to imprisonment for life and persons whom the board of control may deem unfit for such service shall not be employed upon the

public highways of this state, but shall remain at the penitentiary or reformatory, or be returned to the penitentiary or reformatory, if the board of control shall deem them unfit after such employment.

SEC. 2. It shall be the duty of the state highway board to determine where the work of convicts upon public highways shall be performed, the material prepared, and the highways maintained. All such work shall be done under the direction and control of the state highway board, but the transportation and control of the convicts, other than the direction of their work, shall be under the board of control.

SEC. 3. The cost of transportation of convicts between the penitentiary or reformatory and the places where they are to be employed on the public highways, together with the cost of maintenance, shall be paid out of the appropriations for the state penitentiary and state reformatory.

SEC. 4. Persons convicted of crime may, at the discretion of the court, be sentenced to be taken to a convict camp or place of work upon the public highways as herein provided without passing through the penitentiary or reformatory. When such sentence is pronounced the person shall be taken to the convict camp designated by the board of control under the same regulations which govern removal of convicted persons to the penitentiary or reformatory. The records of such convicted persons shall be taken and kept at the penitentiary or reformatory, as the court may direct. The term of service shall be under the same laws, rules and regulations as if sentenced to the penitentiary or reformatory.

SEC. 5. Upon the expiration of the term of service for which sentenced, with allowance for good behavior, every convict employed upon the public highways under the provisions of this act shall be given an opportunity for employment by the state highway board for a period of at least thirty days upon the public highways at other than a convict camp at a reasonable rate of wage to be determined by the state highway board, to be paid to the

person so employed out of the fund herein provided, or to his dependent family as the board may determine. The state highway board may, at its discretion, pay to the dependent family of any convict employed under the provisions of this act the amount of fifty cents for every day such convict is employed upon the public highways.

SEC. 6. There is hereby created a fund to be known as the state road fund by a levy to be made by the proper officials of the state of not to exceed one-half mill upon all the property in the state subject to taxation for the fiscal year beginning March 1, 1915, and for each fiscal year thereafter.

SEC. 7. Chapter 64 of the Session Laws of 1913, making a tax levy for public highways, and all other acts and parts of acts in conflict with this act are hereby repealed.

SEC. 8. All funds remaining in the public highway fund shall be transferred to the state road fund.

SEC. 9. For the purpose of carrying this act into effect there is hereby appropriated out of the state road fund herein created the sum of two million dollars. Such sum shall be used for the purchase of tools and material for the use of convicts and others employed upon the public highways of the state, the construction of suitable stockades or convict camps for the use of convicts and others and the employment of other than convict labor, and such other purposes as the highway board may direct not inconsistent with this act, except the transportation and maintenance of convicts. It is the purpose of this act to use such portion of the sum herein appropriated which may be in excess of the requirements for convict labor upon the public highways in the employment of other labor, or the purchase of material for the construction, improvement and maintenance of the public highways designated by law as primary and secondary roads.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, January 30, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 10.

The prime purposes of Initiative Measure No. 10, as announced by its advocates, are to make better men out of the convicts and reformatory boys by employing them on the highways, and to prevent pork barrel appropriations for road construction. In both these regards the measure fails miserably, as will be pointed out in detail.

In this connection, section 4 provides for sentencing convicted persons to road construction work, but does not provide a way to confine them in the penitentiary or reformatory should the work be abandoned for lack of funds, or other cause. This is but one of numerous instances in which the measure fails to specify the details essential to carrying out its program.

The proposed measure permits intermingling of convicts and reformatory inmates. All camps established under this proposed law are "convict" camps. Hence these men and boys whom we hope to reform and make good citizens of, when delegated to road work under this measure, are immediately branded "convicts."

Those states which lead in use of convicts on highway construction work; such as Colorado, Montana and others, have found that "honor" men, taken care of in "honor" camps, are the only efficient convict road crews. These men are not housed in "stockades" (transient prisons), but work in the open like other men, on their honor, receiving the benefit of open air work and a reduction of "time" for service rendered. The state already has a convict labor law superior to the proposed measure.

While called by its sponsors "Anti-pork barrel" the proposed law absolutely does not do away with the possibility of legislative trading, because it does not designate the primary and secondary highways of the state upon which the State Road Fund (created by the measure if voted in by the people) shall be applied. The entire State Road System can be redesignated by the legislature; or any part of the present system, which is defined by legislative enactment, upon which the legislators do not feel the State Road Fund should be applied, can be abolished. Consequently this proposed law does not, in the slightest, overcome the defects of the present methods permitted by law, which was the original intent and the chief argu-

ment for the law used by its promoters.

The backers of the bill also hoped it would prevent all friction between the Governor and the Legislature, such as that which jeopardized the entire road program at the last session of the Legislature; but this friction they have, as a matter of fact, accentuated by giving the Governor and his Board of Highway Commissioners presumably absolute power to designate where the money is to be spent, and how much and when; at the same time, inadvertently permitting the Legislature to designate the primary and secondary highways.

The adoption of initiative measure No. 10 would close down the mammoth new \$300,000 jute mill at Walla Walla, thereby giving the big foreign grain bag corporations power to boost the price of sacks to any figure they may see fit.

After many years of effort upon the part of every Good Roads Organization in the State of Washington, and particularly that of the Washington State Good Roads Association, whose membership is composed of the Governor, the members of the State Highway Commission, the President of the University, the President of the State College, all County Engineers and County Commissioners, and every Good Roads organization, Commercial body, Farmers' Grange, Automobile Club, and every kindred organization having for its object the upbuilding of the interests of the people of the State, a complete comprehensive Road Program has been enacted into law within the past two years, and for the first time in the history of Washington, a sufficient levy has been created by a law, under which splendid results may be obtained by any administration in power.

Initiative Road Measure No. 10 provides for the repeal of the above mentioned constructive Legislation without substituting something better, and if it should become a law, all of the constructive work heretofore done will be disrupted and another period of expensive experiment entered upon.

WASHINGTON STATE GOOD ROADS ASSOCIATION,

By C. L. MORRIS, *President.*

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 21, 1914.

I. M. HOWELL, Secretary of State.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by Initiative Petition No. 13, filed in the office of Secretary of State, July 2, 1914, commonly known as the Eight Hour Measure.

(Will appear on the official ballot in the following form)

PROPOSED BY INITIATIVE PETITION

INITIATIVE MEASURE NO. 13, entitled "An act prohibiting employers from requiring or permitting employes to work more than eight hours in any day of twenty-four hours, except in agricultural labor and cases of emergency; providing for extra compensation for over-time; and fixing a penalty for the violation thereof."

FOR Initiative Measure No. 13.....

☐

AGAINST Initiative Measure No. 13.....

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Initiative Measure No. 13.

BALLOT TITLE

"An act prohibiting employers from requiring or permitting employes to work more than eight hours in any day of twenty-four hours, except in agricultural labor and cases of emergency; providing for extra compensation for over-time; and fixing a penalty for the violation thereof."

Be it enacted by the People of the State of Washington:

SECTION 1. It shall be unlawful for any person, persons, corporation, company or joint stock association to cause, require or permit any male or female employe in his, her or its employ to work more than eight hours during any day of twenty-four hours,

nor more than forty-eight hours during any week of seven days, except that in agricultural labor an additional two hours per day may be allowed for work which is unavoidably and necessarily incidental to farm management.

Provided, however, That in case of extraordinary emergency, such as danger to life or property, or where such

eight-hour limit would unavoidably and necessarily prevent other workers in the same mine, mill, factory or other industrial unit from working the full eight-hour day the hours for work may be further extended, but in such cases the rate of pay for time employed in excess of eight hours of each calendar day shall be one and one-half the rate of pay allowed for the same amount of time during eight hours service.

SEC. 2. If for any reason any of the provisions of this Act shall be adjudged unconstitutional and invalid it shall not affect the validity of the act

as a whole or any other part thereof.

SEC. 3. Any employer, overseer, superintendent or other agent of any such employer, who shall violate any of the provisions of this act, shall, upon conviction thereof, be fined for each offense in a sum not less than ten dollars nor more than one hundred dollars for each day during which such violation continues.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, February 10, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 13.

THE EIGHT HOUR LAW.

It would be hard to imagine any legislation more hostile to the best interests of the farmer than the proposed Initiative Measure No. 13 which would limit every laborer in the state to eight hours per day of twenty-four hours or forty-eight hours per week of seven days, except that in agricultural labor an additional two hours per day may be allowed for work which is "unavoidably and necessarily incidental to farm management," whatever that may be.

The intent of the measure is clearly to restrict field operations to eight hours per day for six days of the week and we contend that farming operations cannot be conducted successfully under such a handicap.

The farmer is at the mercy of the elements until his crop is in the warehouse and the delay, while waiting for an eight hour per day crew to harvest his crop, would result in such loss to the farmer from shattering, lodging and the deteriorating influences of the weather that it would spell ruin from the start.

Even now, it is often impossible to secure sufficient help in the harvest fields so that a scarcity of laborers and the increased cost of the wages and board for the extra men are two reasons that would prevent the employment of two shifts of eight hours each.

By this measure, the agricultural laborer is restricted to an absolute maximum of ten hours per day and no matter what wages the farmer may offer to save threatened disaster to his crops or how willing the laborer may be to earn the extra money, this law prevents it, since the penalty is the same for allowing a man to work overtime as for forcing him to do so.

Thus will the working man be deprived by law of his right to work where and when he finds it to his interest to do so.

This provision might necessitate the presence in the field of a competent witness, provided with a stop-watch, to protect the farmer from the extortion or blackmail of a disgruntled crew.

How can a farmer feed his crew when a cook can work but eight hours per day, six days in the week, and when Sunday comes and the entire crew and the cook, having worked the maximum for the six days of the week and are thereby disqualified from lifting a hand on Sunday, how are they to be fed?

Who will feed and water the live stock, milk the cows and do the thousand and one other chores required on a farm on Sunday?

The prices of most of our agricultural products are fixed by the law of supply and demand in the markets of the world and in those markets the bulk of our produce must be sold.

When this state increases the cost of production or places burdensome restrictions upon agricultural operations, the loss must fall upon the tillers of the soil because they are unable to add the increased cost to what they have to sell.

Whenever the cost of agricultural production approaches so near the market price as to wipe out the present slender margin of profit, the farmer, representing as he does the greatest natural asset of the state, will be forced out of business.

The enactment of this measure means ruin to agricultural operations in a state where, in view of the present high cost of living, it is easy to see that a blow, aimed at the farmer, will hit the prosperity of our commonwealth in its most vital part.

FARMERS' EDUCATIONAL AND COOPERATIVE UNION OF AMERICA, FOR THE COUNTIES OF WALLA WALLA, COLUMBIA AND GARFIELD, WASHINGTON.

By N. B. ATKINSON, Pres.

A. C. MOORE, Sec'y.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 20th, 1914.

I. M. HOWELL, Secretary of State.

Argument Against Initiative Measure No. 13.

THE COMPULSORY EIGHT HOUR DAY.

THIS LAW PROVIDES: "It shall be unlawful for any person or corporation to permit any male or female employee in his, her or its employ, to work more than 8 hours during any day of 24 hours, nor more than 48 hours during any week of 7 days."

This compulsory 8-Hour Day Law will destroy our present manufacturing, commercial, domestic and social systems.

Wage earners can only work 8 hours in any one day of 24 hours and not more than 48 hours in any week of 7 days. Can the employee maintain his present standard of living on such earnings? Can the employer operate his plant where no employee is permitted to work over 8 hours in any day of 24 hours, or over 48 hours in one week of 7 days?

What about cooks, night watchmen, teamsters, timekeepers, commissary men, etc.?

Can you, Mr. Traveling Man, maintain yourself and family working 8 hours in any one day of 24 hours and not more than 48 hours in any week of 7 days? Is it practicable? Can you adjust your services to these conditions? Can your employer pay you a living salary when your efforts are confined to 8 hours in any one day of 24 hours, or 48 hours in any one week of 7 days?

Mr. Wholesaler, are your profits such as to allow you to maintain two traveling men, solicitors, etc. where you are now using one and to enable you to pay them living salaries? This is what you will have to do to properly solicit your trade if this measure is adopted. You are liable even if you permit an employee to work over 8 hours in any day of 24 hours, or over 48 hours in any week of 7 days. Will it be possible for you to check up his time to see that there is no infraction of the law? How will you protect yourself?

Mrs. Housewife, can you arrange your domestic affairs so as to permit your help to work only 8 hours in any one day of 24 hours or 48 hours in any week of 7 days? Who will cook, take care of the house and children on the 7th day, or can you hire two girls where you are now using one and pay them a living wage?

What will you mothers and fathers do in case of sickness in your family,

when you cannot permit a nurse to work over 8 hours in any one day of 24 hours nor more than 48 hours in any week of 7 days? Can you take care of your sick (unskilled in nursing though you may be) the other 120 hours? Or, can you afford three nurses per week of six days and discharge them on the completion of the sixth day's service and hire three more? Read the law and think about it.

The certain result of Initiative Measure No. 13 would be that the employee's earning power would by law be reduced 20 per cent, and his living expenses increased in a like ratio.

Let no worker be misled into the belief that he will receive the same pay for eight hours that he now gets or that the industry in which he is employed could live against the competition of the world if it tried to maintain his present rate of pay for a shorter day.

Our products must be marketed in competition with those of other states and foreign countries. We are now laboring under a four-fold handicap: viz: High freight rates due to the long haul to distant markets; oppressively high taxes; relatively high wages, and high interest rates on money necessary to carry on enterprise.

Any radical lessening of the total energy put into a given industry like agriculture, horticulture, livestock, dairying, fishing, lumbering, mining or manufacturing must be followed by an equal reduction in the total amount produced, and an inevitable increase in the cost of production.

With fair laws and just treatment, Washington will make great progress in the development of her vast resources. This law would check her progress.

A fitting title to this measure would have been: "A measure to reduce the earning power of the people and increase their Cost of Living."

UNITED METAL TRADES ASSN.

By B. R. BRIERLY, *Chm. Wn. Dist.*

PACIFIC COAST LOGGERS ASSN.

By ALEX POLSON, *Pres't.*

WASHINGTON STATE FISHERIES

By JAMES SCOTT, *Sec'y.*

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, July 22, 1914.

I. M. HOWELL, Secretary of State.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed to the People by the Legislature, filed in the office of Secretary of State, March 11, 1913, commonly known as Teachers' Retirement Fund Measure.

(Will appear on the official ballot in the following form)

PROPOSED TO THE PEOPLE BY THE LEGISLATURE.

REFERENDUM MEASURE NO. 1, entitled "An act to establish a retirement fund to be used in payment of annuities and benefits to retired teachers, principals, supervisors, supervising principals and superintendents of the public schools in the State of Washington; creating a board of trustees; defining the sources from which said fund shall be raised; providing for the levy of taxes and regulating the collection, management and disbursement of said fund."

FOR Teachers' Retirement Fund.....

☐

AGAINST Teachers' Retirement Fund.....

☐

Referendum Measure No. 1.

BALLOT TITLE

"An act to establish a retirement fund to be used in payment of annuities and benefits to retired teachers, principals, supervisors, supervising principals and superintendents of the public schools in the State of Washington; creating a board of trustees; defining the sources from which said fund shall be raised; providing for the levy of taxes and regulating the collection, management and disbursement of said fund."

AN ACT to establish a retirement fund to be used in payment of annuities and benefits to retired teachers, principals, supervisors, supervising principals, and superintendents of the public schools in the

State of Washington, and to regulate the collection, raising, management and disbursement thereof, and submitting this act to the voters of the state for ratification or rejection.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Definition: The word "teacher" or "teachers" as used herein shall include any teacher, principal, supervisor, supervising principal or superintendent who shall have taught or shall teach or be employed in the public schools of this state, or in any state educational institution owned and conducted by this state, and any city, county or state superintendent of the public schools of this state, and any deputy or assistant superintendent.

The words "member of said fund" and the words "member of the Teachers' Retirement Fund" when used in this act shall mean any person who has filed the acceptance provided for in section 15 of this act or who shall be appointed to teach after January 1st, 1914.

SEC. 2. There shall be a board of trustees, to be known as "The Board of Trustees of the Teachers' Retirement Fund." Said board shall be composed of the state superintendent of public instruction, two persons, not teachers, and not eligible to membership in said fund, and two persons, members of said fund, appointed by the governor. Said trustees shall be appointed each for a term of four years, and of those first appointed, the governor shall designate one to serve for one year, one to serve for two years, one to serve for three and one to serve for four years. A vacancy in said board shall be filled by the governor, for the unexpired term. A suitable office in the state capitol at Olympia shall be provided for said board of trustees.

SEC. 3. Said board of trustees shall have power:

I. To frame and modify by-laws for its own government not inconsistent with the law of this state; to elect its president and other officers, and to prescribe and enforce rules and regulations necessary to carry into effect the provisions of this act.

II. To subpoena witnesses and compel their attendance to testify before it in all matters relating to the operation of this law, and such testimony

may be kept in writing at the discretion of the board, and any member of said board may administer oaths or affirmations to such witnesses.

III. To fix the salary of the secretary of said board.

IV. To authorize the issuance of warrants by the state auditor upon the state treasurer for the payment out of said fund of all annuities payable under the provisions of this law; the members of said board, excepting the secretary, shall serve without compensation, but the state treasurer shall, upon the warrant of the state auditor, pay their necessary expenses.

V. By the name of "The Board of Trustees of the Teachers' Retirement Fund," to sue and be sued, complain and defend, in any court of law or equity.

VI. To have, hold, purchase, sell, assign and transfer any of the securities in which any part of the said retirement fund may be invested, and any moneys belonging to said fund.

SEC. 4. The officers of the board of trustees of the Teachers' Retirement Fund shall be a president, a vice-president, and a secretary. The president and vice-president shall be members of the board of trustees, shall be elected annually on the second Saturday in October at the offices of said board in Olympia, and shall hold office for one year and until their successors shall be elected and qualified: *Provided*, That their terms as officers shall not extend beyond their respective terms as members of said board. The secretary shall be appointed by the board and shall serve until the board shall choose his successor, and shall give a bond in such sum as the board of trustees shall determine, which bond shall be subject to approval by the attorney general of the state. Said secretary shall not be a member of said board.

SEC. 5. The fiscal year of said fund shall begin on the first day of July and end on the thirtieth day of June. Said board shall present, annually, a report of the condition of said fund for the last preceding fiscal year, which shall include the receipts and disbursements on account of the fund, together with a

list of persons receiving annuities. A copy of said report shall be sent to the governor, a copy to the state board of education, and a copy to each county superintendent. This report shall also be published in the biennial report of the state superintendent. The necessary clerical and other expenses incurred by the board of trustees and by the state treasurer in the administration of said fund shall be paid by the state treasurer out of said fund, on warrant of the state auditor, upon orders signed by the president and secretary of said board.

SEC. 6. The state treasurer shall be, *ex-officio*, treasurer of the Teachers' Retirement Fund, and his general bond to the state shall cover any liability for his acts as treasurer of said fund. He shall receive all moneys payable to said fund, and pay out the same only on warrants issued by the state auditor upon vouchers signed by the president and secretary of the board of trustees. All warrants or orders, when so signed, shall be full authority for the acquittance of said treasurer for all payments from said fund. Said treasurer shall give receipts for all moneys received by him for said fund; shall keep full and correct account of the financial transactions connected therewith, and shall make an annual report to the board of trustees, on or before the 15th day of September, of the receipts and disbursements and other financial transactions connected with said fund.

SEC. 7. Whenever any member of the Teachers' Retirement Fund shall have taught for a period, or periods, aggregating thirty years, embracing not less than two hundred forty months of service, fifteen years of which shall have been in the public schools of this state, such person shall, at his or her request be retired, and shall thereafter receive an annuity out of said fund equal to one-half the average annual salary received by such person for the five (5) years of employment as teacher next preceding date of retirement. Whenever any female member of the Teachers' Retirement Fund shall have taught a period or periods aggregating twenty-five years embracing not less than two

hundred months service, fifteen years of which have been in the public schools of this state, such person shall at her request be retired and shall thereafter receive an annuity out of said fund equal to as many thirtieths of the full annuity as the years of total service, or if before the thirty years of service are over, and after ten years of service in this state, said member shall in the judgment of the board of trustees of said fund, have become incapacitated from performing the duties of teacher, such person shall upon his or her request be retired and shall thereafter receive an annuity equal to as many thirtieths of the full annuity as the years of total service: *Provided*, That no annuity shall be less than three hundred nor more than six hundred dollars. An annuity granted a teacher incapacitated before the thirty years' service is rendered shall be suspended in case the incapacity is removed. In determining the period of employment as teacher, the board of trustees shall accept all service rendered by a member of the fund, either prior to or subsequent to the passage of this act. No teacher shall be a beneficiary under the provisions of this act who is or continues to be a beneficiary in any other teachers' pension or retirement fund whatever.

SEC. 8. To be eligible to an annuity an applicant must have paid into the fund, at the time he or she shall apply for retirement an amount equal to the first year's annuity.

SEC. 9. Application for retirement with annuity shall be filed with the board of trustees while the applicant is in actual service as a teacher, or within two years after applicant shall have discontinued such service, except in the case of those who are not in the actual service as teachers at the time of the passage of this measure but who otherwise are eligible to annuity. The decision of the board of trustees shall determine the right of the applicant to become an annuitant. But it shall be the duty of such board to grant the annuity to any applicant upon the production of adequate proof of said applicant's right to an annuity under this act.

SEC. 10. The payment of any annuity shall be suspended whenever the annuitant has resumed teaching, but such payment may be renewed whenever evidence shall be presented to the board of trustees that such annuitant has again discontinued teaching. Any member of said fund who shall discontinue teaching in the State of Washington for any cause other than by reason of having become incapacitated as aforesaid, shall cease to be a member of said fund. But upon resuming teaching in the State of Washington the deductions thereafter made from his contractual monthly salary shall be based on his length of service in teaching at the time he resumes teaching. The amount theretofore paid on account to the Teachers' Retirement Fund shall be credited to his account with said fund.

SEC. 11. All annuities shall be paid in semi-annual installments on the last day of December and June and each annuity granted shall date from the first day of the next month following the date of its granting, if the application be passed on favorably by the board: *And, provided*, Said date is not prior to date when applicant ceased teaching; if prior, then annuity to date from the first day of the month following the time when applicant ceased teaching. In calculating annuities the cents shall not be taken into account. In the event that any member of this fund resigns from his or her position as a teacher after three years of service in the state and thereby terminates membership in the fund, then and in that case such member shall be entitled to be paid out of this fund such sum as will equal one-half of all moneys paid into the fund by such teacher: *Provided, further*, That in the event that such teacher subsequently resumes teaching, such teacher shall be required to refund to the said retirement fund the amount so withdrawn with interest thereon at the rate of five per cent. per annum, such sum to be so refunded within one year from the date of his or her return to service in the public schools of this state or forfeit right to membership. In the event of the death of any member of this fund before such member

has been retired upon an annuity, or after retirement and before the annuities received equal the amount paid by annuitant, then and in that case the beneficiary designated by the member in writing to the board, or in case no beneficiary is designated by the member, the heirs or legatees of such deceased teacher shall be entitled to a sum out of this fund equal to the entire amount paid into the fund by such deceased teacher, without interest, or a sum equal to the difference between the annuity received before death and the amount paid by annuitant. In case there shall not be at any time sufficient funds to pay annuities in full, annuities shall reduce *pro rata*.

SEC. 12. The retirement fund herein provided for shall be made up as follows:

I. One per centum of the contractual monthly salaries of all members of the fund for the first ten years of teaching service. Two per centum of the contractual monthly salaries of all members of the fund for the second ten years of teaching service. Two and one-half per centum of the contractual monthly salaries of all members of the fund for the third ten years of teaching service. No deduction made under the provisions of the article from the salary of any teacher shall exceed fifty dollars in any one year. The total amount deducted from the salary of any member shall not exceed the sum of one thousand dollars.

The amount due the Teachers' Retirement Fund shall be reserved or deducted from each warrant or order for salary given to each member of the fund by the board of directors or other board or officer as shall be required by law to give such warrants or orders, and the said board or officer shall, between the first and twentieth days of June and December, draw a warrant for the amounts so reserved and deducted in favor of the custodian of the school moneys of the district or school in which such member shall be employed, and the said custodian shall, immediately upon receipt of any such warrant or order, forward to the secretary of the board of trustees of the Teachers' Retirement Fund the amount of money named therein, together with

a list of the names, the monthly salaries, the amounts deducted, and the percentage rates, respectively, of the persons from whose salaries the deduction represented thereby have been made. All moneys received by the secretary of the fund shall be transmitted to the state treasurer daily.

II. All moneys and property received by donation, gift, legacy, bequest, devise, or otherwise, for or on account of said fund.

III. All interest or investments, and other moneys which may be raised for the increase of said fund.

IV. The state board of equalization shall levy annually for the Teachers' Retirement Fund a sum equal to twenty cents for each child of school age in the state, as shown by the records in the office of the superintendent of public instruction: *Provided*, That said levy, together with the levy for the current school fund as provided in section 4600 of Remington and Ballinger's Annotated Codes and Statutes of Washington, shall not exceed five mills on the dollar. The state treasurer shall upon order of the superintendent of public instruction pay into said Retirement Fund the amount collected by virtue of the above levy.

SEC. 13. It shall be the duty of the board of trustees of the Teachers' Retirement Fund to invest such portion of said fund as the board shall from time to time deem possible without impairing its ability to pay all annuities, benefits and refunds due or likely to become due to members of the fund. Such investment may be made only in the following securities: Bonds of the United States government, State of Washington, or any county, school district or any municipal corporation in the State of Washington, the legality of any such county, school district, or municipal corporation bonds shall be first approved by the attorney general. After the investment of any portion of said fund, the income from the portion invested and all concurrent receipts shall first be exhausted in the payment of annuities before any part of the invested principal shall be applicable, the purpose of this provision being to establish a surplus fund, as permanent

as possible, to give security and stability to the enterprise.

SEC. 14. Any teacher as defined in section 1 shall be eligible to membership in this fund. Any person entitled to membership in the fund on or before March 1, 1915, must join on or before March 1, 1915, or not at all. Every teacher who shall be appointed for the first time to any position in this state on or after the first day of March, 1915, shall become a member of the fund by virtue of such appointment.

SEC. 15. Any person entitled to membership in said fund may join said fund on or before the first day of March, one thousand nine hundred and fifteen, by signing and delivering to the board of directors, board of trustees, or other board or officer by whom he or she shall be employed, or to the superintendent of public instruction, a notice substantially in the following form:

To the Board of Trustees of the Teachers' Retirement Fund:

You are hereby notified that I accept the provisions of the "Teachers' Retirement Fund Law," and that I do hereby agree to be bound thereby.

Dated..... Signed.....

SEC. 16. A copy of said notice shall be filed with the board of directors or other board or officers by whom he or she shall be employed, or with the state superintendent of public instruction. Along with notification of acceptance a teacher must furnish an affidavit of length of service to date of acceptance.

SEC. 17. Any member of said fund who shall cease to teach or be employed in the school or position in which he or she shall have been employed, and who shall be employed in any other school or position, shall immediately give written notice to the board of directors or other board or officer having control of the school or position in which he or she shall be employed, that he or she is a member of the Teachers' Retirement Fund, said notice shall direct that the prescribed per centum of his or her contractual monthly salary be deducted monthly

and forwarded semi-annually to the secretary of the board of trustees of the Teachers' Retirement Fund as hereinbefore provided. Such member shall send a copy of said notice, with his or her address, to the secretary of the board of trustees of the Teachers' Retirement Fund, and another copy of said notice to the superintendent of public instruction.

SEC. 18. It shall be the duty of all boards of directors or boards of trustees, or other officers charged with the appointment or engagement of persons entitled to membership in the Teachers' Retirement Fund, to learn if a person so appointed or engaged is a member of said fund, and if such be the case to deduct the percentage of such salary due to said fund from his or her contractual monthly salary and remit to the secretary of the board of trustees of the Teachers' Retirement Fund as is hereinbefore provided.

SEC. 19. This act shall not take effect, nor be in force until and unless the same shall be approved by the qualified electors of the state, at the next general election to be held on the first Tuesday after the first Monday of November, 1914, in accordance with that provision in section 1, of article 2, of the said constitution, as amended at the last general election, known as the referendum. The secretary of

state shall cause this act to be published in a general manner authorized by law for the publication of the initiative or referendum measures, provided that if no such general law shall be in force then this act shall be published in the same manner that proposed amendments to the constitution are published. There shall be printed upon the official ballot of said election the words "For teachers' retirement fund"..., "Against teachers' retirement fund"..., together with the usual provisions made for indicating the voter's choice. The votes cast thereon, unless otherwise provided by general law, shall be counted and returns thereof made to the secretary of state as other votes are counted and returned, who, after canvassing the same, shall certify the result thereof to the governor, who, if such act shall have been approved as provided in said section of the constitution, shall issue a proclamation to that effect.

Passed the Senate February 11, 1913.

Passed the House March 3, 1913.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 11, 1913.

I. M. HOWELL, Secretary of State.

AN ACT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed to the People by the Legislature, filed in the office of Secretary of State, March 25, 1913, commonly known as the Quincy Valley Irrigation Measure.

(Will appear on the official ballot in the following form)

PROPOSED TO THE PEOPLE BY THE LEGISLATURE.

REFERENDUM MEASURE NO. 2, entitled "An act providing for the construction, maintenance and operation of a system of storage and irrigation works for the purpose of irrigating lands in Grant, Adams, Chelan and Douglas counties, including lands in the Quincy valley; creating a state reclamation board, and providing for the sale of state bonds not exceeding \$40,000,000 in amount."

FOR Quincy Valley Irrigation Act.....	<input type="checkbox"/>
AGAINST Quincy Valley Irrigation Act.....	<input type="checkbox"/>

Referendum Measure No. 2.

BALLOT TITLE

"An act providing for the construction, maintenance and operation of a system of storage and irrigation works for the purpose of irrigating lands in Grant, Adams, Chelan and Douglas counties, including lands in the Quincy valley; creating a state reclamation board, and providing for the sale of state bonds not exceeding \$40,000,000 in amount."

AN ACT relating to the irrigation of lands in Grant, Adams, Chelan and Douglas counties known as Quincy Valley lands and lands in the neighborhood of the system which can be feasibly brought under the same source of water supply and providing for the construction, maintenance and operation of a system of storage and irrigation works for that purpose; said system to consist of storage and irri-

gation works for the impounding and storage of water in and about Lake Wenatchee and Fish Lake, in Chelan county, and their inlets, and in and about the Wenatchee River and its tributaries, and for the carriage and distribution of said impounded waters to said lands and to develop hydro-electric power incidental to the irrigation of said lands; and to provide for the creation of a state reclamation

board and defining its duties and powers, and for the issuance and sale of state bonds to create a fund for said construction, and to provide ways and means, exclusive of loans, by means of a sinking fund and an improvement fund created by this act, to pay the interest on said bonds as it falls due; and also to pay and discharge the principal amount of said bonds within twenty years from the time for the contracting thereof; and to provide for the maintenance and operation of said works by means of said improvement fund; and to provide for the submission of this act to a vote of the people of the State of Washington under and in accordance with the provisions of article eight (8) section three (3) of the constitution of this state and making appropriations to carry this act into effect.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. This act may be known and cited as the "Quincy Valley Irrigation Act."

SEC. 2. The main purpose of this act is as stated in the title hereof and this act is to be interpreted and construed so as to effectuate the said purpose; and the provisions of this act are to be liberally interpreted and construed to that end, and shall not be limited by any rule of strict interpretation or construction.

SEC. 3. The term board as used herein unless otherwise qualified shall be interpreted to mean the state reclamation board created by this act.

SEC. 4. District when used in this act shall be interpreted to mean an irrigation district duly and regularly organized under the laws of the state.

SEC. 5. The terms sinking fund, irrigation fund and improvement fund unless otherwise qualified, when used in this act shall be interpreted to mean Quincy Valley sinking fund, the Quincy Valley irrigation fund and the Quincy Valley improvement fund, respectively.

SEC. 6. The term state bonds unless otherwise qualified, when used in this

act shall be interpreted to mean the state bonds issued under and by virtue of this act.

SEC. 7. There shall be and there hereby is created a state reclamation board consisting of, *ex-officio*, the governor, state auditor, state treasurer, commissioner of public lands, and the state geologist; the governor shall be chairman of the board.

SEC. 8. The board created by section seven of this act shall have a secretary to be appointed by it, who shall hold office at its pleasure. The secretary shall keep full and accurate minutes and accounts of all transactions and proceedings of the board, and perform such other duties as may be required of him by the board. He shall receive an annual salary of two thousand five hundred dollars, to be paid out of the irrigation fund created by this act.

SEC. 9. It shall be the duty of the attorney general to represent and appear for the State of Washington and the board in all actions and proceedings involving any question under this act, or under or in reference to any act or order of the board, or its agents, and to that end he is authorized and required to institute, prosecute and defend all proper actions and proceedings.

SEC. 10. Said board shall organize promptly after the taking effect of this act upon its ratification by the people, and upon the call of the governor as chairman of said board, and it is hereby made the duty of the governor immediately after this act becomes operative as aforesaid to call the board together.

SEC. 11. As soon after the taking effect of this act as practicable the board shall determine with practical detail the feasibility of constructing the system of storage and irrigation works contemplated by this act. A two-thirds vote by ayes and nays shall be necessary to sustain the determination of feasibility. In reaching the determination of feasibility the board must make use of all examinations and surveys heretofore made and hereafter to be made by this state or the United

States and the board is hereby authorized to cause such examinations and surveys to be made by its engineers or other agents, as it may deem proper; and the board must, a reasonable time before reaching its determination of feasibility, convene a board of not less than three nor more than five civil and hydraulic engineers each qualified by technical training and practical experience, and of high standing and reputation in his profession, for the purpose of aiding the board in reaching its determination of feasibility, and the board shall submit to them all the facts bearing upon feasibility and obtain from them their opinion in writing as to the feasibility of the system of storage and irrigation works contemplated by this act and also to obtain from them suggestions in writing as to any desired modifications of the system, or any portion of it; and the board must before reaching its determination of feasibility, ascertain and determine and enter upon its permanent records the following facts:

(1) The quantity of water supply obtainable for the purpose of this act from the source contemplated by this act;

(2) The number of acres of good irrigable land which can be properly irrigated from said water supply so far as said supply is to be utilized by this act;

(3) The total cost of the completion of the system of storage and irrigation works provided for by this act, including the cost of water rights for supply and rights of ways and flooding rights;

(4) That an irrigation district has been duly and regularly organized under the laws of this state, including within its limits a sufficient quantity of good irrigable land, to render the said system feasible; the judgment of the board as to the quality and irrigability of the land for the purpose of said determination shall be final in any contest between the board and the district, or the board and any land owner in the district;

(5) That said irrigation district is ready, willing and able to contract with the state through said board,

for the purchase from the state of a perpetual water right to water from said system sufficient, in the judgment of the board, to irrigate the said irrigable lands included in said district and for maintenance of same; and has duly and regularly issued its bonds payable to the state bearing interest at the rate of not to exceed six per centum per annum to be determined by agreement between the board and the district, in the amount of forty million dollars and has delivered said bonds to the state through said board;

(6) The cost per acre to put water upon the land to be irrigated by the system contemplated by this act;

(7) The findings, conclusions, opinions and suggestions of said board of civil and hydraulic engineers;

(8) All other facts and all reasons, in addition to the foregoing, upon which said determination of feasibility is based.

SEC. 12. The system of storage and irrigation works provided for in this act must not be determined by the board to be feasible if, either, the total ascertained cost of the completion of said system exceeds forty million dollars, or the ascertained cost per acre to put the water upon the land to be irrigated by means of said system exceeds one hundred dollars per acre, or if the conclusions of said board of civil and hydraulic engineers are adverse to feasibility.

SEC. 13. Before the board shall proceed to make any of the examinations or surveys mentioned in section eleven of this act or contract any debts or liabilities whatsoever it shall require said district to duly and regularly issue its bonds to the state in the principal amount of forty million dollars payable in series as provided by irrigation district law, and to bear interest as hereinbefore and hereinafter provided and deliver the same to the board for the state and the same are by the board to be delivered to the state treasurer. The state treasurer shall at any time, upon the written request of the board sell said district bonds at not less than par and accrued interest, if any, in the same manner and subject to the rules as

provided for hereinafter for the sale of the state bonds. If said district bonds are sold as aforesaid the proceeds of same shall be placed in the sinking fund and the improvement fund in the proportion as hereinafter provided. If said bonds are not sold then the state treasurer shall safely keep same and faithfully collect the interest and principal as the same falls due and place the same in the said two last mentioned funds in the proportion as hereinafter provided. If, after the completion of the construction of said system of storage, it is determined that said construction has not cost the full sum of forty million dollars then the difference between said cost and said forty million dollars shall be returned by the state to said district, either in the said district bonds computed at their par value, or in money; and if in money then that sum of money which said sum so returned has earned as interest for the state while in the sinking fund shall also be returned to said district.

SEC. 14. If the board reaches the determination in the manner provided by this act that the construction of said system of storage and irrigation works is not feasible then said board must by resolution stop all further work and close up its affairs, pay its debts, and report with its findings and conclusions to the next succeeding legislature.

SEC. 15. Upon the determination by the board, after full compliance with sections eleven and twelve of this act, that said system of storage and irrigation works is feasible, then the board is authorized and directed to contract in the name of the state with the district as described in subdivisions five and six of section eleven of this act, to furnish a perpetual water right for all the irrigable land within said district for which there is a sufficient quantity of water available from the system contemplated, and to furnish water each year in sufficient quantity, in the judgment of the board, to irrigate said lands last mentioned and to maintain said system of storage and irrigation works: *Provided*, That in case of destruction of, or considerable injury to, said system, or any portion

thereof, by accident or act of God, the state shall not be required to rebuild or reconstruct said destroyed or injured portion or to furnish said annual water for irrigation until rebuilt or reconstructed by the state with funds furnished by the district, and said district is authorized and shall, in consideration of the agreement of the state to furnish said perpetual water right and maintenance agree to pay to the state the total cost of the complete construction of said system of storage and irrigation works in the manner provided by this act, and in addition thereto to pay the state the annual maintenance charged, at the times and in the manner and amounts to be fixed and determined by the board as soon as the state is ready to supply water, and to pay to the state the amount necessary to rebuild or reconstruct any destroyed or injured portion in this section as above stated by accident or act of God: *Provided*, That after the bonds to be issued by the state under this act are fully paid interest and principal, said annual maintenance charges shall be based upon the cost of maintenance and operation including the establishment of a sinking fund to rebuild and repair said works or any portion of them.

SEC. 16. After said contract is entered into and the said bonds of said irrigation district in the amount stated in section thirteen are delivered to said board and by it delivered to the state treasurer said board shall have power and it is hereby made its duty to construct with reasonable diligence said system of storage and irrigation works and to maintain the same. Said system to include a storage of water in and about Lake Wenatchee and Fish Lake in Chelan county, and their inlets and in and about the Wenatchee river and its tributaries, by means of one or more dams and the impounding and storage of water thereby and the carriage of the water from thence in a main conduit by a route to be selected by the board to some point in the Quincy Valley best adapted, in the judgment of said board, for distribution of the water upon said lands to be irrigated, and from thence through a number of primary and secondary

or lateral canals and flumes, as will in the judgment of the board, best serve the lands in Grant, Adams, Chelan and Douglas counties, known as the Quincy Valley lands, and all lands in the neighborhood of said system which can be feasibly served by the said system for the purposes of irrigation; and the board shall have the right to develop hydro-electric power and employ and dispose of same for irrigation pumping or for any other uses, provided only that such power development is incidental to the main purpose of said irrigation and necessary to the best attainment of the general objects of this act.

SEC. 17. Said board is hereby granted full and complete power of eminent domain in the name of the state for purposes of the acquisition and damaging of property for the construction and maintenance of said system as a whole, and as to each and all its parts and may proceed under any existing laws for the condemnation of private property for public uses, and said board is hereby granted full and complete power to purchase and acquire by donation or otherwise in the name of the state all lands and waters and other property including the right to damage property and also including reservoir sites and dam sites and water rights, necessary for the construction, maintenance and operation of said system, said lands or water or other property to be paid for out of the irrigation fund.

SEC. 18. In addition to other powers given in this act to said board it shall have full power to manage and conduct the business affairs pertaining to the construction, maintenance and operation of said system and to make, execute and deliver all proper contracts to carry the purpose of this act to a successful completion, and to employ and appoint a chief engineer and such other officers, agents and employes as it may require, and to prescribe their duties and to fix their compensation, and to discharge any officers, agents or employes at will; or to contract for a definite period of service if it so desires.

SEC. 19. The chief engineer must be qualified by technical training and

practical experience as a civil and hydraulic engineer and be of high standing and reputation in his profession. He shall have charge of the construction of said system under the board and he must devote his time exclusively to the prosecution of the work contemplated by this act, and shall accept no other employment of any kind during the period of his engagement by the board.

SEC. 20. For the purpose of providing a sinking fund for the payment of the indebtedness hereby authorized to be incurred by the said state reclamation board for the construction of said system of storage and irrigation works in the counties of Chelan, Douglas, Grant and Adams, in the State of Washington, at a cost not to exceed forty million dollars, the state treasurer shall, immediately after the taking effect of this act, prepare bonds of the State of Washington, in denominations of one hundred to one thousand dollars each, in such proportion of denomination as requested in writing by the board. The whole issue of said bonds shall not exceed the sum of forty million dollars, and said bonds bear interest at a rate not to exceed five per centum per annum from the time of the sale thereof, respectively, and both principal and interest shall be payable in gold coin of the United States of America of present standard of value in ten series, as follows, to-wit: at the expiration of ten years and nine months, five per centum of the whole amount of bonds; at the expiration of eleven years and nine months six per centum of the whole amount of bonds; at the expiration of twelve years and nine months seven per centum of the whole amount of bonds; at the expiration of thirteen years and nine months eight per centum of the whole amount of bonds; at the expiration of fourteen years and nine months nine per centum of the whole amount of bonds; at the expiration of fifteen years and nine months ten per centum of the whole amount of bonds; at the expiration of sixteen years and nine months eleven per centum of the whole amount of bonds; at the expiration of seventeen years and nine months thirteen per

centum of the whole amount of bonds; at the expiration of eighteen years and nine months fifteen per centum of the whole amount of bonds; at the expiration of nineteen years and nine months sixteen per centum of the whole amount of bonds. Said bonds shall bear the date of the second day of August, A.D. nineteen hundred and fifteen. The interest accruing on such of said bonds as are sold, shall be due and payable at the office of said state treasurer or at the fiscal agency of this state in New York city on the second day of February and on the second day of August of each year after the sale of the same: *Provided*, That the first payment of interest shall be made on the second day of August, nineteen hundred sixteen on so many of said bonds as may have been theretofore sold. At the expiration of nineteen years and nine months from the date of said bonds all bonds sold shall cease to bear interest, and the treasurer shall call in, forthwith pay and cancel all outstanding bonds out of the moneys in the sinking fund provided for in this act, and he shall on the second day of August nineteen hundred thirty-five, also cancel and destroy all said bonds theretofore sold. All bonds issued shall be consecutively numbered in the order of issue and shall be signed by the governor and countersigned by the state auditor and shall be endorsed by the state treasurer, and each shall have the seal of the state stamped thereon.

SEC. 21. Interest coupons shall be attached to each of said bonds, so that such coupons may be removed without injury to or mutilation of the bond. Said coupons shall be consecutively numbered and shall be signed by the state treasurer: *Provided*, That said signature may be engraved or lithographed thereon, but no interest on any of said bonds shall be paid for any time which may intervene between the date of said bonds and the issue and sale thereof to the purchaser, and the state treasurer must adjust and remove the coupons so as to bring this about, and the determination of the state treasurer as to the time when interest begins to run shall be final and binding.

SEC. 22. The sum of five thousand dollars is hereby appropriated to pay the expenses that may be incurred by the state treasurer in having said bonds prepared and issued, and in advertising the sale and the sale of the same. Said amount or so much as shall be necessary shall be paid out of the irrigation fund.

SEC. 23. When the bonds authorized to be issued under this act shall be duly issued and executed, they shall be, by the state treasurer, when directed by a resolution of the board so to do, sold at public sale to the highest bidder for cash, in such parcels and numbers as said treasurer shall be directed by the board by the resolution directing such sale; but said treasurer must reject any and all bids for said bonds or any of them, which shall be below the par value of said bonds so offered; and he may, by public announcement at the place and time fixed for the sale, continue such sale, as to the whole of the bonds offered, or any part thereof, to such time and place as he may select and so announce. Due notice of the time and place of sale of all bonds must be given by said treasurer by publication in one newspaper published in each of the following cities in this state: Seattle, Spokane and Tacoma, once each week for four successive weeks prior to such sale. Such additional notice of sale may be given as shall be deemed advisable by the board. The proceeds of the sale of such bonds shall be forthwith paid over by said treasurer into the state treasury, and must be by the said treasurer kept in a separate fund, to be known and designated as the "Quincy Valley Irrigation Fund," and must and can be used and applied only to the specific object of the construction of the system of storage and irrigation works, in this act authorized to be constructed. Warrants upon said fund shall be drawn upon and shall be paid out of said fund in the same manner as warrants are drawn upon any part of the general fund of the state. And it is hereby made the duty of the state treasurer and the board to annually, on or before the first day of August of each year, notify in writing the board of directors of the

district of the number of state bonds which will be sold during the coming year and it is hereby made the duty of said district directors to use said amount as a basis and upon said basis to make the levy of district taxes for the said coming year.

SEC. 24. For the payment of said state bonds a sinking fund to be known and designated as the "Quincy Valley Sinking Fund" shall be and the same hereby is created and there shall be paid into said fund:

(1) All sums which shall be collected by the state treasurer by reason of payments by said district on account of the principal sums due on its bonds or any part of them;

(2) All sums which shall be collected as interest arising from said district bonds to the extent only of the rate of interest payable by the state upon its own bonds, the balance of said interest to be paid into the improvement fund hereafter mentioned.

(3) The proceeds of all sales by the state of said district bonds less only the difference between the rate of interest payable by the state upon its own bonds and the rate on the district bonds which difference shall go in said improvement fund.

(4) All interest received as the result of the investment of all or any part of the said sinking fund and the principal as provided in the next preceding section.

SEC. 25. The state treasurer shall upon the request in writing of the board and on the state auditor's warrant drawn for that purpose invest and re-invest any moneys in said sinking fund, not then needed to meet the obligations of said sinking fund in the purchase of bonds of the United States or of the State of Washington, including the state bonds issued under this act, and in any county, municipal or school district bonds of this state all of which bonds when so purchased shall be safely kept by the state treasurer in a proper receptacle appropriately labeled; but the treasurer must retain in the sinking fund a sufficient sum of money with which to pay the interest next falling due on such of said bonds herein provided to be is-

sued as may have been theretofore sold. The state treasurer upon the request in writing of the board shall sell any of said bonds so purchased for investment at not less than the purchase price thereof and interest, to be sold in the same manner as the sale of the state bonds issued under this act, and all of the proceeds thereof, less the costs of sale, shall be placed in the said sinking fund: *Provided*, That said bonds in this section mentioned may be sold upon a basis of net interest return equal to the basis upon which they were purchased. The state treasurer shall faithfully collect all interest accruing on said investment bonds and place same in said sinking fund.

SEC. 26. There is also hereby created a fund to be known and called the "Quincy Valley Improvement Fund," and there shall be placed in this fund:

(1) That part of the receipts from the interest collected by the state treasurer from the district bonds less the amount representing the rate of interest payable by the state on its bonds issued under this act.

(2) That part of the proceeds of the sale of said district bonds less the amount representing the rate of interest payable by the state referred to in subdivision (1) herein, when said bonds are sold with accrued interest.

(3) All water power and service rentals including water charges.

(4) And when it is certain that there is enough money in the said sinking fund to pay the full amount of all state bonds issued under this act or which can legally be issued, both principal and interest, then all proceeds from whatever source under this act shall be placed in said improvement fund.

SEC. 27. Said improvement fund may be used by said board upon proper warrants by the state auditor for the purposes of maintenance and operation of said system until it is needed for said purposes it must by the state treasurer be temporarily transferred upon the written request of the board, into either the irrigation or the sinking fund for the proper uses of either of said funds to be returned by the state treasurer out of the first moneys

received which would otherwise go into the fund to which the transfer was thus made, and if, in the judgment of the board, it is desirable, all or any portion of said improvement fund may be invested and re-invested in the same manner and subject to the same rules as provided in section twenty-five.

SEC. 28. The interest on said irrigation district bonds in the hands of the board or state treasurer shall not begin to run until the state has sold all or some portion of said state bonds issued under this act and in that case only on such a portion of said district bonds as equal in amount the portion of the state bonds so sold; and as fast as the state treasurer shall sell any portion of said state bonds interest shall begin to run on a like amount of said irrigation district bonds. But if the state treasurer shall sell any or all of said irrigation district bonds then interest shall begin to run on so many as are so sold from the day of such sale.

SEC. 29. The state auditor and the state treasurer shall keep full and particular accounts and records of all their proceedings under this act, and they shall transmit to the governor an abstract of all such proceedings thereunder, with an annual report to be by the Governor laid before the legislature biennially; and all books and papers pertaining to the matter provided for in this act shall at all times be open to the inspection of any party interested, or the governor, or the attorney general, or a committee of either branch of the legislature, or a joint committee of both, or of any citizen of the state.

SEC. 30. It shall be the duty of the state treasurer to pay the interest of said bonds, when the same falls due, out of the sinking fund provided for in this act, on the state auditor's warrant duly drawn for that purpose; and it is hereby made the duty of said auditor to draw his warrant for that purpose when said interest is about to fall due.

SEC. 31. This act, if adopted by the people, shall take effect on the thirty-first day of December, A. D. nineteen

hundred fourteen, as to all its provisions except those relating to and necessary for its submission to the people, and for returning, canvassing, and proclaiming the vote, and as to said excepted provisions of this act shall take effect as soon as may be under the provisions of the state constitution and its amendments.

SEC. 32. This act shall be submitted to the people of the State of Washington for their ratification at the next general election, to be held in the month of November, A. D. nineteen hundred fourteen; and all ballots of said election shall have printed thereon, and at the end thereof, the words, "For Quincy Valley Irrigation Act," and in a separate line under the same, "Against Quincy Valley Irrigation Act," and opposite each of said lines there shall be left spaces in which the voter may make a cross to indicate whether he votes for or against the said act, and those voting for said act shall do so by placing a cross opposite the words "For Quincy Valley Irrigation Act," and all those voting against said act shall do so by placing a cross opposite the words, "Against Quincy Valley Irrigation Act."

SEC. 33. The governor of this state shall include the submission of this act to the vote of the people as aforesaid in his proclamation calling for said general election.

SEC. 34. The secretary of state shall cause this act to be submitted to the people of this state and the same to be published in at least one newspaper in each county, if one be published therein, throughout the state, for three months next preceding the election at which it is submitted to the people as herein provided. And the sum of ten thousand (10,000) dollars or so much thereof as may be necessary is hereby appropriated to pay for said publication, the same to be paid out of the general fund of the state.

SEC. 35. The votes cast for or against this act by the people shall be counted, returned and canvassed and declared in the same manner and subject to the same rules as votes cast for state officers; and if it appear that said

act shall have received sixty per cent. of all the votes cast for and against it at such election, as aforesaid, then the same shall be in effect as provided in section 31 of this act, and shall be ir-repealable until the principal and interest of the liabilities created by virtue of this act shall be paid and discharged, and the governor shall make proclamation thereof; but if more than forty per cent. of all votes cast for and against this act at said election are cast against this act then the same shall be and become void: *Provided*, That the vote upon such question or

measure shall equal one-third of the total vote cast at such election and not otherwise.

SEC. 36. All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

Passed the Senate March 10, 1913.

Passed the House March 12, 1913.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 25, 1913.

I. M. HOWELL, Secretary of State.

AN AMENDMENT

TO BE SUBMITTED TO THE LEGAL VOTERS OF THE STATE OF WASHINGTON FOR THEIR APPROVAL OR REJECTION

AT THE

GENERAL ELECTION

TO BE HELD

On Tuesday, the Third day of November, 1914,

Proposed by the Legislative Assembly and Approved March 19, 1913, in accordance with Section I, Article XXXIII of the Constitution of the State of Washington, filed in the office of Secretary of State, March 19, 1913, commonly known as Alien Land Law.

(Will appear on the official ballot in the following form)

AMENDMENT TO THE CONSTITUTION PROPOSED BY THE LEGISLATURE.

Entitled "An amendment of Section 33, Article 2 of the State Constitution, enabling alien residents of this state to acquire by purchase and hold lands lying within municipal corporations, and providing for the escheat of such lands to the common school fund in case the owner thereof becomes a non-resident of the state for the term of five years."

FOR the proposed amendment to Section 33 of Article 2 of the Constitution providing for the ownership of lands by aliens.....

☐

AGAINST the proposed amendment to Section 33 of Article 2 of the Constitution providing for the ownership of lands by aliens.....

☐

AMENDMENT TO THE CONSTITUTION PROPOSED BY THE LEGISLATURE CONCISE STATEMENT.

"An amendment of section 33, article 2 of the state constitution, enabling alien residents of this state to acquire by purchase and hold lands lying within municipal corporations, and providing for the escheat of such lands to the common school fund in case the owner thereof becomes a non-resident of the state for the term of five years."

PROPOSED CONSTITUTIONAL AMENDMENT PERMITTING RESIDENT ALIENS TO OWN REAL PROPERTY IN CITIES.

AN ACT providing for the amendment of section 33 of article 2 of the constitution of the State of Washington, relating to the ownership of lands by aliens.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That at the general election to be held in this state on the Tuesday next after the first Monday in November, 1914, there shall be submitted to the qualified electors of the state, for their adoption and approval or rejection, an amendment to section 33 of article 2, of the constitution of

the State of Washington, so that the same shall read, when so amended as follows:

Section 33. The ownership of lands by aliens, other than those who in good faith have declared their intention to become citizens of the United States, is prohibited in this state, except where acquired by inheritance, under mortgage or in good faith in the ordinary course of justice in the collection of debts; and all conveyances of lands hereafter made to any alien directly, or in trust for such alien, shall be void: *Provided*, That the provisions of this section shall not apply to lands con-

taining valuable deposits of mineral, metals, iron, coal, or fire clay, and the necessary land for mills and machinery to be used in the development thereof, and the manufacture of the products therefrom. Every corporation, the majority of the capital stock of which is owned by aliens, shall be considered an alien for the purpose of this prohibition. *Provided, however,* That this section shall not apply to conveyances of lands lying wholly within the limits of municipal corporations when made to resident aliens. In the event of a resident alien becomes a non-resident for the term of five years, his interest in lands in the State of Washington shall be vested in the common school fund.

SEC. 2. The secretary of state is hereby directed to cause the amendment proposed in section 1 of this act to be published for three months next preceding the said election mentioned in section one hereof, in some weekly newspaper in every county where a newspaper is published throughout the state.

SEC. 3. There shall be printed on

all ballots provided for the said election the words:

"For the proposed amendment to section 33 of article 2 of the constitution providing for the ownership of lands by aliens."

"Against the proposed amendment to section 33 of article 2 of the constitution providing for the ownership of lands by aliens."

SEC. 4. If it shall appear from the ballots cast at the said election that a majority of the qualified electors voting upon the question of the adoption of said amendment have voted in favor of the same the governor shall make proclamation of the same in the manner provided by law, and the said amendment shall be held to have been adopted and to have been a part of the constitution from the time of such proclamation.

Passed the House February 6, 1913.

Passed the Senate March 11, 1913.

Approved by the Governor March 19, 1913.

STATE OF WASHINGTON—ss.

Filed in the office of the Secretary of State, March 19, 1913.

I. M. HOWELL, Secretary of State.

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