

# 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.