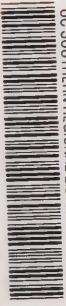


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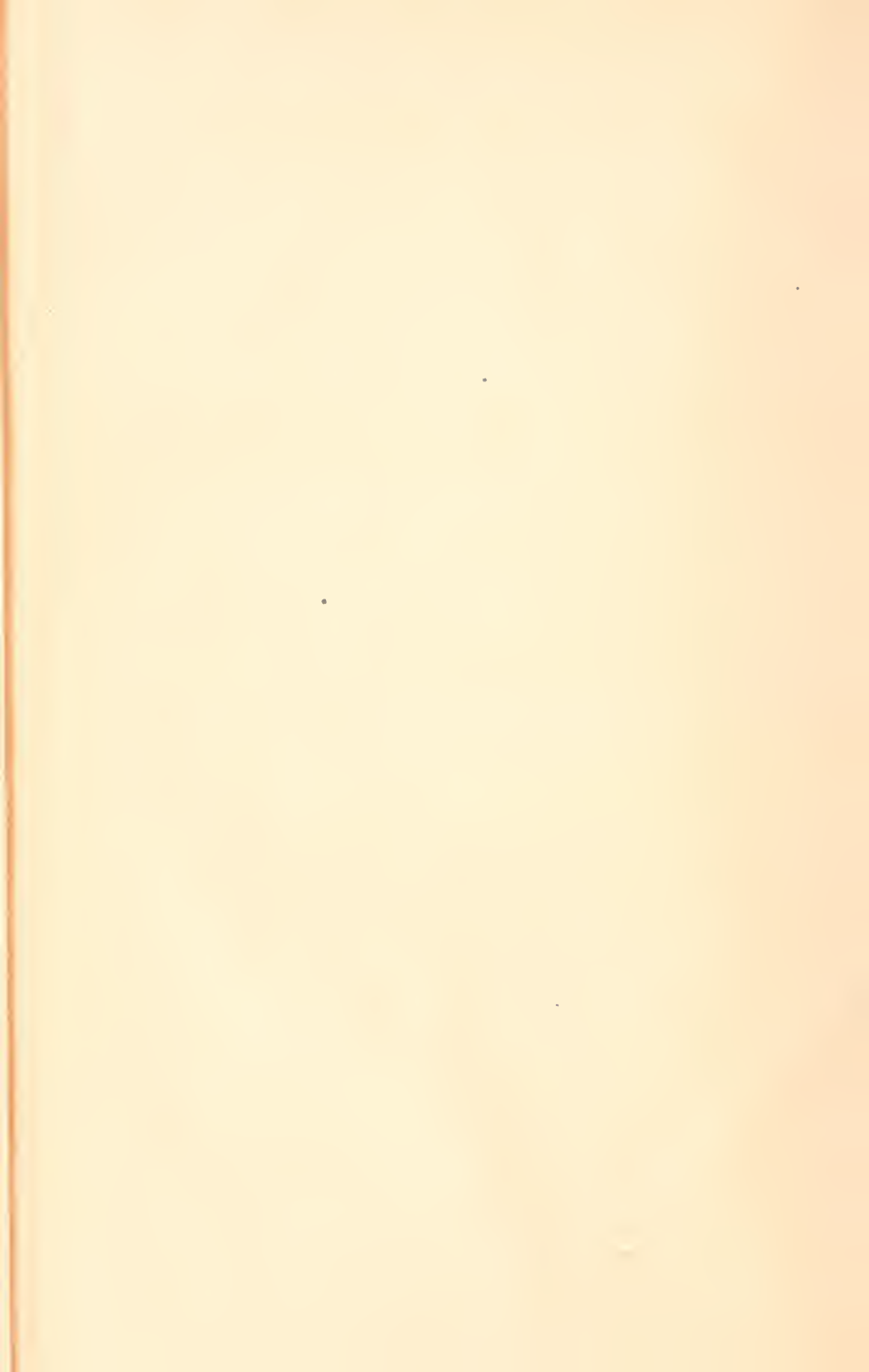




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100  
Code of Public Instruction

OF THE

STATE OF WASHINGTON,

WITH

APPENDIX.

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PUBLISHED BY AUTHORITY.

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## INTRODUCTION.

The school laws set forth one of the duties of the superintendent of public instruction as follows: “*Sixth*, To cause to be printed, with an appendix of appropriate forms and instructions for carrying into execution the laws relating to public schools, and to distribute to each county superintendent a sufficient number of copies to supply each district officer, and to cause the same to be printed and distributed as often as any change in the laws makes it of sufficient importance, in his opinion, to justify the same.”

FRANK J. BROWNE,

*Superintendent of Public Instruction.*



# OUTLINE OF PUBLIC SCHOOL SYSTEM.

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## CODE OF PUBLIC INSTRUCTION.

AN ACT to establish a general, uniform system of public schools in the State of Washington, and repealing chapter VI of title III, chapter VII of title V, all of title X except chapter XVII, chapter IV of title L, all being of volume I of Hill's Annotated Statutes and Codes of Washington; also repealing all amendments thereto; also repealing an act entitled "An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another," approved March 9, 1893; also repealing an act entitled "An act to provide for the management and control of state normal schools in the State of Washington," approved March 10, 1893, and all amendments thereto; also repealing an act entitled "An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency," approved February 26, 1895; also repealing an act entitled "An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor," approved March 1, 1895; also repealing an act entitled "An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts, and declaring an emergency," approved March 13, 1885.

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

### TITLE I.—DIVISIONS OF TERRITORY.

#### CHAPTER 1.—THE STATE.

SECTION 1. A general and uniform system of public schools shall be maintained throughout the State of Washington, and shall consist of common schools (in which all high schools shall be included), normal schools, technical schools, university of Washington, school for defective youth and such other educational institutions as may be established and maintained by public expense.

State system  
of schools.



## CHAPTER 2.—THE COUNTY.

SEC. 2. For purposes of supervision and administration each county in the state shall constitute one county district.

## CHAPTER 3.—THE DISTRICT.

School district defined.

SEC. 3. The term "school district," as used in this act is declared to mean the territory under the jurisdiction of a single school board designated as "board of directors," and shall be organized in form and manner as hereinafter provided, and shall be known as district No. \_\_\_\_\_ county: *Provided*, That all school districts now existing, as shown by the records of the county superintendents, are hereby recognized as legally organized districts.

Organization of new district.

SEC. 4. For the purpose of organizing a new district, a petition in writing shall be made to the county superintendent, signed by at least five heads of families residing within the boundaries of the proposed new district, which petition shall describe the boundaries of the proposed new district and give the names of all the children of school age residing within the boundaries of such proposed new district at the date of presenting said petition. The county superintendent shall give notice to the parties interested by causing notices to be posted at least twenty (20) days prior to the time appointed by him for considering said petition, in at least three of the most public places in the proposed new district, and one on the school house door of each district affected by the proposed change, or if there be no school house, then in one of the most public places of said old district, and shall, on the day fixed in the notice, proceed to hear said petition, and if he deem it advisable to grant the petition he shall make an order establishing said district and describing the boundaries thereof, and shall certify his action to the board of county commissioners at their next regular meeting: *Provided*, That when in the formation or alteration of any school district, or in the refusal of a county superintendent to form or alter a school district as prayed for, if any person affected by such formation or alteration, or by such refusal to form or alter a school district as prayed for, shall feel aggrieved by the action of the county superintendent, he may appeal to the board of county commissioners of his county. Said appeal shall be filed with the clerk of the board of county commissioners within twenty days after the action complained of, and shall state in a clear and concise manner the matters

Notice of meeting.

Appeal to county commissioners.



complained of, which statement shall be verified by the affidavit of the appellant or appellants. Copies of the notice of appeal shall be filed with the county superintendent and with the clerk of each school district affected by the appeal, at the time of filing said notice with the clerk of the board of county commissioners. The county commissioners shall, at their next regular meeting, appoint a time and place when such appeal shall be heard. At such appointed time and place they shall hear and determine said appeal, and shall have power to summon witnesses, and their action shall be final.

Hearing of appeal.

SEC. 5. For the purpose of transferring territory from one district to another, or enlarging the boundaries of any school district, a petition in writing shall be presented to the county superintendent, signed by a majority of heads of families residing in the territory which it is proposed to transfer or include, which petition shall describe the change which it is proposed to have made. It shall also state the reason for desiring said change, and the number of children of school age residing in the territory to be transferred. The county superintendent shall file said petition in his office, and shall give notice to parties interested by causing to be posted notices at least twenty days prior to the time appointed by him for considering said petition, one of which shall be in a public place in the territory which it is proposed to be annexed or transferred, and one on the door of the school house in each district affected by the change, or if there be no school house in such district, then in some public place in such district or districts; and at the time stated in said notices he shall proceed to hear said petition, and if he deem it advisable he shall grant the same and make an order fixing the boundaries of the districts affected by his action, and shall certify his action to the board of county commissioners at their next regular meeting: *Provided*, That an appeal may be taken, as provided

Changing boundaries.

Notice of meetings.

for in section four of this chapter.

Appeal.

SEC. 6. In forming new districts, or transferring territory from one district to another, or changing boundaries of districts, no school district shall contain less than four sections of land, unless said district can support six months' school per year after such change of territory.

Not less than four sections.

SEC. 7. That any school district may purchase, under the provisions of law governing the sale thereof, a school house site or sites of not less than one acre nor more than five acres each, of any school lands of the State of Washington.

School house site.

Preference  
right to  
purchase.

SEC. 8. That in all cases when a school house is or may be erected upon any school lands of this state the school district to which such school house belongs shall have the preference right for six months after the filing of the final appraisal of such school lands not already appraised, to purchase school house sites to include the lands occupied by such school houses, at the appraised value thereof.

#### CHAPTER 4.—JOINT AND UNION DISTRICTS.

##### ARTICLE I.—UNION SCHOOLS.

Organization.

SEC. 9. Whenever the residents of two or more school districts may wish to unite for the purpose of establishing a union or graded school, the clerks of said districts, by order of the boards of directors, shall, upon a written or printed petition of five or more heads of families of their respective districts, call a meeting of the voters of such districts at some convenient place, by posting written or printed notices in like manner as is provided for calling annual school district elections; and if a majority of the voters of each district shall vote to unite for the purpose herein stated, the boards of directors of the several districts so voting to unite shall constitute the board of directors of such union district, and shall, within ten days thereafter, meet and organize by electing one of their number president of the board, and selecting a clerk for such union district; and the clerk and president chosen at such meeting shall hold their respective offices until the next annual school district election and until their successors are elected; and the election of president and clerk shall occur annually thereafter, on the second Saturday next succeeding the annual school district election.

Officers.

Powers of the  
union board.

SEC. 10. The board of directors and clerk provided for in the preceding section shall, in all matters relating to the union or graded schools of such districts, possess all the powers, discharge all the duties and be governed by the laws herein provided for school district officers, and the clerk of such union district shall, immediately upon his election, inform the county superintendent of the organization of the district.

Course of  
study.

SEC. 11. The directors of such union districts shall determine what grade or grades of pupils shall attend such union schools, and shall determine the course of study that shall be pursued in such schools: *Provided*, That such course of study

shall not be inconsistent with the laws of this state; and all expenses of such union schools shall be borne by the districts so uniting in proportion to the amount of funds apportioned to each district by the county superintendent, and the board of directors of each district shall issue warrants of their districts for such amounts.

ARTICLE II.—CONSOLIDATED DISTRICTS.

SEC. 12. When two or more school districts are consolidated by the provisions of this act, or where two or more districts are consolidated by the uniting of two or more incorporated cities or towns, as provided by law, all the directors of the several districts so consolidated shall constitute the board of directors of the new district so formed, and shall have all the powers and authority conferred by the laws of this state upon school district officers until the next annual school election in said district, at which time there shall be elected three directors and one clerk for said district, in the manner provided by law, who shall hold their respective offices as provided for the officers of new districts; and the county superintendent of any county in which new districts are formed by the uniting of two or more cities or towns, or by the incorporating of any city or town lying partly in two or more school districts, shall, upon being notified of such action by the clerk or by the board of directors of such new district, proceed to designate such new district by a number not the same as that of either component district or of any existing district, and to make a record of the boundaries thereof, and he shall certify such facts to the board of county commissioners, to the county treasurer and to the clerk of the new district thus formed.

Expenses.

Organization.

Officers and their powers.

Number of consolidated district.

SEC. 13. All school districts formed by the uniting of two or more city or town districts, as provided for in this act, shall be entitled to the funds and other public property of the other school districts so united, and the county superintendent shall apportion all funds to the new district in accordance with this provision and shall certify such apportionment to the county treasurer.

Property belonging to the consolidated district.

SEC. 14. Each school district composing said consolidated district shall retain its corporate existence so far as and until its indebtedness has been paid in full, and the officers of said new district shall have the power and it shall be their duty

Component districts retain their corporate existence.

to provide by appropriate levies upon such old district as may be necessary for the payment of indebtedness: *Provided*, That when such payment of indebtedness is fully made the clerk of the district shall enter the fact upon the records of the district and report the same to the county superintendent of schools.

Organization  
of board of  
directors.

SEC. 15. When two or more school districts shall be united by the provisions of this act, the boards of directors of the several districts so united shall, within thirty days thereafter, meet and organize the new board by the election of one of their number as president of the board. They shall also elect a clerk for said district, and the clerks of the several districts so united shall deliver to said clerk all books, papers and records belonging to their respective offices. The clerk of the new district thus formed shall immediately notify the county superintendent of the organization of the new district.

#### ARTICLE III.—JOINT DISTRICTS.

When formed.

SEC. 16. When the public good requires it, a school district may be formed of contiguous territory lying in two or more counties, and such districts shall be known as joint districts. They shall be designated by a separate number for each county in which any portion of their territory may lie.

Organization.

SEC. 17. For the purposes of forming such joint districts, a petition shall be presented, drawn and signed as prescribed for the formation of other school districts; but such petition shall be presented in duplicate to the superintendent of each county affected by the proposed district, and the superintendent of each such county shall post notices of the hearing of the petition before him as in the case of petitions for other districts: *Provided*, That at least one notice shall be posted in each county affected, such notice being posted in a public place within the boundaries of the proposed joint district. Each county superintendent shall conduct his hearing within his own county, and the consent of the superintendents of all the counties affected shall be necessary to the formation of the district.

Election of  
officers.

Such consent shall be certified in writing by each superintendent to each of the others, and when all have consented they shall jointly issue a call for a special election in such joint district for the purpose of selecting officers for said district. The call for such election shall be posted as in the case of other special elections, and the officers elected shall qualify

within two days after the election. Such officers shall serve only until the next regular annual election, when a full set of officers shall be elected as provided in the case of other new districts. Every director or clerk of the joint district shall file his certificate of election and oath of office with the county superintendent of each county in which any portion of his district lies, and he shall file his signature as required by law in the office of the county treasurer of each such county. Vacancies in the office of director or clerk of a joint district shall be filled by appointment by the county superintendent in whose county the officer vacating resided while serving, and a copy of such appointment, with the oath endorsed thereon, shall be filed in the office of each county superintendent.

SEC. 18. All reports from joint districts shall be made in full to the county superintendent of each county affected thereby: *Provided*, That any county superintendent may order the segregation, of any items of such report so as to show separately the numbers or amounts from each county affected thereby: *And provided further*, That for the purpose of the apportionment of state school funds the district shall be considered as belonging to the county in which the school building is located.

## TITLE II.—OFFICERS, THEIR POWERS AND DUTIES.

### CHAPTER 1.—ADMINISTRATIVE OFFICERS.

SEC. 19. The administration of the public school system shall be entrusted to a state superintendent of public instruction, a state board of education, a board of higher education, regents or trustees for educational institutions, county superintendents of common schools, boards of directors and district clerks.

### CHAPTER 2.—SUPERINTENDENT OF PUBLIC INSTRUCTION.

SEC. 20. A superintendent of public instruction shall be elected by the qualified electors of the state, on the first Tuesday after the first Monday in November of the year in which state officers are elected, and shall hold his office for the term of four years, and until his successor is elected and qualified.

SEC. 21. The superintendent of public instruction shall receive an annual salary of twenty-five hundred dollars, payable monthly, upon warrant of the state auditor, drawn upon the



state treasurer, in the same manner as other state officers are paid.

Powers and duties.

SEC. 22. The powers and duties of the superintendent of public instruction shall be—

Supervision.

*First:* To have supervision over all matters pertaining to the public schools of the state.

Reports.

*Second:* To report biennially to the governor on or before the first day of November preceding the regular session of the legislature, of which report three thousand copies shall be printed and delivered to the superintendent of public instruction, who shall furnish two copies to be deposited in the state library, one copy to each county superintendent of schools, and one copy to each district library. Said report shall contain a statement of the general condition of the public schools of the state, with full statistical tables, by counties, showing the number of schools and the attendance; the state and county school funds apportioned, amount received from special tax and from other sources, amount expended for salaries of teachers, the salaries paid by the several counties to the county superintendent of schools, and the amount paid him for incidentals and expenses; the amount paid for building and providing school houses, furniture and apparatus; the amount of bonded or other school indebtedness, with the rate of interest paid thereon; the reports of all state educational institutions, or such portions of them as he may think advisable, together with such other facts as he may deem of general interest. He shall also include in his report a statement of plans for the management and improvement of the schools.

To prepare blanks.

*Third:* To prepare and have printed such blanks, forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of teachers, and such other blanks and books as may be necessary for the discharge of the duties of teachers and officers charged with the administration of the laws relating to the common schools; and to distribute the same to the county superintendents.

To travel.

*Fourth:* To travel in the different counties of the state where public schools are taught, without neglecting his other official duties as superintendent of public instruction, for the purpose of visiting schools, of consulting the county superintendents, and of addressing public assemblages on subjects pertaining to public schools; also to conduct such correspond-

ence as may enable him to obtain all necessary information relating to the system of public schools in other states.

*Fifth:* To submit to the state auditor a monthly statement <sup>Expenses.</sup> of his expenditures for traveling expenses: *Provided*, That said expenditures shall not exceed eight hundred dollars in any one year.

*Sixth:* To cause to be printed, with an appendix of appropriate forms and instructions for carrying into execution the laws relating to public schools, and to distribute to each county superintendent a sufficient number of copies to supply each district officer, and to cause the same to be printed and distributed as often as any change in the laws makes it of sufficient importance, in his opinion, to justify the same. <sup>To publish laws.</sup>

*Seventh:* To act as *ex officio* president of the state board of education. <sup>President of state board.</sup>

*Eighth:* To hold biennially, on or before the first day of May following the election of county superintendents, a convention of the county superintendents of the state, at such time and place as he may deem convenient, for the discussion of questions pertaining to the supervision and administration of the school laws, and such other subjects affecting the welfare and interests of the common schools as may be brought before it. <sup>Hold convention of county superintendents.</sup>

*Ninth:* Upon the receipt from the state auditor of a certificate of the state school fund subject to apportionment, to apportion within ten days said fund among the several counties of the state, in proportion to the total days' attendance: *Provided*, That each school district shall be credited with at least two thousand total days' attendance. The basis of said apportionment shall be the last annual reports of the several county superintendents on file in his office at the time of making his apportionment. <sup>Apportion school fund.</sup>

*Tenth:* To require annually, on or before the fifteenth day of August, of the president, manager or principal of every seminary, academy or private school, and of the president, manager or principal of every state educational institution in this state, a report of such facts arranged in such form as he may prescribe, and he shall furnish blanks for such reports, and it is made the duty of every such president, manager or principal to fill up and return such blanks within such time as the superintendent of public instruction shall direct. <sup>Reports from private schools.</sup>

*Eleventh:* To keep in his office a directory of all boards of regents and trustees of state educational institutions, of the <sup>Keep an educational directory.</sup>

faculties of said institutions, and of all teachers receiving certificates to teach in the common schools of this state.

Grade examination papers and issue certificates.

*Twelfth:* To grade and make record of the standing of all examination papers submitted to him by county superintendents, and to issue certificates thereon as provided by law.

Office at the capital.

*Thirteenth:* To keep in his office at the capital of the state all books and papers pertaining to the business of his office, and to keep and preserve in his office a complete record of statistics and all matters pertaining to the educational interests of the state, as well as a record of the meetings of the state board of education. He shall file all papers, reports and public documents transmitted to him by the school officers of the several counties of the state each year, separately. Copies of all papers filed in his office, and his official acts, may be certified by him and attested by his official seal, and when so certified shall be evidence equally and in like manner as the original papers.

Decide appeals.

*Fourteenth:* To decide all points of law which may be submitted to him in writing by any county superintendent, or that may be submitted to him by any other person upon appeal from the decision of any county superintendent, and shall publish his rulings and decisions from time to time, for the information of school officers and teachers; and his decisions shall be final unless set aside by a court of competent jurisdiction.

To deliver to his successor.

*Fifteenth:* To deliver over to his successor at the expiration of his term of office, all records, books, maps and documents, and papers of whatever kind belonging to his office, or which may have been received by him for the use of his office.

Deputy and stenographer.

SEC. 23. The superintendent of public instruction is hereby authorized to appoint a stenographer, and also a deputy superintendent of public instruction, who shall hold a life diploma. The compensation of both shall not exceed twenty-five hundred dollars per annum, and shall be paid in the manner prescribed for the payment of state officers.

#### CHAPTER 3.—STATE BOARD OF EDUCATION.

Appointment.

SEC. 24. The governor shall appoint, by and with the advice and consent of the state senate, four suitable persons, at least two of whom shall be selected from those actually engaged in teaching in the common schools of the state, and who hold life diplomas issued by authority of this state, who, together with the superintendent of public instruction, shall



constitute the state board of education. The persons appointed shall hold their office for two years from the first Monday in March next following their appointment, and shall serve until their successors are appointed and qualified. Term of office

SEC. 25. The state board of education shall hold an annual meeting at the capital of the state on the first Tuesday in June of each year, and may hold such special meetings as may be deemed necessary for the transaction of public business, such special meetings to be called by the superintendent of public instruction. The persons appointed as members of the board of education shall be paid for their services the actual expenses incurred in the performance of their duties, which expenses shall be paid by the state treasurer, on warrant of the state auditor, out of funds not otherwise appropriated, upon the certificate of the superintendent of public instruction: *Provided*, That the expenses of the whole board shall not exceed the sum of one thousand dollars in any one year. Meetings.  
Expenses.

SEC. 26. Whenever any vacancy in the board shall occur, whether by death, removal, resignation or otherwise, the governor shall fill the vacancy by appointment. Vacancies.

SEC. 27. The state board of education shall have power— Powers and duties.  
*First:* To adopt or to readopt, according to law, at a special meeting to be called by the superintendent of public instruction, a uniform series of text books for the use of the common schools throughout the state. Adopt text books.

*Second:* To prepare a course or courses of study for the primary, grammar and high school departments of the common schools, and to prescribe such rules for the general government of the common schools as shall secure regularity of attendance, prevent truancy, secure efficiency and promote the true interests of the common schools. Prepare courses of study.

*Third:* To use a common seal, and to elect one of their own members as secretary, who shall keep a correct record of all proceedings of the board, and shall file a certified copy of the same in the office of the superintendent of public instruction. Elect a secretary.

*Fourth:* To sit as a board of examination at their annual or special meetings, and to grant state certificates and life diplomas. Hold examinations.

*Fifth:* To prepare a uniform series of questions to be used by the county superintendents in the examination of teachers, and to determine rules and regulations for conducting the same. Prepare questions for county examinations.

## CHAPTER 4.—BOARD OF HIGHER EDUCATION.

Consists of whom.

SEC. 28. The board of higher education shall consist of the state board of education, together with the president of the university of Washington, the president of the state agricultural college and school of science, and the principals of the state normal schools.

Adopt and harmonize courses of study.

SEC. 29. The board of higher education shall have the power, and it shall be their duty, to adopt courses of study for normal schools, and for the preparatory requirements for entrance to the university of Washington and to the agricultural college. The board shall arrange such courses and adopt and enforce such regulations as will place the state institutions in harmonious relations with the common schools and with each other, and unify the work of the public school system.

## CHAPTER 5.—COUNTY SUPERINTENDENT OF COMMON SCHOOLS.

Election.

SEC. 30. A county superintendent of common schools shall be elected in each county of the state at each general election, whose term of office shall begin on the second Monday in January next succeeding his election and continue for two years and until his successor is elected and qualified. He shall take the oath or affirmation of office, and shall give an official bond in a sum to be fixed by the board of county commissioners. He may, at his own cost, appoint a deputy, who shall qualify in the same manner as the county superintendent, and perform all the duties of the office, subject, however, to revision by the county superintendent. The county commissioners of each county shall fill any vacancy that may occur in the office of county superintendent until the next general election.

May appoint a deputy.

Vacancy.

Eligibility.

SEC. 31. No person shall be eligible to hold the office of county superintendent of common schools who shall not at the time of his election or appointment have taught in the public schools of this state one school year of nine months, and who shall not at the time of such election or appointment hold a state certificate or life diploma or a first grade common school certificate in full force and effect: *Provided*, That in all counties of the twenty-seventh class and in all counties of a class having a greater number than twenty-seven, a person shall be eligible to hold the office of county superintendent of common schools if he shall have taught in the public schools of the state for at least nine school months, and shall hold at

In small counties.

the time of his election or appointment a certificate, except a special certificate or a temporary certificate, in full force and effect.

SEC. 32. The county auditor shall not place the name of any person upon the official ballot as a candidate for the office of county superintendent of common schools unless such person shall have filed in the office of the county auditor, at least twenty days before the date at which the election is to be held, proof of having taught in the schools of the state one school year of nine months, together with a copy of one of the certificates required by this act. Official ballot.

SEC. 33. Each county superintendent shall have the power, and it shall be his duty— Powers and duties:

*First:* To exercise a careful supervision over the common schools of his county, and to see that all the provisions of the common school laws are observed and followed by teachers and school officers. To supervise.

*Second:* To visit each school in his county not less than once in each year. To visit schools.

*Third:* To distribute promptly all reports, laws, forms, circulars and instructions which he may receive for the use of the schools and the teachers. To distribute reports.

*Fourth:* To enforce the course of study adopted by the state board of education and to enforce the rules and regulations required in the examination of teachers. To enforce rules.

*Fifth:* To keep on file and preserve in his office the biennial reports of the superintendent of public instruction and of the county superintendents of his county. To file reports.

*Sixth:* To keep in good and well bound books, to be furnished by the county commissioners, records of his official acts. To keep records.

*Seventh:* To preserve carefully all reports of school officers and teachers, and at the close of his term of office, to deliver to his successor all records, books, documents and papers belonging to the office, taking a receipt for the same, which shall be filed in the office of the county auditor. To preserve reports.

*Eighth:* To administer oaths and affirmations to school directors, teachers and other persons, on all official matters connected with or relating to schools, but shall not make or collect any charge or fee for so doing. To administer oaths.

*Ninth:* To keep in a suitable book an official record of all persons under contract to teach in the schools of his county, showing the number of the school district, the date of the To record contracts.

contract, the names of the contracting parties, the date of the expiration of the teacher's certificate and the grade thereof, the salary paid, and the date of commencing school, with the length of the term in weeks. He shall, if the contract is properly drawn and the contracting teacher has a certificate in full force and effect for the entire term for which the contract is issued, countersign the same, and no contract shall be valid without such signature of the county superintendent.

To make annual report.

*Tenth:* To make an annual report to the superintendent of public instruction on the first day of August of each year for the school year ending June 30, next preceding. The report shall contain an abstract of the reports made to him by the district clerks, and such other matters as the superintendent of public instruction shall direct.

To record boundaries.

*Eleventh:* To keep in his office a full and correct transcript of the boundaries of each school district in the county. In case the boundaries of said districts are conflicting or incorrectly described, he shall change, harmonize and describe them, and, at their next regular meeting, he shall certify his action to the county commissioners of his county, and shall file with them a complete transcript of the boundaries of all school districts affected by his action, which shall be entered upon the journal of said board and become a part of their records. The county superintendent shall, on request, furnish the district clerks with descriptions of the boundaries of their respective districts.

To appoint officers.

*Twelfth:* To appoint directors and district clerks to fill vacancies; to appoint directors and district clerks for any new districts: *Provided,* That when any new district is organized, such of the directors and district clerk of the old district as reside within the limits of the new one shall be directors and district clerk of the new one, and the vacancies in the old district shall be filled by appointment.

To apportion school funds.

*Thirteenth:* To apportion, within ten days after receiving the certificate of apportionment of the superintendent of public instruction, the state annual school fund, and such other funds as are subject to apportionment, to the several school districts entitled to receive the same, in accordance with the instructions of the superintendent of public instruction. He shall certify the result of the apportionment to the county treasurer, and also notify each clerk of the amount apportioned to that district.

*Fourteenth:* To grant such temporary and special certifi-



cates and to conduct such examinations of teachers and candidates for entrance to the normal schools, and make such records thereof as may be prescribed by law: *Provided*, That he shall give ten days' notice of such examination by publication in some newspaper of general circulation published in his county, or if there be no newspaper, then by posting up hand bills, or otherwise.

To grant temporary certificates and conduct examinations.

*Fifteenth*: To hold teachers' institutes according to law, and to conduct such other meetings of the teachers of his county as may be for the best interests of the schools.

To hold institutes.

SEC. 34. The county superintendent shall require all reports of school district officers, teachers and others to be made promptly as required by law. He shall see that the teacher's register is kept in accordance with law and the instructions of the superintendent of public instruction, and that the records of school district clerks are properly kept. He shall require the oaths of office of all school district officers to be filed in his office, and shall furnish a directory of all such officers to the county treasurer, upon blanks to be furnished by the superintendent of public instruction, as soon as the election or appointment of such officers is determined and their oaths placed on file.

General duties.

SEC. 35. He shall keep his office open for the transaction of official business such days each week as the duties of the office may require, and shall keep posted on the door of his office a notice of said office days and hours of such days.

Office days.

SEC. 36. Any person or board of directors aggrieved by any decision or order of the county superintendent may, within thirty days after the rendition of such a decision or making of such order, appeal therefrom to the superintendent of public instruction. The basis of the proceeding shall be an affidavit by the party aggrieved, filed with the superintendent of public instruction within the time for taking the appeal. The affidavit shall set forth the errors complained of in a plain and concise manner. The superintendent of public instruction shall, within five days after the filing of such affidavit in his office, notify the county superintendent in writing of the taking of such appeal, and the county superintendent shall, within twenty days after being thus notified, file in the office of the superintendent of public instruction a complete transcript of the record and proceedings relating to the decision complained of, which shall be certified to be correct by the county superintendent. The superintendent of public instruction shall ex-

Appeal from decision, how taken.

amine the transcript of such proceedings and render a decision thereon, but no new testimony shall be admitted, and his decision shall be final unless set aside by a court of competent jurisdiction.

County commissioners shall furnish office.

SEC. 37. The county commissioners shall provide the county superintendent with a suitable office at the county seat, and all necessary blanks, books, stationery, postage and other expenses of his office shall be paid by the county treasurer out of the county fund upon a sworn statement made quarterly and allowed by the county commissioners.

Salary and mileage.

SEC. 38. The county superintendent shall, in addition to the salary fixed by law, be allowed mileage at the rate of five cents per mile for each mile actually and necessarily traveled in the performance of his official duties and in attendance on the convention of county superintendents, called by the superintendent of public instruction, but shall not be allowed to charge or collect any fee for the performance of any other duty herein named: *Provided*, That no constructive mileage shall be charged.

#### CHAPTER 6.—DISTRICT DIRECTORS.

Election of directors.

SEC. 39. Directors of school districts shall be elected at the regular annual school election. At the first annual election in all new districts three directors shall be elected, for one, two and three years, respectively. No person shall be eligible to the office of school director who is not able to read and write the English language. The ballot shall specify the term for which each is to be elected. In all districts in which elections have been previously held, one director shall be elected for the term of three years, and if any vacancies are to be filled, a sufficient number to fill them for the unexpired term or terms; and the ballot shall specify the respective term for which each director is to be elected. Directors-elect shall take office on the first Monday in July next succeeding their election, and shall hold office until their successors are elected and qualified. Any director who fails to qualify on or before the day appointed for him to take office shall forfeit all rights to his office, and the county superintendent shall fill such vacancy by appointment, to hold office until the next annual election.

Assume office.

Powers and duties:

SEC. 40. Every board of directors, unless otherwise specially provided by law, shall have power, and it shall be their duty—

*First:* To employ, and, for sufficient cause, to discharge teachers, mechanics or laborers, and to fix, alter, allow and order paid their salaries and compensation.

To employ teachers and others.

*Second:* To enforce the rules and regulations prescribed by the superintendent of public instruction and the state board of education for the government of the schools, pupils and teachers, and to enforce the course of study prescribed by the state board of education.

To enforce rules.

*Third:* To provide and pay for materials and supplies as may be necessary for the schools, and to purchase such school furniture, charts or other apparatus as may have the written approval of the county school superintendent as to quality and price: *Provided*, That all such purchases of furniture, charts or other apparatus shall be approved at a meeting of said board, at which all members shall be present.

To provide supplies and furniture.

*Fourth:* To rent, repair, furnish and insure school houses.

To care for school houses.

*Fifth:* To build or remove school houses, purchase or sell lots or other real estate, when directed by a vote of the district to do so: *Provided*, That a school house already built shall not be removed, nor a new site for a school house be designated except when directed by a two-thirds vote of the electors of such district at an election to be held for that purpose, which election may be a special or a general school election.

To act for the district.

*Sixth:* To purchase personal property in the name of the district, and to receive, lease and hold for their district any real or personal property.

To hold property.

*Seventh:* To suspend or expel pupils from school who refuse to obey the rules thereof, and may exclude from school all children under six years of age.

To suspend pupils.

*Eighth:* To provide free text-books and supplies to be loaned to the pupils of the schools when directed by a vote of the district to do so; and if not so directed, to provide books for children of indigent parents, on the written report of the clerk after investigation that the parents of such children are unable to purchase the same.

To provide free text books.

*Ninth:* To require all pupils to be furnished with such books as may have been adopted by the state board of education, as a condition to membership in the schools.

To require books.

*Tenth:* To exclude from school and school libraries all books, tracts, papers and other publications of an immoral or pernicious tendency, or of a sectarian or partisan character.

To exclude certain books.

*Eleventh:* To authorize the school room to be used for

To permit  
the use of  
school house.

summer and night schools, literary, scientific, religious, political, mechanical or agricultural societies, under such regulations as the board of directors may adopt.

To enforce  
the law.

*Twelfth:* To require teachers to conform to the provisions of the law school.

Liable for  
debts of  
district.

SEC. 41. Any board of directors shall be liable as directors in the name of the district for any judgment against the district, for any salary due any teacher, and for any debts legally due, contracted under the provisions of this act, and they shall pay such judgment or liability out of the school funds to the credit of the district.

Non-resident  
pupils may  
attend school.

SEC. 42. Any board of directors shall have power to make arrangements with adults wishing to attend school or with the directors of an adjoining district for the attendance of such children in the school of either district as may be best accommodated therein: *Provided*, That in case such arrangements are not made, or children from school districts not adjoining desire to attend school in their district, they may charge reasonable tuition for such attendance: *Provided further*, That all moneys collected by any school district officer for the use of the district, shall, within thirty days after the date of its collection, be turned over to the county treasurer and placed to the credit of the district.

Tuition fees  
paid to  
treasurer.

Make by-laws.

SEC. 43. Any board of directors shall have power to make such by-laws for their own government, and the government of the common schools under their charge, as they deem expedient, not inconsistent with the provisions of this act, or the instructions of the superintendent of public instruction or the state board of education. A regular meeting of each board of directors shall be held on the first Saturday of February, May, August and November. They may, however, hold such other special or adjourned meetings as they may from time to time determine, or as may be specified in their by-laws.

Meetings  
of board.

May convey  
property.

SEC. 44. The board of directors of each school district shall have custody of all school property belonging to the district, and shall have power, in the name of the district or in their own names as directors of the district, to convey by deed all the interest of their district in or to any school house or lot directed to be sold by vote of the district, and all conveyances of real estate made to the district, or to the directors thereof, shall be made to the board of directors of the district and to their successors in office; said board, in the name of the



district, shall have power to transact all business necessary for maintaining schools and protecting the rights of the district; and it shall be the duty of the directors of every school district to issue and sign warrants, as such directors, for the payment of all demands audited and allowed against their district, and to sign, execute and acknowledge, as such directors, deeds for the conveyance of all real estate sold by them as in this section provided.

Sign warrants.

Execute deeds.

SEC. 45. It shall be unlawful for any director to have any pecuniary interest, either directly or indirectly, in any erection of school houses, or for warming, ventilating, furnishing or repairing the same, or be in any manner connected with the furnishing of supplies for the maintenance of schools, or to receive or accept any compensation or reward for services rendered as director.

Have no pecuniary interest in contracts.

SEC. 46. It shall be unlawful for any board of directors to contract indebtedness against their district in any one year in any sum or sums exceeding the aggregate of the amount due to said district during the year from state funds, the amount of special tax levied for the year and the estimated receipts from other sources, unless said indebtedness be authorized by a vote of the electors of said district.

Limit of indebtedness each year.

SEC. 47. Any person aggrieved by any decision or order of the board of directors may, within thirty days after the rendition of the decision or making of such order, appeal therefrom to the county superintendent of the proper county; the basis of such proceedings shall be an affidavit filed by the party aggrieved with the county superintendent within the time for taking appeal. The affidavit shall set forth the errors complained of in a plain, concise manner. The county superintendent shall, within five days after the filing of such affidavit in his office, notify the clerk of the proper district, in writing, of the taking of such appeal, and the latter shall, within ten days after being thus notified, file in the office of the county superintendent a complete transcript of the record and proceeding relating to the decision complained of, which shall be certified to be correct by the clerk of the district. After the filing of the transcript aforesaid in the office, he shall notify in writing all persons interested of the time and the place where the matter of the appeal will be heard by him. At the time thus fixed for the hearing he shall hear the testimony of either party, and for that purpose may administer oaths if necessary, and he shall make such decision as may

Appeal to county superintendent.

Hearing of appeal.

be just and equitable, which shall be final unless appealed from, as provided for in this act.

CHAPTER 7.—DISTRICT CLERK.

- Election. SEC. 48. A district clerk shall be elected in each district at each annual election, to hold office for one year, beginning on the first Monday in August next succeeding his election, and until his successor is elected and qualified. In case of the death, removal or resignation of the district clerk, the county superintendent shall fill the vacancy by appointment. Any district clerk failing to qualify as provided for in this act, on or before the day appointed for him to take office, shall forfeit all right to his office, and the county superintendent shall fill the office by appointment, to hold until the next annual election.
- Vacancy.
- Powers and duties: SEC. 49. The duties of the district clerk shall be as follows:  
*First:* To attend all meetings of the board of directors; but if he shall not be present, the board of directors shall select one of their number to act as clerk, who shall certify the proceedings of the meeting to the clerk of the district, to be recorded by him. He shall keep his records in a book to be furnished by the board of directors, and he shall preserve copies of all reports made to the county superintendent, and safely preserve and keep all books and documents belonging to his office, and shall turn the same over to his successor.
- To keep record of meetings.
- To keep account of finances of district. *Second:* To keep accurate and detailed accounts of all receipts and expenditures of school money. At each annual school meeting the district clerk must present his record book for public inspection, and shall make a statement of the financial condition of the district and of the action of the directors, and such record must always be open for public inspection.
- To make annual report. *Third:* To take annually, in June of each year, an exact census of all children and youth between the ages of five and twenty-one years who were *bona fide* residents of the district on the first day of June of that year; and he shall designate the number of weeks each child between the ages of six and twenty-one years has attended school during the school year; the names and sex of all children subject to enumeration, together with the names of their parents or guardians: *Provided*, That Indian children not living under the guardianship of white persons, or who have not severed their tribal rela-

tions, or Mongolian children not native born, shall not be included in said census. He shall note all defective youth between the ages of five and twenty-one years; and he shall, on or before the fifteenth day of July, make to the county superintendent a full and complete report of all children enumerated, together with a complete statistical report of the affairs of his district, which report shall be verified by affidavit. Said report shall be made upon blanks to be furnished by the superintendent of public instruction, and shall contain such items of information as said superintendent shall require, including the following: The names of all persons, male and female, between the ages of five and twenty-one years, residing in the district on the first day of June last past, together with the number of weeks each has attended school during the last school year; the names and residences of the parents or guardians of all such children; the number of schools or departments taught during the year, and the branches taught; the number of children, male and female, enrolled in school, and the average daily attendance; the number of teachers employed, and their compensation per month; the number of days school was taught during the past school year, and by whom; the text-books used, and the number of volumes, if any, in the school district library; the aggregate amount paid teachers during the year; the number of school houses in the district, and the value of them; the aggregate value of all school furniture and apparatus belonging to the district; the amount raised by special tax during the year for the support of schools, and for buildings, sites and furniture; the amount raised by subscription, or by other means than taxation; the amount of bonded indebtedness of the district, and the rate of interest paid; the amount of all other indebtedness, and such other items as the superintendent of public instruction may deem of importance, and as may be provided for in the blanks furnished for said report, and the clerk shall keep on file a duplicate copy of said report.

*Fourth:* To keep an accurate account of all expenses incurred by him in his district in keeping the school house in repair, in providing for necessary janitor work, and in providing school supplies, and for other expenses incurred by him on account of the school, which accounts must be audited by the board of directors and paid out of the district school fund.

To care for  
buildings.

To give notice of meetings.

*Fifth:* To give the required notice of all annual or special elections; also, to give notice of the regular and special meetings of the board of directors as herein authorized.

To report contracts of teachers.

*Sixth:* To report to the county superintendent at the beginning of each term of school the name of the teacher and the proposed length of the term, and to supply the teacher with the school register furnished by the superintendent of public instruction.

To issue warrants.

*Seventh:* To issue and countersign all warrants ordered to be issued by the board of directors.

To report to the superior judge.

*Eighth:* To report to the superior judge, before the first day of December of each year, the name and residence of every child that failed to attend school as required by law, and shall submit, at their next regular meeting, a duplicate of said report to the school board of his district.

Compensation.

SEC. 50. The district clerk shall receive three dollars per day for the time actually and necessarily spent in taking the census and making his report, and he shall receive such other reasonable compensation for other services as the directors shall allow, said accounts to be audited and paid by the directors out of the funds of the district: *Provided,* That no account for services rendered by any district clerk shall be audited or allowed by any board of directors, or any warrant issued for the payment of any such accounts, until he shall have filed with the board of directors a certificate of the county superintendent of his county that all reports required by law have been properly made; and it shall be the duty of the county superintendent to make out and transmit to the clerks of such districts as have made all reports as required by law, on or before the last Saturday of the months of January, April, July and October of each year, the certificates required by this section.

Certificate that reports have been made.

#### CHAPTER 8.—TEACHERS.

Who are qualified teachers.

SEC. 51. No person shall be accounted as a qualified teacher, within the meaning of the school law, who has not first received a certificate issued by the superintendent of public instruction; or who has not a state certificate or life diploma from the state board of education, or who has not a temporary certificate or a special certificate granted by the county superintendent according to law: *Provided,* That nothing in this section shall be construed as invalidating any certificate in

force at the time of its passage, but the same shall remain in force for the period for which each was issued.

SEC. 52. Every teacher employed in any common school shall make a report to the county superintendent at the time of the contract to teach such school, showing the number of the district in which he is to teach, the grade of his certificate, date it expires, and the proposed length of term, and at the close of any school to report to the county superintendent on the blanks prescribed by the superintendent of public instruction. Every teacher who shall be teaching at the close of the school year, or who shall teach the last term of any school year, in any school district, shall make a report to the county superintendent immediately upon the close of such school year or term, for the entire time taught in said school district since the beginning of the school year. Copies of all reports made by teachers shall be furnished to the clerk of the district, to be by him filed in his office. No board of directors shall draw any order or warrant for the salary of any teacher for the last month of his service until the reports herein required shall have been made and received: *Provided*, That in all schools acting under the direction of a city superintendent, the report of such superintendent shall be accepted by the county superintendent and the directors in lieu of the teacher's report, and that when there is no city superintendent, the report of the principal shall be accepted in lieu of the teacher's report.

Report of contract to teach.

Report at close of school term or year.

City superintendent or principal may report.

SEC. 53. Every teacher shall keep a school register in the manner provided for, and no board of directors shall draw any warrant for the salary of any teacher for the last month of his service in the school at the end of any term or year, until they shall have received a certificate from the district clerk that the said register has been properly kept, the summaries made and the statistics entered, or until, by personal examination, they shall have satisfied themselves that it has been done.

Must keep register.

Final report.

SEC. 54. Teachers shall faithfully enforce in the schools the course of study and regulations prescribed.

SEC. 55. No teacher shall be employed except by written order of a majority of directors, at a regular or special meeting thereof, nor unless the holder of a legal teacher's certificate in full force and effect for the full period covered by said contract.

Written record of employment.

SEC. 56. No teacher shall be required to teach school on



Legal holidays.

Saturdays or any legal \* holiday, and no deduction from the teacher's time or salary shall be made by reason of the fact that a school day happens to be one of the days referred to in this section as a day on which school shall not be taught.

May suspend pupils.

SEC. 57. Every teacher shall have power to hold every pupil to a strict accountability in school for any disorderly conduct on the way to and from school, or on the grounds of the school, or doing the intermission or recess; to suspend from school any pupil for good cause: *Provided*, That such suspension shall be reported to the directors as soon as practicable for their decision.

Teach morality and patriotism.

SEC. 58. It shall be the duty of all teachers to endeavor to impress on the minds of their pupils the principles of morality, truth, justice, temperance and patriotism; to teach them to avoid idleness, profanity and falsehood; to instruct them in the principles of free government, and to train them up to the true comprehension of the rights, duty and dignity of American citizenship.

#### CHAPTER 9.—COUNTY TREASURER.

Treasurers of school districts:

SEC. 59. The county treasurers of the several counties of this state shall be *ex officio* treasurers of the several school districts of their respective counties, and it shall be the duty of each county treasurer—

To receive and pay out school funds.

*First:* To receive and hold all moneys belonging to such school districts, and to pay them out upon warrants or orders of the boards of directors of the districts to which they belong.

To certify funds subject to apportionment.

*Second:* To certify to the county superintendent of common schools of his county, July first of each year, and quarterly thereafter, the amount of all school moneys in his possession subject to apportionment on the last day of the preceding month, which certificate shall specify the source or sources from which said moneys were derived.

To make annual report.

*Third:* To make annually, on or before the fifteenth day of July, a report to the county superintendent of his county, which report shall show the amount of school funds on hand at the beginning of the school year last past belonging to each school district; the amount of funds placed to the credit

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\*The legal holidays are Sunday, New Year's Day, Lincoln's Birthday, Washington's Birthday, Decoration Day, Fourth of July, Labor Day, Christmas Day, any day on which a general election is held throughout the state, and any day designated by proclamation of the chief executive as a legal holiday or a day of thanksgiving.

of each school district during the school year ending June 30, last past, and the sources from which said funds were derived; the amount of funds disbursed upon orders or warrants of each school district during the year, and for what purpose they were paid out; the amount of funds remaining in his possession at the close of the school year subject to be paid out upon warrants of school district officers, and the fund to which said moneys belong; also the amount of all unpaid warrants or bonds appearing upon his register at the close of the school year.

*Fourth.* He shall keep a register of all school district warrants presented to him for payment, which register shall show the number of the warrant, the date of issue and the date on which it was registered, the amount, and the purpose for which it was issued, to whom issued and to whom paid, and the amount of interest, if any, accruing on said warrant before payment. Whenever any school district warrant shall be presented to the county treasurer for payment, if properly signed, he shall pay the same out of the proper fund of the district upon which it is issued, if there be funds in his possession for that purpose; but if there be no funds in his possession for that purpose he shall endorse upon the back of said warrant the words, "Presented and not paid for want of funds," together with the date of said endorsement, and thereafter said warrant shall draw interest at the same rate as county warrants until there shall be sufficient funds for its payment; and it is hereby made the duty of the county treasurer to advertise, quarterly, all warrants which he is prepared to pay, in the same way in which he is required to advertise county warrants, and after the date fixed in said notice said warrants shall cease to draw interest.

To register warrants.

Endorsement on warrants.

Advertise call of warrants.

#### CHAPTER 10.—GENERAL PROVISIONS RELATING TO OFFICERS.

SEC. 60. When any school officer is superseded, by election or otherwise, he shall immediately deliver to his successor in office all books, papers and moneys pertaining to his office.

Shall turn over property.

SEC. 61. Every person elected or appointed to any office mentioned in this act shall, before entering upon the discharge of the duties thereof, take an oath or affirmation to support the constitution of the United States and the State of Washington, and to promote the interest of education, and to faithfully discharge the duties of his office according to the best of his ability. In case any officer has a written appoint-

Take oath of office.

May administer oaths.

ment or commission, his oath or affirmation shall be endorsed thereon and sworn to before any officer authorized to administer oaths. School officers are hereby authorized to administer all oaths or affirmations appertaining to their respective offices without charge or fee. All oaths of office as herein provided shall, when properly made, be filed with the county superintendent of schools.

Shall file signature.

SEC. 62. Every school district director or clerk shall, on assuming the duties of his office, place his signature, certified to by some school district officer, on file in the office of county treasurer; and it shall be unlawful for any county treasurer to pay or register any school district warrant if the signatures are not on file in his office or do not correspond to the certified signatures therein filed.

Authority of officers validated.

SEC. 63. Nothing in this act shall be so construed as to invalidate the authority of any school officer appointed or elected under provisions of law and holding office at the time of the passage of this act, nor of any contract in full force and effect at the time of the passage of this act.

### TITLE III.—THE COMMON SCHOOL SYSTEM.

#### CHAPTER 1.—DISTRICT SCHOOLS.

Common schools defined.

SEC. 64. Common schools shall include all district grades, and high schools that are maintained at public expense in each school district and under the control of boards of directors. Every common school, not otherwise provided for by law, shall be open to the admission of all children between the ages of six and twenty-one years residing in that school district.

Subjects to be taught.

SEC. 65. All common schools shall be taught in the English language, and instruction shall be given in the following branches, viz.: Reading, penmanship, orthography, written arithmetic, mental arithmetic, geography, English grammar, physiology and hygiene with special reference to the effects of alcoholic stimulants and narcotics on the human system, history of the United States, and such other studies as may be prescribed by the state board of education. Attention must be given during the entire course to the cultivation of manners, to the laws of health, physical exercise, ventilation and temperature of the school room, and not less than ten minutes each week must be devoted to the systematic teaching of kindness to not only our domestic animals, but to all living creatures.



SEC. 66. The school day shall be six hours in length, exclusive of an intermission at noon, but any board of directors may fix as the school day a less number of hours than six: *Provided*, That it be not less than four hours for primary schools under their charge, and any teacher may dismiss any or all pupils under eight years of age, after an attendance of four hours, exclusive of any intermission at noon. The school month shall be construed to be twenty school days, or four weeks of five days each.

SEC. 67. The school year shall begin on the first day of July and end with the last day of June.

SEC. 68. No teacher, pupil or janitor shall be permitted to attend school from any house in which smallpox, varioloid, scarlet fever, diphtheria or any other contagious or infectious diseases are prevalent. No teacher, pupil or janitor shall be permitted to return to school from any house where the above mentioned diseases, or any form of them, have prevailed, until three weeks shall have elapsed from the beginning of convalescence of the patient, or upon the certificate of a registered physician in good standing that there is no danger of contagion. In case of whooping cough, chicken pox and measles, certified by a physician to be not of a malignant character, this rule shall not apply to teachers, pupils or janitors who have had these diseases and have entirely recovered from them.

SEC. 69. All pupils who may attend the common schools shall comply with the regulations established in pursuance of the law for the government of the schools, shall pursue the required course of studies, and shall submit to the authority of the teachers of such schools. Continued and willful disobedience or open defiance of authority of the teacher shall constitute good cause for expulsion from school.

SEC. 70. All school districts in this state shall maintain school during at least three months each year. All graded school districts in incorporated cities and towns shall maintain school during at least six months each year.

SEC. 71. All parents, guardians and other persons in this state having or who may hereafter have immediate custody of any child or children between the ages of eight and fifteen years, shall send the same to school at least three months in each year.

#### CHAPTER 2.—GRADED AND HIGH SCHOOLS.

SEC. 72. Each incorporated city or town in the state shall be comprised in one school district, and shall be under the

control of one board of directors: *Provided*, That nothing in this section shall be so construed as to prevent the extension of such city or town district a reasonable distance beyond the limits of such city or town: *And provided further*, That nothing in this section shall be so construed as to change or disturb the boundaries of any school district organized prior to the incorporation of any city or town, except in cases of the incorporation of cities or towns lying partly in two or more school districts organized prior to the incorporation of such city or town, or of the extension of the boundaries of cities or towns beyond the limits of the school districts in which they are situated, or in cases where two or more cities or towns unite, as provided by law: *And provided further*, That no portion of any district which has issued bonds, shall be transferred or united to any other district until all such bonds have been redeemed and canceled.

Bonded territory cannot be transferred.

Shall employ a principal.

SEC. 73. In all such city or town districts where the number of children of school age is sufficient to require the employment of more than one teacher, the board of directors shall designate one of such teachers as principal, and such principal shall have general supervision over the several departments of his school. The school or schools in such city or town districts shall be graded in such a manner as the directors thereof shall deem best suited to the wants and conditions of such districts: *Provided*, That the course of study established for such districts shall not be inconsistent with the laws of this state.

Course of study.

Shall employ a city superintendent.

SEC. 74. The directors of such city or town districts wherein schools are maintained in two or more buildings shall elect one city or town superintendent, who may be a teacher in the schools of such district, and such city or town school superintendent shall have general supervision over the schools of his district, subject to the concurrence of the board of directors; and it shall be the duty of the principal or city school superintendent to report to the superintendent of public instruction such facts relative to the grading, course of study, enrollment, attendance and other matters pertaining to such schools as he may require, on blanks furnished for that purpose.

Report of city superintendent.

#### CHAPTER 3.—CITIES OF TEN THOUSAND OR MORE INHABITANTS.

SEC. 75. Whenever any incorporated city in this state shall have a population of ten thousand or more inhabitants, as shown by any regular or special census, together with any adjacent or

contiguous territory that now is or may be hereafter attached to said city for school purposes, it shall constitute one school district and be known by the name "..... (name of city) school district No. ....," in ..... county, State of Washington, and the board of directors thereof shall constitute a body corporate and possess all the usual powers of a corporation for public purposes, and in that name and style may sue and be sued, purchase, hold, and sell such personal and real estate, and enter into such obligations as are authorized by law; and the title to all school buildings or other property, real or personal, owned by any school district within the corporate limits of any city shall, upon the organization of a district under the provisions of this act, vest immediately in the new district, and the board of directors by this act provided, shall have exclusive control of the same for all the purposes herein contemplated.

Title of city district.

A body corporate.

SEC. 76. The said board of directors shall consist of five members, who shall be elected by ballot by the qualified electors of the district, and shall hold their offices for a term of three years, and until their successors are elected and qualified: *Provided*, That the members of the board of directors in any city to which the provisions of this act apply, shall serve out the time for which they were elected: *Provided further*, That at the first election of members subsequent to the passage of this act, it shall be so arranged by the members-elect drawing lots, that the term of two members shall expire in one year, the term of two members shall expire in two years, and the term of one member shall expire in three years after the said first election.

Board of five members.

Terms of members.

SEC. 77. The regular district election shall be held annually in each district contemplated by this chapter on the first Saturday of November. The board of directors shall cause written or printed notices to be posted, specifying the day and the places of such election, and the time during which the ballot box shall be kept open; not less, however, than six (6) hours. Said notices shall be posted in at least one place in each ward in the district at least twenty (20) days previous to the time of election. Said notices shall also be published for the same length of time in two daily papers published in the district, and if there be no daily or dailies, then in the weekly paper or papers in three (3) regular issues next preceding the day of such election. If the board of directors fail to give notice at such time, as herein provided, then any five (5) legal vot-

Annual election.

Notices posted 20 days.

ers residing in the district may give such notice over their own names, and such election may be held after the day fixed by this act for such election. All elections shall be by ballot, and in the absence of any notice specifying the hour, the ballot box shall be open at 1 o'clock p. m. and be closed at 8 p. m.

Hours polls shall be open.

One voting place in each ward.

SEC. 78. The board of directors shall, at a regular meeting, provide one voting place in each ward of the city, and appoint judges and clerks of election, who shall observe and cause to be observed at such election all the election laws of this state applicable thereto not otherwise provided for: *Provided*, That only those persons, male and female, who have complied with the laws governing registration in cities of the class for which this chapter provides, shall be permitted to vote, and that no person shall be permitted to vote at said election except in the ward in which he or she resides. There shall be provided by the board of directors registration books for each ward, in which the secretary of the board shall register separately the names of males and females who apply for registration, and are legally qualified as otherwise provided by law. Should any of the judges be absent at the opening of the polls, the electors present shall appoint a legal voter who upon taking oath, shall be qualified to fill the vacancy.

Registration of voters. (See Appendix.)

Officers of election.

Directors to canvass and announce returns.

SEC. 79. The board of directors shall, upon closing the polls, receive the returns at the time and the place it shall direct, and shall, within five (5) days from said election, meet as a canvassing board, and in the presence of any duly qualified justice of the peace in and for said county, canvass the returns and ascertain the result. The result of said election shall be certified by the board of directors to the county school superintendent, who shall preserve said certificate, entering upon his records the receipt of said certificate and the names of the person or persons elected as members of such board of directors for said district, together with the terms for which elected.

County superintendent to record certificate.

Directors shall take oath.

SEC. 80. All persons elected as members of the board of directors shall, within ten (10) days thereafter, appear before an officer authorized to administer oaths, take and subscribe the usual oath of office, and deliver the same to the county superintendent of schools. In case any person elected shall fail so to do, his election shall be void, and the vacancy occasioned thereby shall be filled by the board as hereinafter



provided. The term of office of persons so selected shall begin on the first Saturday of the month following their election, when the members of the board of directors shall elect a president and a vice president from among their number, who shall serve for a term of one year or until their successors are elected and qualified. They shall elect annually a secretary, at such salary as they, the board, may deem just. Said secretary shall not be a member of the board of directors, and may be removed by the board at any time.

Term of office.

Election of secretary.

SEC. 81. The election of the officers of the board of directors, the city superintendent, the secretary, teachers and janitors shall be by *viva voce* vote upon a call of the roll of all the members, and no person shall be declared elected unless he receives a majority vote of all the members of the board.

Elections by *viva voce* vote.

SEC. 82. It shall be the duty of the president to preside at all meetings of the board, and to perform such other duties as the board may prescribe.

Duty of president.

SEC. 83. It shall be the duty of the vice president to perform all the duties of president in case of his absence or disability.

Duty of vice president.

SEC. 84. It shall be the duty of the secretary to be present at all the meetings of the board, to keep an accurate journal of the proceedings, to take charge of its books and documents, to countersign all warrants for school moneys drawn upon the county treasurer by order of the board; he may be authorized by the board of directors to purchase needed supplies for the schools, and shall also act as superintendent of buildings, and shall be charged with the special care of the school buildings of the district; he shall also perform such other duties as the board may direct.

Duty of secretary.

SEC. 85. Before entering upon the discharge of his duties, the secretary of the board shall give bonds in such sum as the board of directors may fix from time to time, but for not less than five thousand dollars (\$5,000), with good and sufficient sureties, and shall take and subscribe an oath or affirmation, before a proper officer, that he will support the constitution of Washington, and faithfully perform the duties of his office. He shall, from time to time, as he may be required by the board, make a complete and detailed record of his transactions as purchasing agent of the board and as superintendent of buildings, which shall be combined with his annual report, to be published in the manner determined by the board.

Shall give bond.

Shall superintend buildings.

SEC. 86. The regular meetings of the board of directors

Meetings of  
the board.

shall be held monthly at such a time as the by-laws of the board may prescribe, but special meetings may be held from time to time as circumstances may demand, at the call of the president or on petition of a majority of the members of the board, and all meetings shall be open to the public unless otherwise specially ordered.

Office of  
the board.

SEC. 87. The board of directors shall maintain an office where all regular meetings shall be held, and all records, vouchers and other important papers belonging to the board may be preserved, and at all times ready for inspection of resident taxpayers.

County treas-  
urer shall be  
treasurer  
of district.

SEC. 88. The county treasurer shall be the *ex officio* treasurer of the board of directors; he shall prepare and submit to the secretary, in writing, on the first day of January, April, July and October of each year, a report of the state of the finances, and shall pay school moneys placed to the credit of the district only upon warrants signed by the president or by a majority of the board of directors and countersigned by the secretary.

Vacancies in  
the board.

SEC. 89. The board of directors shall have the power to fill, by election, any vacancy which may occur in its body, but the election to fill such vacancy shall be valid only until the next regular district election, and the ballots and returns shall be designated as follows: "To fill unexpired term."

Quorum.

SEC. 90. A majority of all members of the board of directors shall constitute a quorum, but a less number in attendance at any regular meeting shall have, and a quorum at any special meeting may have, power to compel the attendance of absent members, in such manner and under such penalties as the board may see fit to prescribe; and the absence of any member from four consecutive regular meetings of the board, unless on account of sickness or by resolution of the board, shall vacate his position in the board, which fact shall be passed upon by the board of directors and spread upon their records.

Forfeiture  
of office.

SEC. 91. All accounts shall be audited by a committee, to be styled the "auditing committee," and no expenditure greater than two hundred dollars (\$200) shall be voted by the board except in accordance with a written contract, nor shall any money or appropriation be paid out of the school fund except on a recorded affirmative vote of a majority of all members of the board; and the accounts and the records of said board shall at all times be subject to the inspection

Auditing  
committee.

and examination of the county superintendent of said county, whose duty it shall be, annually, to examine said records and check said accounts, and report in writing to the board of county commissioners of said county the nature and state of said accounts, and any facts that may be required concerning said records.

County superintendent to examine accounts and report to county commissioners.

SEC. 92. Every board of directors shall have the power, and it shall be their duty —

Powers and duties:

*First:* To employ a city superintendent of schools of the district, and for cause to dismiss him; and to fix his duties and compensation.

To employ a superintendent.

*Second:* To enforce the rules and general regulations of the superintendent of public instruction, and the state board of education; to prescribe the course of study, the exercises, and the kind of text-books to be used in addition to the text-books prescribed by the state board of education for the use of the common schools of this state: *Provided*, That after the adoption of any text-book, it shall not be changed in less than five (5) years, unless the price thereof shall be unwarrantably advanced, or the mechanical quality lowered, or the supply stopped.

To enforce rules and adopt text-books.

*Third:* To provide for school furniture and for everything needed in the school houses.

To provide supplies.

*Fourth:* To make necessary by-laws for more effectively carrying out the provisions of this act, and for facilitating the work of the board, as required by law.

To enact by-laws.

*Fifth:* To adopt and enforce such rules and regulations as may be deemed essential to the well being of the schools, and to establish and maintain such grades and departments, including night, high, kindergarten, manual training and industrial schools as shall, in the judgment of the board, best promote the interests of education in that district.

To establish grades and departments.

*Sixth:* To suspend and expel pupils from school who refuse to obey the rules thereof.

To suspend pupils.

*Seventh:* To employ, and, for cause, to dismiss, teachers, janitors or other employes; to determine the length of time over and above eight (8) months that school shall be maintained; to fix the time for the annual opening and closing of schools, and for the daily dismissal of primary pupils before the regular time for closing schools.

To employ teachers, and fix time of opening and closing of schools.

*Eighth:* To provide free text-books and supplies for all children attending school, when so ordered by a vote of the electors; or if free text-books are not voted by the electors,

To provide books.



to provide books for children of indigent parents, on the written statement of the city superintendent that the parents of such children are not able to purchase them.

To require vaccination.

*Ninth*: To require successful vaccination as a condition of school membership and to provide free vaccination to all who are unable to pay for the same.

To make an annual report.

*Tenth*: To make, as soon as possible after the close of the school year, an annual printed report to the taxpayers of the district, showing in detail the receipts and disbursements of the school funds.

Census.

SEC. 93. The board of directors shall annually cause to be taken an enumeration of all persons between the ages of five and twenty-one years residing in the district, and shall report the same, together with such information as required by the general school laws of Washington, to the county superintendent of schools, at the time and in the manner specified by law for like returns in other districts. The census shall be taken by the secretary and such enumerators as he shall select, subject to the approval of the board or its proper committee. The enumerators shall receive such compensation as the board may deem just. Each enumerator shall verify by oath the correctness of his report in the same manner as by law required of the district clerk.

Compensation of enumerators.

Oath of.

Directors shall have no pecuniary interest in contracts.

SEC. 94. It shall be unlawful for any member of the board of directors, or any of its officers, to have any pecuniary interest, either directly or indirectly, in any contract for the erection of school houses, or for warming, ventilating, furnishing or repairing the same, or in the furnishing of supplies for the maintenance of the schools, or to receive or to accept any compensation for services performed in discharging the duties of his office.

Sale of school property.

SEC. 95. No school property of any kind shall be sold by the board of directors without the consent of the district being first obtained, except it be personal property, the value of which shall not exceed five hundred dollars (\$500).

Purchase of supplies in the sum of \$200 by advertisement.

SEC. 96. In all districts contemplated by this chapter, when, in the opinion of the board, the cost of any lot of furniture, stationery, apparatus, fuel, building or improvements, or repairs to the same, will equal or exceed the sum of two hundred dollars (\$200), it shall be the duty of the board to give due notice by publication in at least one daily newspaper published within said city, and if there be no daily, then in one or more weekly papers in three (3) regular

consecutive issues, of the intention to receive bids for such lots of furniture, stationery, fuel and other supplies, or for said improvements and repairs. The board shall determine the specifications for such bids, which shall be public.

SEC. 97. The board of directors shall annually, at a meeting next preceding the annual tax levy for state and county purposes, report to the board of county commissioners an estimate of the amount of funds in addition to estimated receipts from the state tax required for the support of the schools, for the purchase of school sites, the erection and furnishing of school buildings, the payment of interest upon all bonds issued for school purposes, and the creation of a sinking fund for the payment of such indebtedness, if any, and the county commissioners are hereby authorized and required to levy and collect said additional amount the same as other taxes: *Provided*, That in case the purchase of school sites and the erection of buildings shall require an expenditure exceeding twenty-five thousand dollars (\$25,000) for any one calendar year, the question shall be submitted to a vote of the electors of the district, at the time and places the board of directors may appoint; the board of directors shall, previous to such election, designate in at least one daily paper published in the district, if there be one, if not then in such weekly papers as may be selected by the board, the place or places where such an election shall be held, the locality of the site or sites required, and the proposed cost of the buildings to be erected thereon.

Board shall estimate funds required.

County commissioners shall levy tax.

Expenditure of \$25,000 requires a vote of electors.

SEC. 98. The aggregate tax for school purposes in cities of ten thousand or more inhabitants shall in no one year exceed one per cent. upon all the taxable property of the district.

Limit of tax levy.

#### CHAPTER 4.—COUNTY INSTITUTES.

SEC. 99. Whenever the number of school districts in any county is twenty-five or more, the county superintendent must hold a teachers' institute each year, and every teacher holding a valid certificate employed in a common school in the county must attend such institute during its whole time.

Institute must be held, when.

SEC. 100. In any county where there are less than twenty-five school districts, the county superintendent may, in his discretion, hold an institute.

May be held.

SEC. 101. Each session of the institute must continue not less than three days.

Length of session.

SEC. 102. When the institute is held during the time when

Compensation of teacher continues.

the teachers are employed in teaching, their pay shall not be diminished by reason of their attendance when certified to by the county superintendent.

Examination fees paid into the institute fund.

SEC. 103. All examination fees shall be paid by the county superintendent to the county treasurer, who shall place it to the credit of an institute fund hereby created.

Expenses paid by county commissioners.

SEC. 104. The county superintendent must keep an accurate account of the actual expenses of the institute, with vouchers for the same, and present the bill to the county commissioners, who shall allow the same: *Provided*, That such amount shall not exceed in any year the sum of two hundred dollars in excess of the amount received as examination fees.

#### CHAPTER 5.—TEXT-BOOKS.

##### ARTICLE I.—ADOPTION OF BOOKS.

Uniform system throughout the state.

SEC. 105. A general and uniform system of text-books for the use of the common schools, including graded schools, throughout the state shall be adopted or readopted by the state board of education in the following manner: On or before the first day of May in the year nineteen hundred the superintendent of public instruction shall advertise for at least four weeks, in such papers or periodicals of general circulation as he may determine, that the board of education will receive sealed proposals for the supply of text-books to the people of the state. Said advertisement shall state the day and hour upon which said proposals shall cease to be received. It shall also name all the kinds of books for the supply of which proposals are invited, and shall prescribe that the proposals so advertised for shall state the price at which the books offered shall be exchanged for the books in use at the time of making such proposals, the wholesale price which shall be maintained in the state, and also the uniform retail price which shall be maintained in every incorporated town and city in the state during the time in which the books shall continue in use; or the price to the state in the case of state purchase and supply of free text-books. Said proposals shall be marked: "Sealed proposals to furnish text-books for the State of Washington," and shall be addressed to the superintendent of public instruction, and shall not be opened before the hour advertised, nor in the presence of less than three members of the board. Immediately upon the opening of the bids they shall be read in open board, and adoption of books and awards of contracts shall be made within ten days following. No books shall be

State superintendent shall advertise for bids.

Proposals to furnish books.

adopted without a majority vote of the whole board: *Provided*, They can secure an exchange of books at any time in use for those of the same grade, or an exchange of those of a lower grade for those of the next higher grade, without a greater average cost to the people than one-fifth of the contract retail price of the books in use in 1890-91; and the state board of education shall have power to enter into contract with the publishers for the supply of the same, to take effect on the first day of September following, and the books so adopted shall not be changed within five years thereafter, unless the publishers of such adopted books shall fail to comply with the terms of the contracts. The adoption herein provided for shall occur every five years at the time of the year and in the manner herein provided, unless otherwise ordered by the legislature: *Provided*, That the board shall have power to reject any and all proposals or parts of proposals, and, in case of such rejection, they shall at once notify the principal office or any agent of any bidder that such rejection has been ordered, and that proposals will again be received for furnishing such books as may not have been adopted, according to the terms of the former advertisement, and such notice shall state the day and hour upon which such new proposals shall cease to be received, and such date shall not be less than ten days nor more than fifteen days after the day on which the former proposals were rejected. On the day named in such notice the board shall meet, and, at the hour named, shall open, read and consider the proposals in the manner hereinbefore provided, and they may continue to reject proposals and invite new bids in the manner herein provided for such subsequent proposals until satisfactory proposals shall have been received: *Provided*, That no proposal shall be accepted in which the retail price offered is greater than sixty-six and two-thirds per centum of the retail price of books similar in grade, quality of material, illustrations and general workmanship which were furnished under the contracts of eighteen hundred ninety and eighteen hundred ninety-one. The publishers awarded the contracts by the board shall guarantee all the terms of the proposal on which it is made by a bond with two or more sufficient sureties for faithful performance, which sureties shall be residents of this state; the said bond to cover such period as the books may remain in use, and to be approved by the

Exchange rates.

Adoption for five years.

Rejection of proposals.

Readvertisement.

Limit of price.

Publishers shall maintain contract prices.

board and the attorney general. Said publishers shall also guarantee in the same bond that in case they reduce the retail price in this state of any book furnished by them, they will also make a proportionate reduction of the contract wholesale price to all dealers at all points where such reduction is made in the retail price: *Provided*, That whenever any book or set of books compiled and published by or under authority of the state shall be ready for distribution, the contract, as provided by this section, shall, as far as that book or set of books is concerned, be abrogated, and this proviso shall be construed to be sufficient notice to contractors.

State publication of text-books.

#### ARTICLE II.—FREE TEXT-BOOKS.

Vote on free text-books June, 1897.

SEC. 106. At the annual meeting for the election of school district officers next subsequent to the passage of this act, there shall be submitted to the qualified electors of each school district the question of providing free text-books and supplies for the use of all pupils attending the common schools of the district, and for levying a tax sufficient to meet the expense thereof. The vote shall be taken by ballot, and the ballot of those favoring the question shall have thereon the words, "Furnishing free text-books and supplies, Yes," and the ballot of those opposed shall have the words, "Furnishing free text-books and supplies, No."

Special vote may be called upon petition of five patrons.

SEC. 107. The board of directors may, and upon the presentation of a petition signed by five patrons of the school, it shall be their duty to call a special election for the purpose of submitting to the qualified electors of the district the question of furnishing free text-books and supplies as provided in this article: *Provided*, That in cities of ten thousand or more inhabitants the number of said petitioners shall not be less than five hundred.

Of five hundred patrons.

Board shall furnish free text-books when so ordered.

SEC. 108. Should a majority of the votes mentioned in this act be in favor of furnishing free text-books and supplies, it shall be the duty of the board of directors to procure the same according to such vote and in sufficient quantities, and to adopt such rules and regulations as may be necessary for their use and care, as well as to furnish suitable cases and shelves for their safe keeping.

#### CHAPTER 6.—SCHOOL REVENUES.

Source of school funds.

SEC. 109. The principal of the common school fund shall remain irreducible and permanent. The said fund shall be derived from the following sources, to wit: Appropriations



and donations by the state to this fund; donations and bequests by individuals to the state or common school; the proceeds of land or other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state, when the purpose of the grant is not specified or is uncertain; funds accumulated in the treasury of the state for the disbursements of which provision has not been made by law; the proceeds of the sale of timber, stone, minerals or other property from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the union, as approved by section fifteen (15) of the act of congress enabling the admission of the state into the union; the principal of all funds arising from the sale of lands and other property which have been and hereafter may be granted to the state for the support of the common schools, and such other funds as may be provided by legislative enactment.

SEC. 110. The interest accruing on said fund, together with rentals and other revenues derived from lands and other property devoted to the common school fund, shall be exclusively applied to the current use of the common schools. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence. All losses to the permanent common school fund which shall be occasioned by defalcation, mismanagement or fraud of the agent or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than six per cent. annual interest shall be paid.

SEC. 111. In addition to the provisions for the support of common schools hereinbefore provided, it shall be the duty of the state board of equalization, annually, at the time of levying tax for state purposes, to levy a tax that shall be sufficient to produce a sum which, when added to the estimated amount of money to be derived from the interest on the state permanent school fund for the current fiscal year, shall equal six dollars for each child of school age residing in the state as shown by the last report of the several county

Exclusively for current use.

Schools free from sectarian control.

Loss of funds.

Annual state tax.

Limit of tax. superintendents to the superintendent of public instruction: *Provided*, That said tax shall not exceed four mills on the dollar. Said tax levy shall be certified to the several county auditors in the same manner as other state taxes are required to be certified, and shall be collected and transmitted to the state treasurer at the same time and in the same manner as other state taxes are required to be collected and transmitted; and it shall be the duty of the state auditor, within thirty days after the date at which county treasurers are required to transmit state funds to the state treasurer, to certify to the superintendent of public instruction the amount of all state annual school funds in the hands of the state treasurer subject to apportionment.

Certificate to the superintendent of public instruction.

Five mills levy by the directors.

SEC. 112. The board of directors, when in their judgment it is necessary, for the purpose of furnishing additional school facilities for their district, or for the payment of teachers' wages, or for the building of one or more school houses, or for the repairing of one or more school houses, or for the building of additions thereto, or for the purchase of fuel, supplies, globes, maps, charts, books of reference or other appliances or apparatus for teaching, or for any or all of these purposes, may levy a special tax on the taxable property of the district, not to exceed ten mills on the dollar: *Provided*, That no tax exceeding five mills on the dollar shall be levied until such levy shall have been ordered by a majority vote of the legal electors of the district, at a special election called for that purpose. Such election shall be called and conducted in the manner provided for calling and conducting annual school elections. At such elections the ballots shall contain the words "Tax, yes," or "Tax, no." The officers of the election shall certify the result of the election to the clerk of the district, who shall file said certificate as a part of his records. Whenever a special tax is ordered to be levied, the clerk of the district shall, on or before the first day of September of the year in which such special tax is ordered to be levied, make to the county auditor a certified statement of the number of mills of such special tax which has been ordered to be levied in such district. The county auditor shall extend the same against all the taxable property within such district, upon the general assessment roll of the county, showing the amount and kind of property so assessed, and to certify the same to the county treasurer. The county treasurer shall proceed to collect the tax in the same manner and at the same

Voters may levy ten mills.

Clerk shall file certificate of levy by September 1st.

County treasurer to collect taxes.



time and with the same power and authority to enforce payment of the same, as in the case of county and state taxes. The county treasurer shall place any tax so collected to the credit of the district to which it belongs.

SEC. 113. Except as otherwise provided by law, all sums of money derived from fines imposed for violations of orders of injunction, mandamus and other like writs, or for contempt of court, and the clear proceeds of all fines collected within the several counties of the state for breach of the penal laws, and all funds arising from the sale of lost goods and estrays, and from penalties and forfeitures, shall be paid over in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued, and shall be by him transmitted to the state treasurer, who shall place the same to the credit of the general school fund. He shall indicate in such entry the source from which such money was derived.

Fines, penalties and forfeitures.

SEC. 114. All school warrants shall be paid in the order of their presentation to the county treasurer, and shall draw interest from and after such presentation and registry: *Provided*, That no compound interest shall be paid directly or indirectly on any of said warrants.

Warrants paid, how.

SEC. 115. No new district formed by the subdivision of an old one shall be entitled to any share of public money belonging to the old district until a school has actually been taught one month in the new district, and unless within eight months from the order of the county superintendent granting such new district a school is opened, the action making a new district shall be void, and all elections or appointments of directors or clerks made in consequence of such action, and all rights and office of parties so elected or appointed shall cease and determine, and all taxes which may have been levied in such old district shall be valid and binding upon the real and personal property of such new districts, and shall be collected and paid into the school fund of the old district.

School in new district.

New district void.

SEC. 116. When a new district is formed by the division of an old one, it shall be entitled to a just share of the school moneys to the credit of the old district after payment of all outstanding debts at the time when the petition was granted establishing such new district, and the county superintendent shall divide such remaining moneys, and such as may for the current year afterward be apportioned to the old district, according to the number of school children resident in each

Division of funds.

Proportion of special tax. district, for which purpose he shall order a census to be taken: *Provided*, That the new district shall be entitled to such proportion of any special tax levied and collected for the year in which the new district is created, as the amount of such tax paid by that portion of the old district which is embraced in the new bears to such old district.

## CHAPTER 7.—BONDS.

Limit of bonded indebtedness.

SEC. 117. The board of directors of any school district in this state may borrow money and issue negotiable coupon bonds therefor to an amount not to exceed five (5) per cent. of the taxable property in such district, as shown by the last assessment roll for county and state purposes: *Provided*, That in incorporated cities the assessment shall be taken from the last assessment for city purposes, for the purpose of funding outstanding indebtedness, or bonds heretofore issued or issued under the provisions of this act, or for the purchase of school house site or sites, building one or more school houses and providing the same with all necessary furniture and apparatus, or for any or all of these purposes, when authorized by vote of the district so to do, as provided in section 118 of this act: *Provided further*, That the bonds so issued shall bear a rate of interest not to exceed ten (10) per cent. per annum, interest payable annually or semi-annually, payable and redeemable at such time as may be designated in the bonds, but not to exceed twenty (20) years from the date of issue.

Rate of interest.

Bond election.

SEC. 118. The question whether bonds shall be issued, as provided in section 117 of this act, shall be determined at an election to be held in the manner prescribed by law for holding special school elections. Notices therefor shall state amount of bonds proposed to be issued, time they are to run, and purpose for which the money is to be used. The ballots must contain the words, "Bonds, yes," or "Bonds, no." If a majority of the votes cast at such election are "Bonds, yes," the board of directors must issue such bonds: *Provided*, That if the amount of bonds to be issued, together with any outstanding indebtedness of the district, not to be redeemed with the proceeds of said issue of bonds, exceeds one and one-half per cent. of the taxable property in said district, then three-fifths of the votes cast at such election must be "Bonds, yes," before the board of directors are authorized to issue said bonds. The bond shall be in such form as the board of di-

Notice of.

Form of ballots.

Three-fifths vote.

rectors may prescribe, and shall, with the coupons, be signed by the board of directors and countersigned by the clerk of the school district.

SEC. 119. When authorized and empowered to issue bonds as provided in sections 117 and 118 of this act, the board of directors shall, within thirty days after the date of the election, certify the result to the county treasurer, who shall immediately publish notice of the sale of such bonds in at least one weekly newspaper published at the county seat, if there be one, for four consecutive issues, and publish such other notices as the board of directors may require. Said notices must give the amounts of bonds to be sold, the time to run, where payable, the option, if any, of the district to redeem; also naming the hour and day for considering bids, and asking bidders to name price and rates of interest at which they will purchase such bonds. Such bonds shall be issued in denominations of not less than one hundred nor more than one thousand dollars (\$1,000), and shall contain upon their face the date of issue, the series of issue, rate of interest, where payable, time to run, option, if any, of districts to redeem, and the printed or lithographed statement that said bond is issued under the provisions of this act, and that the whole indebtedness of said district does not exceed the constitutional limit. Each bond so issued must be registered by the county treasurer in a book to be kept for that purpose, which must show the number, and such data as is necessary to secure a complete record of such bond, series, and amount of each bond, the person to whom the same is issued, name of the district issuing, together with the names of directors signing the same; and the said bond shall be endorsed by the treasurer, with his name and a full statement of the name of the person to whom and when issued, together with the number and series of said bond.

Directors shall certify to county treasurer.

Advertisement of sale.

Form of bonds.

Bonds registered by county treasurer.

SEC. 120. At the time named in said notice it shall be the duty of the said board of directors to meet with the county treasurer at his office, and with him open said bids and sell said bonds to the person or persons making the most advantageous offer: *Provided*, The bonds shall never be sold below par, and the board of directors may reject any and all bids, and within six months proceed to readvertise the sale of such bonds. Upon the sale of bonds the board of directors shall, within ten (10) days, or as soon thereafter as practicable, deliver the bonds, properly executed, to the county treasurer,

Sale of bonds.

May reject bids and readvertise.

County treasurer to deliver bonds and receive proceeds.

taking his receipt therefor. The county treasurer shall, upon payment of the price agreed upon, deliver the same to the person or persons to whom sold, and place the moneys arising from such sale to the credit of the special school fund of the said district. Fees for advertising shall be deducted from the proceeds.

Fees for advertising.

Bond interest levy.

SEC. 121. The county commissioners must ascertain and levy annually the tax necessary to pay the interest upon such bonds as it becomes due, and at the expiration of one-half of the time for which said bonds are to run, and annually thereafter until full payment of said bonds is made, they may, if deemed advisable, levy, in addition to the tax required to pay the interest, such amount for sinking fund to meet the payment of said bonds at maturity, to be determined by dividing the amount of bonds outstanding by the remaining number of years to run, and the fund arising from such levy shall be kept as the bond redemption fund of said district, and each of said tax levies shall be a lien upon the property in said district, and must be collected in the same manner as taxes for other school purposes.

Sinking fund levy.

Redemption fund.

Bond interest paid from special levy.

SEC. 122. The county treasurer must pay out of any moneys belonging to the credit of the bond interest fund of the school district the interest upon any bonds issued under this act by such school district when the same becomes due, and at such place designated in such coupon, or upon the presentation at his office of the same, which must show the amount due and the number and series of the bond to which it belongs, and all coupons so paid must be immediately reported to the school directors.

Lithographed bonds and coupons.

SEC. 123. The school directors of any district must cause to be printed or lithographed at the lowest rates, suitable bonds with coupons attached, when the same become necessary, and pay therefor out of any moneys in the county treasury to the credit of the school district.

Refunding of bonds.

SEC. 124. Whenever any school district in this state shall have heretofore, under any of the acts of the territorial or state legislature now in force, issued any bonds for the purchase of any school house site, or the building of any school house, or the furnishing of the same, and the amount of the said bonds so issued and negotiated shall not exceed the sum of five (5) per centum of the taxable property of the said school district, it shall be lawful for the said school district to issue and exchange its bonds at a rate of interest not



greater than that borne by the original issue of bonds, par for par, without any further vote of the school district than that heretofore had or required by existing law at the time of their issue, and said bonds shall in all respects conform to and be governed by the other provisions of this act: *Provided*, That in cities of ten thousand population or more, whenever any bonds issued under the provisions of this act shall reach maturity and shall remain unpaid, the board of directors thereof shall have the power to fund the same by issuing coupon bonds conformable to the requirements of this act, and exchanging the same, par for par, for the outstanding bonds as aforesaid, without any further vote of the school district: *Provided further*, That such bonds shall be issued in denominations of not less than one hundred dollars nor more than one thousand dollars, shall be redeemable within twenty years from date of issue, and shall draw a rate of interest not to exceed six (6) per centum per annum.

In cities of 10,000 or more inhabitants.

Denominations of bonds.

SEC. 125. Every holder of any of the bonds so issued as provided in this act shall, within ten (10) days after he shall become the owner or holder thereof, notify the county treasurer of the county in which such bonds are issued of his ownership, together with his full name and postoffice address, and the county treasurer of said county shall, in addition to the published notice herein provided for, deposit in the postoffice, properly stamped and addressed to each owner or holder of any such bonds subject to redemption or payment, a notice in like form, stating the time and place of the redemption of such bonds and the number of the bonds to be redeemed, and in case any owners of bonds shall fail to notify the treasurer of their ownership as aforesaid, then a notice mailed to the last holder of such bonds shall be deemed sufficient, and any and all such notices so mailed as aforesaid shall be deemed to be personal notice to the holders of such bonds, and at the expiration of the time therein named shall have the force to suspend the interest upon any such bonds.

Holders of bonds to notify county treasurer.

Notice of bond redemption.

SEC. 126. That at any time after the issuance of such bonds, and in the discharge of the duties imposed upon said county treasurer, should any incidental expense, costs or charges arise, the said county treasurer shall present his claim for the same to the board of directors of the school district issuing such bonds, and the same shall be audited and paid in

Incidental costs.

the same manner as other services are paid under the provisions of law.

Notice of bond redemption.

SEC. 127. Whenever the amount of any sinking fund created under the provisions of this act shall equal the amount, principal and interest of any bond then due, or subject under the pleasure or option of said school district to be paid or redeemed, it shall be the duty of the county treasurer of the county in which the school district issuing such bonds is located, to publish a notice in the official newspaper of the county, if such a one there be, and if not, then in a newspaper of general circulation, that the said county treasurer will, within thirty (30) days from the date of such notice, redeem and pay any such bond then redeemable or payable, giving priority according to the date of issue numerically, and upon the presentation of any such bond or bonds the said treasurer shall pay the same; and in case that any holder of such bond or bonds shall fail or neglect to present the same at the time mentioned in said notice, or in the notice hereinbefore provided for, then the interest upon such bond or bonds shall cease and determine, and the treasurer of such county shall thereafter pay only the amount of such bond and the interest accrued thereon up to the day mentioned in said notice.

Cancellation of bonds.

When any bonds are so redeemed or paid, the county treasurer shall cause the same to be fully canceled, and write across the face of such bonds the words "redeemed," with the date of redemption, and shall deliver the same to the board of directors of such school district, taking the directors' receipt therefor.

#### CHAPTER 8.—VALIDATION OF DEBTS.

Electors may validate indebtedness of district.

SEC. 128. Any school district may validate and ratify the indebtedness of such school district, incurred for strictly school purposes, when the same does not exceed five per centum of the value of the taxable property in such school district. The value of taxable property in such school district shall be ascertained as provided in article eight, section six of the constitution of the State of Washington.

Resolution of board to validate.

SEC. 129. Whenever the board of directors of any school district shall deem it advisable to validate and ratify the indebtedness mentioned in section 128 of this chapter, they shall provide therefor by resolution, which shall be entered on the records of such school district, which resolution shall provide for the holding of an election for the purpose of submitting

the question of validating and ratifying the indebtedness so incurred to the voters of such school district for approval or disapproval, and if at such election three-fifths of the voters in such school district voting at such election shall vote in favor of the validation and ratification of such indebtedness, then such indebtedness so validated and ratified and every part thereof existing at the time of the adoption of said resolution shall thereby become and is hereby declared to be validated and ratified and a binding obligation upon such school district, when the only ground of the previous invalidity of such indebtedness so ratified and validated is that at the time of the attempted incurring thereof, the same, together with all other then existing indebtedness of such school district, exceeded one and one-half per centum of the taxable property in such school district, as provided in article eight, section six of the constitution of the State of Washington, and that such indebtedness was so attempted to be incurred without the assent of three-fifths of the voters of such school district voting at an election held for that purpose, as required by said constitution.

SEC. 130. At the time of the adoption of the resolution provided for in section 129 of this chapter the board of directors of such district shall determine the number and the location of the places at which polls shall be opened to receive the votes of the voters in such district. Unless otherwise provided, the polls shall be open at one o'clock in the afternoon and close at four o'clock in the afternoon of the same day, but the board may determine on a longer time during which the polls may be kept open, not before one o'clock in the afternoon and not later than eight o'clock in the afternoon of the same day. Such board shall appoint two voters in such district where the election is to be held to act as judges of such election, and also one and not more than two persons to act as clerks at each voting place. Such clerks shall keep a list of the voters voting at such election, and tally the result under direction of the judges. The judges shall observe and cause to be observed at such election, as far as the same shall apply, the election laws of the state governing the election of school directors. Should any of the judges so appointed be absent at the opening of the polls, the voters of such district present shall appoint a voter to act in place of such absent judge. If the clerk or clerks of such election be absent at the opening of the polls the judges con-

Three-fifths  
vote.

Location  
of polls.

Time of  
election.

Judges and  
clerks of  
election.



ducting such election shall appoint one and not exceeding two persons to act as clerks of such election. The judges and clerks of such election shall each take and subscribe an oath to faithfully perform the duties imposed upon them by law in conducting such election, and each of said judges shall have power to administer all oaths required by this section, each to the other, and to the clerks, and to all persons offering to vote, when challenges are interposed. The clerks or secretaries of such school district, or any officer authorized by law to administer oaths, may administer the oath required to be taken by such judges and clerks. If there is not sufficient number of voters present at the hour named for the opening of the polls to fill vacancies, occasioned by the absence of judges or clerks, it shall be lawful to open the polls as soon thereafter as a sufficient number of electors are present. Elections hereunder shall be by ballot. The ballot must contain the words, "Validating and ratifying indebtedness, yes," or the words, "Validating and ratifying indebtedness, no." Ballots containing the words, "Validating and ratifying indebtedness, yes," shall be counted in favor of validating and ratifying such indebtedness, and ballots containing the words, "Validating and ratifying indebtedness, no," shall be counted against validating and ratifying such indebtedness. As soon as the polls are closed at such election, the judges at each polling place shall count the votes, ascertain the result and certify the same and make return thereof, within two days after such election, to the board of directors of such district, by depositing the same, together with the ballots cast at such election, with the clerk or secretary of such board, and within five days after such election, or as soon as all the returns of such election are deposited as herein provided, the board of directors of such district shall meet and canvass and declare the result, and shall cause to be entered a minute thereof on the records of such district. The qualifications of voters at such election shall be the same as prescribed for the election of school officers.

Oaths administered by whom.

Form of ballots.

Certifying result of election.

Qualifications of voters.

Clerk to give notice of election.

SEC. 131. At the time of the adoption of the resolution provided in section 129 of this chapter, the board of directors shall direct the clerk or secretary of the board to give public notice of the time, places and purposes of such election. Such clerk or secretary shall thereupon cause written or printed notices to be posted in at least five places in such school district, at least twenty days before such election.

Said notices shall also be published for the same length of time in a daily newspaper printed and published in such district, and if there be no such daily newspaper, then in a weekly newspaper, published in this state and of general circulation in the county where such school district is situated, in two regular issues of such weekly newspaper next preceding the day of such election. Said notices shall contain a copy of the resolution mentioned in section 129 of this chapter, the time of holding such election and location of polling places, a statement of the object of the election, and the form of the ballot adopted by the board to determine the question submitted to the voters.

Publication  
of notice.

Notice to contain, what.

SEC. 132. If the indebtedness of such school district is validated and ratified, as provided in section 129 of this chapter, by three-fifths of the voters voting at such election, the board of directors of such school district, without any further vote, may borrow money and issue negotiable coupon bonds therefor to an amount not to exceed the unpaid indebtedness of such school district existing at the time of the adoption of the resolution mentioned in section 129 of this chapter, deducting from the amount of such unpaid indebtedness the amount of all indebtedness evidenced by negotiable coupon bonds then outstanding against and payable by such district.

Board may  
issue bonds.

Bonds so issued shall bear a rate of interest not to exceed six per cent. per annum, interest payable semi-annually, payable and redeemable at such time and place as designated in the bonds, but not exceeding twenty years from date of issue.

Rate of  
interest.

The bonds and coupons shall be in such form as the board of directors shall prescribe, and payable at such place as may be designated therein. In all school districts, except in cities of ten thousand or more inhabitants, said bonds, with the coupons, must be signed by the board of directors and countersigned by the clerk of the school district. In school districts in cities of ten thousand or more inhabitants said bonds, with the coupons, must be signed in the corporate name of the district, by the president of the board of directors thereof, and attested by the secretary of the board.

In cities of  
10,000 or more  
inhabitants.

The seal of said district, if such district has a seal, shall be affixed to each bond by the secretary thereof. The moneys arising from the sale of coupon bonds issued under this chapter shall be placed by the treasurer of the county in a special fund to the credit of such school district, and out of such fund shall be paid the indebtedness of such school district ex-

Seal of district.

Indebtedness,  
how paid.

isting at the time of the adoption of the resolution mentioned in section 129 of this chapter, not evidenced by negotiable coupon bonds.

Amount of bonds to be issued.

SEC. 133. When authorized and empowered to issue bonds, as provided in section 132 of this chapter, the board of directors of such district shall, at a meeting of such board, determine by resolution the amount of bonds to be issued, not exceeding, however, the unpaid indebtedness of such district after deducting the bonded indebtedness existing at the time of the adoption of the resolution mentioned in section 129 of this chapter, and shall deliver a copy of said resolution to the county treasurer of the county in which such school district is situated, who shall immediately advertise for sale said bonds, and the law relating to other bonds shall govern, control and apply to bonds issued or sold under this chapter, except that bonds issued under this chapter shall not bear a greater rate of interest than six per cent. per annum, and they may be sold in such amounts or blocks as the board of directors may direct, and such board may also require all persons bidding for said bonds, except the State of Washington, to deposit one per cent. of the par value of the bonds bid for on depositing with the treasurer their bids, and if the bidder fails to take and pay for the bonds for which he bid, in case of their sale to him, the amount so deposited shall be forfeited to the school district, otherwise to be returned to such bidder, and a resale of such bonds so refused to be taken may be made as if the bid for the same had been rejected, and the money arising from the sale of the bonds issued under this chapter shall be applied as provided in section 132 of this chapter.

County treasurer shall advertise sale.

Interest not to exceed 6 per cent.

One per cent. deposit.

Warrants exchanged for bonds.

SEC. 134. If bonds issued under this chapter are not sold as herein provided, the holders of unpaid warrants drawn on the county treasurer by such district for an indebtedness existing at the time of the adoption of the resolution mentioned in section 129 of this chapter, may exchange said warrants at the face value thereof and accrued interest thereon for coupon bonds issued under this chapter, at not less than par value and accrued interest of such bonds at the time of the exchange; such exchange to be made under such regulations as may be provided by the board of directors of such district.

County treasurer notified of result of election.

SEC. 135. When the board of directors shall have canvassed and declared the result of the election as prescribed in section 130 of this chapter, it shall, if the same shall have been in

favor of validating and ratifying the indebtedness, immediately cause to be sent to the county treasurer of the county in which such district is situated, notice of the result of the election, and all moneys then or thereafter in the hands of such treasurer belonging to such district, arising from the annual tax levy or from fines or other sources for the support and maintenance of common schools in such district, shall be applied only to the payment of interest on the bonded indebtedness and to the current expenses of such school district incurred after the adoption of the resolution mentioned in section 129 of this chapter, and shall not be used for, or applied to, the payment of any indebtedness of such district existing before the adoption of said resolution, except interest on the bonded indebtedness. The annual expense of such district shall not thereafter exceed the annual revenue thereof, and any officer of such district who shall knowingly aid in increasing the annual expenditure in excess of the annual revenue of such district, shall be deemed to be guilty of a misdemeanor, and shall be punished by a fine not exceeding five hundred dollars. If the indebtedness of such school district, excluding the bonded indebtedness existing before the adoption of said resolution, is not extinguished by the exchange of warrants for bonds, or by the proceeds of the sale of bonds, as herein provided, then it shall be the duty of the board of directors, thirty days before the regular annual tax levy, to certify the amount of such indebtedness remaining unpaid to the board of county commissioners of the county in which such school district is situated, and said board of county commissioners, at the time of making the regular annual tax levy, shall annually levy a special tax on the taxable property of the district not to exceed three mills on the dollar on the valuation of such taxable property, which shall be collected as other taxes are collected, and the proceeds of such tax shall be a special fund for the payment of the indebtedness of such district, not included in bonds, existing at the time of the adoption of the resolution mentioned in section 129 of this chapter.

Money there-  
after applied  
to current  
expenses.

Limit of an-  
nual expense.

County com-  
missioners  
shall levy for  
remaining  
indebtedness  
three mills.

#### CHAPTER 9.—CERTIFICATION OF TEACHERS.

##### ARTICLE I.—CLASSIFICATION OF CERTIFICATES.

SEC. 136. Nothing in this act shall be construed to invalidate the life diplomas or the state or territorial certificates granted under the laws of the Territory of Washington,

Validating  
certificates  
and contracts.



or of the State of Washington, but the same shall continue in effect the same as life diplomas and state certificates granted under the provisions of this act, and all county certificates heretofore granted by any county board of examiners shall continue in full force and effect until the expiration thereof; and any contract made in good faith by any teacher, school officer, or other person, under the provisions of the territorial or state school laws, is hereby recognized as a valid contract, the same as if made under the provisions of this act.

SEC. 137. The teachers' certificates issued by authority of the State of Washington, and entitling the holder thereof to teach in the schools of the state shall consist of—

Life diplomas.

*First:* Life diplomas, valid during the life of the holder, and state certificates, valid for five years from the date of issue; said life diplomas and state certificates shall be issued by the superintendent of public instruction on the authority of the state board of education: *Provided*, That state certificates may, upon application and without examination, be renewed, or a life diploma be authorized in lieu thereof by the state board of education.

State certificates.

First, second and third grade certificates.

*Second:* First grade common school certificates, valid for a period of five years from date of issue; second grade common school certificates, valid for two years from date of issue; third grade common school certificates, valid for one year from date of issue. Said first grade certificates, second grade certificates and third grade certificates shall be issued by the superintendent of public instruction, as provided by law.

Temporary certificates.

*Third:* Temporary certificates may be issued, as provided by law, by any county superintendent, entitling the holder thereof to teach in any common school of the county wherein the same is issued until the next regular examination of teachers; whereat, if the applicant take the examination for certification, the county superintendent may extend the same until it shall have been determined whether a certificate is to be issued to the applicant in accordance therewith.

Special certificates.

*Fourth:* Special certificates may be issued without examination by the county superintendent to teachers of music, languages other than English, drawing and painting, manual training and penmanship, upon the application of any board of directors, which certificate shall entitle the holder thereof to teach the subject therein named in any school of the district under the control of said board of directors, until revoked for cause: *Provided*, That the county superintendent,

before issuing the same, shall receive satisfactory evidence of the applicant's fitness to teach the subject named in the certificate.

ARTICLE II.—DIPLOMAS AND STATE CERTIFICATES.

SEC. 138. State certificates shall be granted to such applicants only as shall file with the board satisfactory evidence of having taught successfully twenty-seven months, at least nine of which shall have been in the public schools of this state. The applicant must pass a satisfactory examination in all the branches required for first grade common school certificates, also plane geometry, geology, botany, zoölogy, civil government, psychology, history of education, bookkeeping, composition and general history; or file with the board a certified copy of a diploma from some state normal school, or normal department of university of Washington, or of a state or territorial certificate from a state or territory, the requirements to obtain which shall not have been less than those required by this act. Life diplomas shall be granted to such applicants only as shall file with the board satisfactory evidence that they have taught successfully for ninety months, not less than fifteen of which shall have been in the public schools of this state. In other respects the requirements shall be the same as those for state certificates. The fee for state certificates shall be three dollars, and for life diplomas, five dollars. Said fees must be deposited with the application, and cannot be refunded to the applicant unless the application be withdrawn before it has been considered by the board. Said fees shall be paid into the state treasury.

SEC. 139. The state board shall also have power to grant state certificates without examination to all applicants who are graduates of a regular four year collegiate course of the university of Washington, the agricultural college and school of science, or of other reputable institutions of learning whose requirements of graduation are equal to the requirements of the university of Washington: *Provided*, That the applicant shall file with the board a certified copy of his diploma and a copy of the course of study for the year in which he graduated: *Provided further*, That the applicant shall pass a satisfactory examination before the state board of education in theory and practice of teaching, psychology and history of education, and shall file with the board satisfactory evidence of having taught successfully for twenty-



seven months, at least nine of which shall have been in the public schools of this state.

ARTICLE III.—COMMON SCHOOL CERTIFICATES.

County examinations.

SEC. 140. There shall be held at the county seat of each county on the second Thursday of the months of February, May, August and November of each year an examination of applicants for teachers' certificates, which examination shall be conducted by the county superintendent according to the rules and regulations of the state board of education: *Provided*, That in case of the sickness or disability of the superintendent he may appoint a suitable teacher or teachers to assist or to conduct the same, subject to the same laws, rules and regulations as himself, and the county superintendent shall in reporting the examination to the superintendent of public instruction, as hereinafter provided, forward such appointment in writing.

Assistants.

Requirements for certificates.

SEC. 141. All applicants at the examination mentioned in the preceding section shall be at least seventeen years of age, and shall be examined, according to the rules and regulations of the state board of education, in reading, penmanship, orthography, written and mental arithmetic, geography, English grammar, physiology and hygiene, history and constitution of the United States, school law and constitution of the State of Washington, and the theory and art of teaching; but no person shall receive a first grade certificate who does not pass a satisfactory examination in the additional branches of physics, English literature and algebra, and who does not present satisfactory written evidence of having taught successfully one school year of nine months.

Examination fee paid into institute fund.

SEC. 142. Each applicant before taking the examination for a certificate, or upon application for a renewal, shall pay to the county superintendent the sum of one dollar, and shall receive a receipt therefor. The fees so received by the superintendent shall in no case be returned to the applicant, but shall be paid to the county treasurer to the credit of the institute fund.

Papers forwarded to state superintendent.

SEC. 143. The county superintendent shall within three days of the close of said examination forward to the superintendent of public instruction, in accordance with his directions, all the papers written at said examination and relating thereto, including a complete list of all applicants thereat, with their postoffice addresses, and also a receipt from the

county treasurer for the fees collected at the examination as herein provided.

SEC. 144. The holder of a first grade certificate who shall present to the superintendent of public instruction evidence of having taught successfully twenty-four school months during the time said certificate has been in force may have his certificate renewed without further examination, which renewal shall be endorsed thereon by the superintendent of public instruction, upon its presentation, for a like term of five years: *Provided*, That such renewed certificate shall lapse upon the failure of its holder to teach for a period of two consecutive school years.

First grade certificate may be renewed.

SEC. 145. All applicants for certificates who shall attain the required percentage in eight of the designated subjects, but not in all, shall be credited for those subjects in which they shall have passed, and, upon passing the required percentages in the remaining subjects at the next subsequent examination, shall receive a certificate in accordance with the result of both examinations: *Provided*, That this shall not be construed as applying to those passing for a third grade certificate.

Applicants may pass in part of subjects.

SEC. 146. Any teacher to whom a certificate has been granted by any county board of examiners in this state, or by lawful examiners in any other state or territory, the requirements to obtain which shall not have been less than the requirements to obtain a certificate in this state, or any teacher holding a diploma or certificate of graduation from any state or territorial normal school, or from the normal department of the university of the State of Washington, may present the same, or a certified copy thereof, to the county superintendent of any county in this state where said teacher desires to teach, and it shall be the duty of said county superintendent, upon such evidence of fitness to teach, to grant to said person a temporary certificate: *Provided*, That the provisions of this clause shall apply only to such teachers as were not residents of the county at the time of the last preceding examination, or were not able, by reason of sickness or other unavoidable cause, to attend said examination: *And provided further*, That the county superintendent may require of such a person a written statement of such facts, verified by affidavit.

County superintendents may grant temporary certificates.

#### ARTICLE IV.—GENERAL PROVISIONS.

SEC. 147. All certificates issued by the superintendent of public instruction shall be valid and entitle the holder thereof

Registration of certificates.

to teach in any county of the state upon being registered by the county superintendent thereof, which fact shall be evidenced by him on the certificate in the words, "Registered for use in ..... county," together with the date of registry and his official signature: *Provided*, That a copy of the original certificate or diploma duly certified by the superintendent of public instruction may be used for the purpose of registry and endorsement in lieu of the original.

Revocation. SEC. 148. Any certificate named in this act may be revoked by the authority entitled to grant the same upon the determination of sufficient cause, after the holder thereof shall have been given an opportunity of being heard.

#### CHAPTER 10.—ELECTIONS AND MEETINGS.

##### ARTICLE I.—GENERAL ELECTIONS.

Annual election.

SEC. 149. The election of district directors and clerks shall, except as otherwise provided by law, be held on the second Saturday in June of each year, at the district school house, if there be one, or if there be none or if more than one, then at a place to be designated by the board of directors. Special school elections shall be called and conducted in the manner provided for calling and conducting annual elections.

Special elections.

Clerk must give ten days' notice.

SEC. 150. The district clerk must give at least ten days' notice of such school election, by posting or by causing to be posted, written or printed notices thereof in at least three public places in the district, one of which must be the place of holding the election. Said notice must designate the place of holding the election, day of holding the election, hours between which the polls are to be kept open, names of offices for which persons are to be elected, and terms of office, with a statement of any other questions which the board of directors may desire to submit to the electors of said district. Notices must be signed by the district clerk "By order of the board of directors." Unless otherwise designated in the notice of election, the polls shall be open at one o'clock in the afternoon and close at four o'clock in the afternoon, but the board of directors may, previous to giving notice of election, determine on an hour before one o'clock, but not earlier than nine o'clock in the forenoon for opening the polls, and for closing an hour after four o'clock, but not later than eight o'clock in the afternoon. In no case shall the polls be open before the hour named in the notice, nor kept open after the hour fixed for closing the polls, but if there is not a suffi-

Polls must be open, when.

cient number of electors present at the hour named for opening the polls to constitute a board of election, it shall be lawful to open the polls as soon thereafter as a sufficient number of electors is present: *Provided*, That in cities and incorporated towns the polls shall open not later than one o'clock in the afternoon and close not earlier than eight o'clock in the afternoon.

In cities of  
10,000 or more  
inhabitants.

SEC. 151. At the hour fixed for opening the polls the electors present shall select two electors to act as judges of the election and one elector to act as clerk of the election, and the three selected shall constitute the election board; and no election shall be held unless an election board is so constituted and qualified. The judges and clerk aforesaid shall, before entering upon the duties of their office, severally take and subscribe an oath or affirmation faithfully to discharge the duties as such officers of the election, said oath or affirmation to be administered by any school officer or other person authorized to administer oaths. The judges shall, before they commence receiving ballots, cause to be proclaimed aloud at the place of voting that the polls are now open.

Election  
board.

Election  
officers must  
take oath.

SEC. 152. The voting shall be by ballot. The ballots shall be a paper ticket containing the names of the persons for whom the electors intend to vote, and designating the office to which such person so named is intended by him to be chosen. Whenever any person offers to vote, one of the judges shall pronounce his name in an audible voice, and if there be no objections to the qualification of such person as an elector, he shall receive the ballot in the presence of the election board and deposit the same without being opened or examined in the ballot box, and the clerk shall immediately enter the name upon the list headed "Names of voters."

Form of ballot.

Votes  
received.

SEC. 153. Every person, male or female, over the age of twenty-one years, who shall have resided in the school district for thirty days immediately preceding any school election, and in the state one year, and is otherwise, except as to sex, qualified to vote at any general election, shall be a legal voter at any school election, and no other person shall be allowed to vote: *Provided*, That in cities and towns and voting precincts in which the registration of voters is by law provided for, there shall be made a separate registry of female voters entitled to vote at school elections, and in such districts the law applying to elections shall be, so far as registration is concerned, in force and effect. Persons offering

Qualifications  
of voters.

Registration  
of voters.



**Challenges.** to vote may be challenged by any legally qualified school elector of the district, and one of the judges of election shall thereupon, before receiving his vote, administer to the person challenged, an oath in substance as follows: "You do swear (or affirm) that you are a citizen of the United States, or have declared your intention to become such; that you are twenty-one years of age, according to your information and belief, and that you have resided in this district thirty days next preceding this election, and in the state one year, and that you have not voted before on this day." If he shall refuse to take the oath, his vote shall be rejected. Any person guilty of illegal voting shall be punished as provided in the general election laws of the state.

**Closing polls.** SEC. 154. When the polls are closed, proclamation thereof shall be made at the place of voting, and no vote shall afterward be received. As soon as the polls are closed, the judges shall open the ballot box and commence counting the votes, and in no case shall the ballot box be removed from the room in which the election is held until all the votes are counted.

**Canvass of returns.** The counting shall be in public. The ballots shall be taken out one by one, by one of the judges, who shall open them and read aloud the name of each person contained therein, and the office for which such person was voted for. The clerk shall write down each office to be filled and the name of such person voted for for such office, and shall keep the number of votes by tallies as they are read aloud by one of the judges. The counting of the votes shall continue without adjournment until all the votes are counted. No ticket shall

**Imperfect ballots.** be rejected on account of form or mistake in the initials or spelling of names, if the judges can determine to their satisfaction the person voted for and the office intended. After the result of the election is duly canvassed and officially declared, the clerk of election shall forward the poll sheet thereof to the county superintendent, who shall preserve the same on file in his office.

**Clerks forward poll sheets to county superintendent.**

**Certificates of election.** SEC. 155. Persons having the highest number of votes given for each office shall be declared duly elected, and the clerk of election shall immediately make out and deliver to each person so elected a certificate of election. The clerk of election shall also make out a certificate showing the persons elected to each office at such election, with oaths of office of persons elected attached, and mail such certificate and oaths to the county superintendent of schools of the county in which

the election is held. If two persons have an equal and high- Tie votes.  
 est number of votes for one and the same office, they shall,  
 within ten days after the election, appear before the clerk of  
 election of said district and publicly decide by lot which of  
 the persons so having an equal number of votes shall be de-  
 clared elected, and the clerk of election shall make out and  
 deliver to the person thus declared elected a certificate of his  
 election, and notify the county superintendent of the county  
 as before provided. If the persons above named do not,  
 within ten days after election, thus decide, the office shall be  
 declared vacant by the clerk of election, and the county  
 superintendent shall, when notified of the vacancy, fill the  
 same by appointment.

## ARTICLE II.—SPECIAL MEETINGS.

SEC. 156. Any board of directors may, in its discretion, Special  
 and shall, upon a petition of the majority of the legal voters meetings.  
 of their district, call a special meeting of the voters of the  
 district, to determine the length of time in excess of the mini-  
 mum length of time prescribed by law that school shall be  
 maintained in the district during the school year; to determine  
 whether or not the district shall purchase any school house  
 site or sites, and to determine the location thereof; or to de-  
 termine whether or not the district shall build one or more  
 school houses; or to determine whether or not the district  
 shall sell any real or personal property belonging to the dis-  
 trict, borrow money, or establish and maintain a school dis-  
 trict library.

SEC. 157. All such special meetings shall be held at the Elections at  
 school house, if there be one, or if there be none or more than the school  
 one, then at such school house or place as the board of direct- house.  
 ors may determine. At least ten days' notice of such special Clerk to  
 meeting shall be given by the district clerk, in the manner give ten  
 that notice is required to be given of the annual school elec- days' notice.  
 tion, which notice shall state the object or objects for which  
 the meeting is to be held, and no other business shall be  
 transacted at such meeting than such as is specified in the  
 notice. The district clerk shall be clerk of the meeting, and  
 the chairman of the board of directors or, in his absence, the  
 senior director present, shall be chairman of the meeting:  
*Provided*, That in the absence of one or all of said officers,  
 the qualified electors present may elect a chairman or clerk, Election  
 officers.  
 or both chairman and clerk, of said meeting as occasion may



Records of. require, from among their number. The clerk of the meeting shall make a record of the proceedings of the meeting, and when the clerk of such meeting has been elected by the qualified voters present, he shall within ten days thereafter, file the record of the proceedings, duly certified, with the clerk of the district, and said record shall become a part of the records of the district, and be preserved as other records.

Directors to carry out vote. SEC. 158. It shall be the duty of every board of directors to carry out the directions of the electors of their districts as expressed at any such meeting.

#### CHAPTER 11.—PENALTIES.

For disclosing examination questions. SEC. 159. Any member of the state board of education, or any employé of the state, who shall, directly or indirectly, disclose any questions prepared for examinations, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than five hundred dollars.

For failure of county superintendent to make report. SEC. 160. If any county superintendent fails to make a full and correct report to the superintendent of public instruction of all statements required by him, he shall forfeit the sum of fifty dollars from his salary, and the board of county commissioners are hereby authorized and required to deduct therefrom the sum aforesaid upon the information from the superintendent of public instruction that such reports have not been made.

For failure to pay over money. SEC. 161. Any officer or person collecting or receiving any such fines, forfeitures or other moneys, and refusing or failing to pay over the same, as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five per cent. per month during the time of so withholding the same; and it shall be a special duty of the county superintendent of schools to supervise and see that the provisions of this section are fully complied with, and report thereon to the county commissioners semi-annually or oftener.

For failure of directors to enforce teaching of hygiene. SEC. 162. Upon complaint in writing being made to any county superintendent by any district clerk, or by any head of family, that the board of directors of the district of which said clerk shall hold his office, or said head of family shall reside, have failed to make provision for the teaching of hygiene, with special reference to the effects of alcoholic drink, stimulants and narcotics upon the human system, as provided in this act, in the common schools of such district, it shall be the

duty of such county superintendent to investigate at once the matter of such complaints, and if found to be true, he shall immediately notify the county treasurer of the county in which such school district is located, and after the receipt of such notice, it shall be the duty of such county treasurer to refuse to pay any warrants drawn upon him by the board of directors of such district subsequent to the date of such notice and until he shall be notified to do so by such county superintendent. Whenever it shall be made to appear to the said county superintendent, and he shall be satisfied, that the board of directors of such district are complying with the provisions of said section of this act, and are causing physiology and hygiene to be taught in the public schools of such district as hereinbefore provided, he shall notify said county treasurer, and said treasurer shall thereupon honor the warrants of said board of directors.

SEC. 163. Any county superintendent of common schools who shall fail or refuse to comply with the provisions of the preceding section shall be liable to a penalty of one hundred dollars, to be recovered in a civil action in the name of the state in any court of competent jurisdiction, and the sum recovered shall go into the state school fund; and it shall be the duty of the prosecuting attorneys of the several counties of the state to see that the provisions of this section are enforced.

For failure of county superintendent to enforce teaching of hygiene.

SEC. 164. In case the district clerk fails to make the reports herein provided at the proper time and in the proper manner, he shall forfeit and pay to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the county superintendent or by any citizen of such district, in the name and for the benefit of such district.

For failure of clerk to make report.

SEC. 165. Any school officer who shall refuse or fail to deliver to his qualified successor all books, papers, records and moneys pertaining to his office, or who shall willfully mutilate or destroy any such property, or any part thereof, or who shall misapply moneys entrusted to him by virtue of his office, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not to exceed one hundred dollars.

For failure to deliver property.

For failure to enforce course of study.

SEC. 166. Any teacher who willfully refuses or neglects to enforce the course of study or the rules and regulations required by the state board of education, shall not be allowed by the directors any warrant for salary due until said teacher shall have complied with said requirements.

For abuse of pupils.

SEC. 167. Any teacher who shall maltreat or abuse any pupil by administering any undue punishment, or who shall inflict punishment on the head or face of a pupil, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be fined in any sum not exceeding one hundred dollars.

For non-attendance at institute.

SEC. 168. Any teacher failing to attend once in each year an institute in some county of this state, unless on account of sickness, or for other good and sufficient reasons satisfactory to the superintendent of public instruction, may have any certificate he may hold forfeited by order of the superintendent of public instruction: *Provided*, That said forfeiture shall be duly published after the said teacher shall have been given opportunity to present his reasons for such non-attendance, and after action thereon.

For abusing a teacher.

SEC. 169. Any parent, guardian or other person, who shall insult or abuse a teacher in the presence of the school, or anywhere on the school grounds or premises, shall be deemed guilty of a misdemeanor and be liable to a fine of not less than ten dollars nor more than one hundred dollars.

For disturbing school.

SEC. 170. Any person who shall willfully disturb any school or school meeting shall be deemed guilty of a misdemeanor, and upon conviction be fined in any sum not more than fifty dollars.

For non-attendance at school.

SEC. 171. Any person summoned before a superior judge to answer why he has not kept the children under his care in school as provided in the law relating to school attendance, and failing to show satisfactory cause for his refusal or neglect to comply with such law, shall be guilty of a misdemeanor, and fined in a sum of not less than ten nor more than twenty-five dollars for each offense, and the said fine when collected shall be placed to the credit of the school district wherein the person so fined resides.

For defacing property.

SEC. 172. Any pupil who shall cut, deface or otherwise injure any school house, furniture, fence or outbuilding thereof, or any books belonging to the district library, shall be liable to suspension and punishment, and the parent or guardian of

such pupil shall be liable for damages, on complaint of the teacher or of any director, and upon proof of the same.

SEC. 173. Any person violating the provisions of this act relating to vivisection and dissection in schools shall, upon conviction thereof, be deemed guilty of a misdemeanor and be fined in any sum of not less than fifty nor more than one hundred dollars.

For violat-  
ing vivisec-  
tion law.

SEC. 174. Any district using text-books other than those prescribed by the state board of education, or any district failing to comply with the course of study prescribed by the state board of education, or any district in which warrants are issued to a teacher not legally qualified to teach in the common school of the said district, shall forfeit twenty-five per cent. of their school fund for that or the subsequent year, and it is hereby made the duty of the county superintendent to deduct said amount from the apportionment to be made to any district failing in either or all of the above requirements, and the amounts thus deducted shall revert to the general school funds of the state, and the county treasurer shall return the same to the state treasurer for reapportionment.

For failure to  
use text-  
books or  
follow course  
of study.

SEC. 175. No school district shall be entitled to receive any apportionment of school moneys which shall not have maintained school for the time required by law during the preceding school year: *Provided*, That any new district formed from the division of an old one shall be entitled to its just share of school moneys when the time that school was maintained in the old district before division, and in the new one after division, shall be equal to at least the time required by law in the old district.

For failure  
to maintain  
school.

#### CHAPTER 12.—GENERAL PROVISIONS.

SEC. 176. Whenever the word "he" or "his" occurs in this act, referring to either the members of the city board of directors, county superintendents of common schools, city superintendents, directors, clerks, state board of education or other school officers, it shall be understood to mean also "she" or "her," and any woman possessing all of the qualifications of an elector except as to sex, and possessing all of the other qualifications required by law for such offices, shall be eligible to hold such offices.

Pronouns  
"he" and  
"his."

Women may  
hold office.

SEC. 177. The superior judge shall, upon complaint of the school clerk or upon his own motion, have power to remove any child if an orphan who fails to attend school as required

Judge shall  
enforce com-  
pulsory law.



by law, and place it in the care of some other person who will be likely to send such child to school; or if the child be under the care of parents, then the superior judge shall have power to summon such child before him and, if he shall, upon inquiry, find that the child has not already attained a reasonable proficiency in the common school branches for the first eight years as outlined in the course of study for common schools for the State of Washington, he shall issue an order commanding such parents to place such child in school, if school be then in session, or immediately when school shall resume if it be not in session; or appear before him and show cause for their neglect or refusal so to do.

Vivisection  
forbidden.

SEC. 178. No teacher or other person employed in any school in the State of Washington, except a medical or dental school or the medical or dental department of any school, shall practice vivisection upon any vertebrate animal in the presence of any pupil in said school, or any child or minor there present; nor in such presence shall exhibit any vertebrate animal upon which vivisection has been practiced.

Dissection  
permitted,  
when.

SEC. 179. Dissection of dead animals, or any portion thereof, in the schools of the State of Washington shall, in no instance, be for the purpose of exhibition, but in every case shall be confined to the class room and the presence of those pupils engaged in the study to be illustrated by such dissection.

Display  
of United  
States flag.

SEC. 180. That the board of directors in the several school districts of this state shall procure a United States flag, and shall display said flag upon or near each public school building during school hours, except in unsuitable weather and at such other times as to the said board may seem proper; and the necessary funds to defray the expenses to be incurred for such flags and appliances shall be assessed and collected in the same manner as moneys are now raised by law for public school purposes.

Free kinder-  
gartens.

SEC. 181. The board of directors of any school district contemplated by this act shall have power to establish and maintain free kindergartens in connection with the common schools of said district for the instruction of children between the ages of four and seven years, residing in said district, and shall establish such courses of training, study and discipline, and such rules and regulations governing such preparatory or kindergarten schools as said board may deem best: *Provided*, That nothing in this act shall be construed to change the law relating to the taking of the census of the school population

or the apportionment of state and county school funds among the several counties and districts in this state: *Provided further*, That the cost of establishing and maintaining such kindergartens shall be paid from the special school fund voted by the electors of said districts, for this purpose; and the said kindergartens shall be a part of the public school system and governed, as far as practicable, in the same manner and by the same officers as is now, or hereafter may be, provided by law for the government of the other public schools of this state: *Provided further*, That teachers of kindergarten schools shall have a diploma from some reputable kindergarten training school, or pass such examination on kindergarten work as the kindergarten department of the state normal schools may direct.

Expenses paid  
by special tax.

Diplomas of  
teachers in.

#### TITLE IV.—HIGHER AND SPECIAL INSTITUTIONS.

##### CHAPTER 1.—UNIVERSITY OF WASHINGTON.

###### ARTICLE I.—ADMINISTRATION.

SEC. 182. The state university, as heretofore located and established in the city of Seattle, county of King, shall be designated and named the University of Washington.

Establishment.

SEC. 183. The aim and the purpose of the university of Washington shall be to provide for students of both sexes, on equal terms, a liberal instruction in the different branches of literature, science, art, law, medicine, military science and such other departments of instruction as may be established therein from time to time by the board of regents. Tuition in the university of Washington, except as may be provided by the board of regents with reference to the arts or to special courses of study, shall be free to all *bona fide* residents of this state. Non-residents of this state shall be admitted to the said university on such terms as may from time to time be prescribed by the board of regents. The said university shall, as far as practicable, begin its course of study in its literary and scientific departments at the points where the same are completed in the public high schools of the state. No student shall be admitted except upon examination satisfactory to the faculty of the university. *Provided however*, That students shall be admitted without examination upon presentation of certificates from those public high schools and other educational institutions in this state whose courses of study shall have been approved by said faculty of the university, such certificates to show the completion of a course of study on the

Aim and  
purpose.

Tuition.

Admission  
of students.



part of applicants, which said faculty shall deem equivalent to the course of study necessary for admission under examination.

Board of regents.

SEC. 184. The government of the university of Washington shall be vested in a board of regents to consist of seven members who shall be appointed by the governor of the state, by and with the advice and consent of the senate, and who

Term of office.

shall hold their offices, respectively, for a term of six years from the second Monday in March next succeeding their appointment and until their successors shall be appointed and shall qualify: *Provided*, That regents now serving upon such board shall continue as such during the terms for which they were respectively appointed. Four members of said board

Quorum.

shall constitute a quorum for the transaction of business, and it shall be the duty of the governor to appoint at least four members of said board from the citizens of the city of Seattle or county of King in order that a quorum of said

Four members from King county.

Vacancy.

board may always be near the said university. Whenever there shall be a vacancy in the said board of regents, from any cause whatever, it shall be the duty of the governor to fill such office by appointment, and the person or persons so appointed shall continue in office until the close of the legislature next thereafter, or until others are appointed and qualified in their stead. Each regent before entering upon the duties of his office must qualify by taking the usual oath of office before some officer authorized by law to administer the same and file a copy of said oath with the secretary of state.

Regents must take oath.

Organization of board.

SEC. 185. The board shall organize by the election from its number a president and an executive committee, of which committee the president shall be *ex officio* chairman. The board shall hold regular quarterly meetings, and doing the interim between such meetings the executive committee may transact business for the whole board: *Provided*, That the executive committee may call special meetings of the whole board when such action is deemed necessary.

Meetings.

Powers and duties:

SEC. 186. The board of regents may adopt by-laws or rules and regulations for its own government. The powers and duties of the board of regents are as follows:

To have full control.

*First:* The said board shall have full control of the university and its property of various kinds, and shall employ the president, members of the faculty, assistants and employés of the institution, who shall hold their positions during the pleasure of said board of regents.

*Second:* It shall be the duty of the board of regents, with the assistance of the faculty of the university, to prescribe the course of study in the various departments of the institution and to publish the annual catalogue.

To prescribe courses of study.

*Third:* The said board shall grant to every student, upon graduation, a suitable diploma or degree, such student having been recommended for such honor by the faculty. The board shall also have power, upon recommendation of the faculty, to confer the usual honorary degrees upon other persons than graduates of this university in recognition of their learning or devotion to literature, art or science; but no degree shall ever be conferred in the consideration of the payment of money or other valuable thing. Any diploma granted by the normal department of the university shall entitle the holder to teach in any public school in this state during life, under regulations consistent with other provisions of law relating to life diplomas.

To grant diplomas.

Normal diplomas entitle to teach.

*Fourth:* The board of regents is authorized to receive such bequests or gratuities as may be granted to the said university and to invest or expend the same according to the terms of said bequests or gratuities. The said board shall adopt proper rules to govern and protect the receipt and expenditure of the proceeds of all fees, bequests or gratuities, and shall make full report of the same in the customary biennial report to the governor, or more frequently if required by law.

To receive and control funds.

*Fifth:* The board of regents is authorized and empowered to give and execute, on behalf of the State of Washington, the bonds and other papers required by the war department for the safe keeping of the arms and equipments loaned by the United States to the university of Washington.

To execute bonds to War Department.

*Sixth:* The board of regents shall transmit, on the first day of January preceding each regular session of the legislature, to the governor, a printed report of all the doings since their last report, giving full information of the receipt and expenditure of money, furnish an estimate of the needs of the institution, and give such information as will be helpful to the state authorities in providing for the said institution.

To make a biennial report.

*Seventh:* The members of said board of regents shall serve without compensation. Each regent, however, shall be paid his actual traveling expenses in going to and coming from any meeting of said board, and such claims for expenses shall be audited on vouchers issued by the president and secretary

To receive no compensation except actual expenses.

of said board the same as any other claims are vouchered and audited.

Faculty.

SEC. 187. The faculty of the university of Washington shall consist of the president and the professors, and the said faculty shall have charge of the immediate government of the institution under such rules as may be prescribed by the board of regents.

Non-sectarian.

SEC. 188. The university of Washington shall never be under the control of any religious or sectarian denomination or society whatever.

Attorney general legal adviser.

SEC. 189. The attorney general of the state shall be the legal advisor of the president and the board of regents of the university, and he shall institute and prosecute or defend all suits in behalf of the same.

#### CHAPTER 2.—AGRICULTURAL COLLEGE.

Establishment.

SEC. 190. The state agricultural college, experiment station and school of science of the State of Washington, as heretofore located at Pullman, Whitman county, shall be an institution of learning open to the children of all residents of this state, and to such other persons as the board of regents may determine, under such rules and regulations as may be prescribed by the board of regents; shall be non-sectarian in character, and devoted to practical instruction in agriculture, mechanic arts, and natural sciences connected therewith, as well as a thorough course of instruction in all branches of learning upon agricultural and other industrial pursuits.

Purpose and aim.

*Ex officio* visitors.

SEC. 191. The governor of the State of Washington, the superintendent of public instruction, members of the legislature, and county commissioners shall be *ex officio* visitors of said college. But said visitors shall have no power granted to control the action of the board of regents or to negative its duties as defined by law.

Courses of instruction.

SEC. 192. The course of instruction of said college shall embrace the English language, literature, mathematics, philosophy, civil and mechanical engineering, chemistry, animal and vegetable anatomy and physiology, the veterinary art, entomology, geology, political economy, rural and household economy, horticulture, moral philosophy, history, mechanics, and such other courses of instruction as shall be prescribed by the board of regents. One of the objects of said college shall be to train teachers of physical science, and thereby further the application of the principles of physical science

Teachers of physical science.

to industrial pursuits; to collect information as to schemes of technical instruction adopted in other parts of the United States and in foreign countries, and to hold farmers' institutes at such times and places and under such regulations as the board of regents may determine.

SEC. 193. The board of regents shall provide that all instruction given in the college shall, to the utmost practicable extent, be conveyed by means of practical work on the laboratory, and shall provide in connection with said college the following laboratories: One physical laboratory or more, one chemical laboratory or more, and one biological laboratory or more, and suitably furnish and equip the same. Said board of regents shall provide that all male students shall be trained in military tactics. Said board of regents shall establish a department of said college to be designated the department of elementary science, and in connection therewith provide instruction in the following subjects: Elementary mathematics, including elementary trigonometry, elementary mechanics, elementary and mechanical drawing and land surveying. Said board of regents shall establish a department of said college to be designated the department of agriculture, and in connection therewith provide instruction in the following subjects—*First*: Physics, with special application of its principles to agriculture. *Second*: Chemistry, with special application of its principles to agriculture. *Third*: Morphology and physiology of plants, with special reference to the commonly grown crops and their fungus enemies. *Fourth*: Morphology and physiology of the lower forms of animal life, with special reference to insect pests. *Fifth*: Morphology and physiology of the higher forms of animal life, and in particular of the horse, cow, sheep and swine. *Sixth*: Agriculture, with special reference to the breeding and feeding of live stock, and the best mode of cultivation of farm produce. *Seventh*: Mining and metallurgy. And it shall appoint demonstrators in each of these subjects, to superintend the equipment of a laboratory and to give practical instruction in the same. Said board of regents shall establish an agricultural experimental station in connection with the department of agriculture of said college, appoint its officers and prescribe such regulations for its management as it may deem expedient. Said board of regents may establish other departments of said college, and provide

Duties of regents.

Departments of instruction

Experiment station.



courses of instruction therein, when those are, in its judgment, required for the better carrying out of the object of the college.

Management of institution in board of five regents.

SEC. 194. The management of said college and experiment station, the care and preservation of all property of which the institution shall become possessed, the erection and construction of all buildings necessary for the use of said college and station, and the disbursement and expenditure of all money provided for by this chapter, shall be vested in a board of five regents, said five members of the board of regents shall be appointed in the manner appointed by law; said regents and their successors in office shall have the right of causing all things to be done necessary to carry out the provisions of this chapter. The board of regents provided for in this chapter shall be appointed by the governor, by and with the consent of the senate, one for a term of two years, two for a term of four years, and two for a term of six years; and each regent shall, before entering upon the discharge of his respective duties as such, execute a good and sufficient bond to the State of Washington, with two or more sufficient sureties, residents of the state, in the penal sum of not less than five thousand dollars (\$5,000) each, conditioned for the faithful performance of his duties as such regent: *Provided*, That all appointments made to fill vacancies caused by death, resignation or otherwise, shall be for the unexpired term of the incumbent whose place shall have become vacant. All other appointments made subsequent to the appointment of the first board of regents provided for in this act, shall be for the term of six years and until the appointment and qualification of a successor to each appointee: *Provided further*, That at least three of the members of the board of regents so appointed shall be residents of Eastern Washington and one shall be a resident of Western Washington: *Provided further*, That regents now serving upon such board shall continue as such during the term for which they were respectively appointed.

Appointment and term of office.

Bonds of regents.

Three regents from Eastern Washington.

Organization of board.

Treasurer.

Bond, \$40,000.

SEC. 195. The board of regents of the agricultural college, experiment station and school of science shall meet and organize, by the election of its president and treasurer from their own number, on the first Wednesday in April of each year. The person so elected as treasurer shall, before entering upon the discharge of his duties as such, execute a good and sufficient bond to the State of Washington, with two or

more sufficient sureties, residents of the state, in the penal sum of not less than forty thousand dollars (\$40,000), conditioned for the faithful performance of his duties as such treasurer, and that he will faithfully account for and pay over to the person or persons entitled thereto all moneys which shall come into his hands as such officer, which bond shall be approved by the governor of the state, and shall be filed with the secretary of state. The president of the college shall be secretary of the board of regents, and shall perform all the duties pertaining to that office, but shall not have the right to vote. The secretary shall in like manner as the treasurer give a bond in the penal sum of not less than five thousand dollars (\$5,000), conditioned for the faithful performance of his duties as such officer.

President of college to be secretary of board.

Bond, \$5,000.

SEC. 196. The president of said board shall be the chief executive officer, shall preside at all meetings thereof (except that in his absence the board may appoint a president *pro tempore*) and sign all instruments required to be executed by said board. The treasurer shall be the financial officer of said board, shall keep a true account of all moneys received and expended by him. The secretary shall be the recording officer of said board, shall attest all instruments required to be signed by the president, and shall keep a true record of all the proceedings of said board, and generally do all other things required of him by said board.

Duties of president of the board.

Treasurer.

Secretary.

SEC. 197. The regents shall have the power, and it shall be their duty, to enact laws for the government of said agricultural college, experiment station and school of science: *Provided*, The board of regents shall maintain at least one experimental station in the western portion of the state.

Regents enact by-laws.

SEC. 198. The board of regents shall direct the disposition of any moneys belonging to or appropriated to the agricultural college, experiment station and school of science, established by this act, and shall make all rules and regulations necessary for the management of the same, adopt plans and specifications for necessary buildings, and superintend the construction of said buildings, and fix the salaries of professors, teachers and other employes, and tuition fees to be charged in said college.

Regents have general control.

SEC. 199. The agricultural experiment station provided for in this act in connection with said agricultural college shall be under the direction of said board of regents of said college for the purpose of conducting experiments in agri-

Experiment station established by congress.



culture according to the terms of section one (1) of an act of congress, approved March 2, 1887, and entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto." The said college and experiment station shall be entitled to receive all the benefits and donations made and given to similar institutions of learning in other states and territories of the United States by the legislation of the congress of the United States now in force, or that may be enacted, and particularly to the benefits and donations given by the provisions of an act of congress entitled "An act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts," approved July 2, 1862, and all acts supplementary thereto, including the acts entitled "An act to establish agricultural experiment stations in connection with colleges established in the several cities under the provision of an act approved July 2, 1862, and of the acts supplementary thereto," which said last entitled act was approved March 2, 1887; also, "An act so apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of congress approved July 2, 1862," which said last mentioned act was approved August 30, 1890.

Assent to  
congressional  
requirements.

SEC. 200. The assent of the legislature of the State of Washington is hereby given, in pursuance of the requirements of section nine (9) of said act of congress, approved March 2, 1887, to the granting of money therein made to the establishment of experiment stations in accordance with section one (1) of said last mentioned act, and assent is hereby given to carry out, within the State of Washington, every provision of said act.

Meetings of  
board of  
regents.

SEC. 201. The meetings of the board of regents may be called in such manner as the board may prescribe, and the majority of said board shall constitute a quorum for the transaction of business; but a less number may adjourn from time to time. All meetings of the said board may be held in the office of the college building. No vacancy in said board shall impair the rights of the remaining board. A full meeting of the board shall be called at least once a year.

SEC. 202. Each member of the board of regents created by

this chapter shall, before entering upon his duties, take and subscribe an oath to discharge faithfully and honestly his duties in the premises, and to perform strictly and impartially the same to the best of his ability; said oath shall be filed with the secretary of state.

Regents must subscribe to oath.

SEC. 203. The regents shall be allowed their actual and necessary traveling expenses in going to and returning from all the necessary sessions of their board; and also their necessary expenses while in actual attendance upon the same.

Expenses of regents.

SEC. 204. The board of regents shall, on or before the first day of November of each year, make a full and true report in detail of all their acts and doings during the previous year, their receipts and expenditures, the exact status of their institution, and other information they may deem proper and useful, or which may be called for by the governor, which said report shall be made to the governor, who shall transmit the same to the succeeding session of the legislature. A copy of said report shall be furnished to the superintendent of public instruction.

Biennial report.

SEC. 205. The treasurer of said board shall make disbursements of the funds in his hands on the order of the board, which order shall be countersigned by the secretary of the board, and shall state on what account the disbursement is made.

Disbursement of funds.

SEC. 206. No employé or member of the board created by this chapter shall be interested pecuniarily, either directly or indirectly, in any contract for any building or improvement of said institution, or for the furnishing of supplies for the same.

No employé shall have pecuniary interest in any contracts.

SEC. 207. The governor of the state shall be *ex officio* advisory member of the board provided for in this chapter, but shall not have the right to vote nor be eligible to office therein.

Governor *ex officio* member of board.

SEC. 208. The board of regents are hereby empowered to grant the usual academic and honorary degrees, and to issue diplomas therefor, upon the recommendations made by the faculty.

The board may grant degrees.

SEC. 209. It shall be the duty of the board of regents herein provided for, as soon after their organization as practicable, and as soon as there shall be an appropriation therefor in the hands of the state treasurer in any amount sufficient to warrant the beginning the erection of the several buildings herein provided for, or any wing or section of the same,

Supervise the construction of all improvements.

to enter into contracts with one or more contractors for the erection and construction of such suitable buildings and improvements, for the institution created by this chapter, as in their judgment shall be deemed best, or the funds aforesaid shall warrant, all things considered; such contract or contracts to be let after open public notice and competition under such regulations as shall be established by said board to the person or persons who offer to execute such work on the most advantageous terms: *Provided*, That in all cases said board shall require from contractors a good and sufficient bond for the faithful performance of the work, and the full protection of the state against mechanics' and other liens: *And provided further*, That the board shall not have the power to enter into any contract for the erection of any buildings or improvements, which shall bind said board to pay out any sum of money in excess of the amount provided for said purpose.

Contractors  
to give bonds.

To employ  
architects.

SEC. 210. The board provided for in this chapter shall have power in their discretion to employ skilled architects and superintendents to prepare plans and specifications, and to supervise the construction of any of the buildings provided for in this chapter, and to fix the compensation for such services subject to the provisions and restrictions of this act.

State auditor  
to issue war-  
rants on  
proper funds.

SEC. 211. Whenever there shall be any money in the hands of the state treasurer to the credit of any of the specific funds set apart for the institution created by this chapter, deemed sufficient by the board to commence the erection of any of the necessary buildings or improvements, or to pay the necessary running or other expenses of said institution, the state auditor, on the request in writing of said board, shall, and it is hereby made his duty to draw his warrant in favor of the treasurer of said board and upon the state treasury against the specific fund belonging to said institution in such sum, not exceeding the amount on hand in such specific fund at such time as said board may deem necessary: *Provided*, That said board shall draw said money as it may be necessary to disburse the same.

#### CHAPTER 3.—NORMAL SCHOOLS.

Establishment.

SEC. 212. The state normal school at Cheney, the state normal school at New Whatcom, the state normal school at Ellensburg, and such other state normal schools as may hereafter be established, shall each be under the management and control of a board of three trustees, to be known as the "Board of trustees of the state normal school at ....."

Corporate  
title.

At least two members of each board of normal school trustees shall be residents of the county in which the school of which they are trustees is situated, said trustees to be appointed by the governor, by and with the advice and consent of the senate.

SEC. 213. All trustees of the state normal schools serving at the time of the passage of this act shall continue to hold their respective offices as such trustees for the full term for which they were appointed; and thereafter all trustees shall be appointed for six years, except in cases of appointments to fill vacancies, in which cases the appointment shall be made for the unexpired term of the trustees whose office has become vacant. In case of the establishment of any additional state normal schools, unless otherwise expressly provided by law, the governor shall appoint one trustee for two years, one for four years and one for six years.

Appointment of trustees.

Term of office.

SEC. 214. Each board of normal school trustees shall elect one of its members chairman, and it shall elect a clerk, who may or may not be a member of the board. Each board shall have power to adopt by-laws for its government and for the government of the school, which by-laws shall not be inconsistent with the provisions of this act, and to prescribe the duties of its officers, committees and employés. A majority of the board shall constitute a quorum for the transaction of all business.

Trustees to elect officers.

To enact by-laws.

Quorum.

SEC. 215. Each board of trustees shall have power, and it shall be its duty—

Powers and duties:

*First:* To elect a principal for such period as it may determine, and to elect such other teachers and assistants as the necessities of the school may require.

To elect principal.

*Second:* To provide a librarian for the school who shall have charge of all books, maps, charts and apparatus thereof, under such regulations as may be provided by law or by the by-laws of the board of trustees; also to choose a janitor and such other employés as may become necessary, and for good and lawful reasons to discharge any or all such teachers and employés.

To provide a librarian.

*Third:* To adopt and provide the necessary text-books and to provide books of reference for the use of students and teachers, and to provide for the proper care of the same.

To provide text-books.

*Fourth:* To have charge of the erection of all buildings pertaining to the school, unless otherwise expressly provided,

To have charge of erection of buildings.



and to have the care and management of all buildings and other property belonging to the school.

To audit all accounts.

*Fifth:* To audit all accounts against the school, and to certify all bills, which may be allowed, to the state auditor, who shall draw warrants on the state treasurer for such amounts as he shall find to have been properly or legally allowed.

To provide supplies.

*Sixth:* To purchase all supplies for the use of the school, to provide a library suited to its wants, to provide for lectures on subjects pertaining to education and the art or science of teaching, and to do such other things not forbidden by law as may become necessary for the good of the school.

Boarding houses.

SEC. 216. Each board of normal school trustees shall have power to establish and maintain a boarding house or houses for the accommodation of students, to employ a matron and such other assistance as may become necessary to conduct the same, to make such rules for its government and management as they may deem necessary, and to charge such rates for board and entertainment as will make such boarding house or houses self-sustaining.

Meetings.

SEC. 217. Each board of normal school trustees shall hold two regular or stated meetings each year, at such times as may be provided in its by-laws, and such special meetings may be held as shall be deemed necessary, such special meetings to be called by the chairman or by a majority of the board; all meetings of the boards shall be held in the city or town wherein their respective schools are located.

Duties of principal.

SEC. 218. The principal of each state normal school shall have a general supervision of the school, shall see that all laws and all rules of the boards of trustees are observed and obeyed by teachers and students, that the course or courses of study prescribed are faithfully pursued, shall assign students to their proper classes or grades, and unless otherwise specially provided, he shall designate the work to be performed by each teacher. He shall, at the close of each school year, make a detailed annual report to the board of trustees, containing a classified catalogue of all students that have been enrolled during the year, and such other information as he may deem advisable or as the board may require, and it shall be his duty to superintend the printing of the same. It shall also be his duty, when required by the board of trustees, to attend county institutes and other educational gatherings, and to lecture upon educational topics that are calculated to enhance

Attend institutes.



the interests of popular education or of his school. The board of trustees shall audit and allow all his necessary expenses incurred in traveling.

Expenses allowed.

SEC. 219. A model school or training department shall be provided for each state normal school contemplated by this act, in which all students, before graduation, shall have actual practice in teaching for not less than twenty weeks under the supervision and observation of critic and training teachers. A manual training department for each school under its control shall also be provided, and a suitable teacher employed for each.

Model school.

Manual training school.

SEC. 220. Every diploma of graduation from a state normal school or certificate issued therefrom shall be signed by the president of the board of trustees, by the principal and the heads of departments of the normal school at which the holder graduated, and by the president of the state board of education; and all diplomas or certificates shall be stamped with the seal of the state board of education. Every diploma and certificate shall specifically state what course of study the holder has taken, and for what length of time said diploma or certificate is valid as a certificate to teach in the schools of this state.

Diplomas and certificates issued, how.

SEC. 221. No charge shall be made against any student for tuition, in any of the normal schools contemplated by this act: *Provided*, That said student is a *bona fide* resident of this state; but such student shall be required, upon entrance into any of said schools, to certify upon honor that it is his intention to pursue the vocation of teaching. Students from other states or territories may be granted scholarships which shall entitle them to complete any course of study prescribed by the board of higher education in any state normal school of this state, upon the payment of one hundred dollars each, which sum shall be placed to the credit of the normal school which such student shall attend, and shall be expended in the purchase of books or apparatus for the benefit of such school. All students shall be required to furnish satisfactory evidence of good moral character, and any student may be suspended or expelled from any state normal school contemplated by this act, who is found to be immoral or who refuses to comply with the rules and regulations for its government.

Tuition free to residents.

Tuition \$100 to non-residents.

SEC. 222. The board of higher education shall prescribe the following courses of study, which shall be uniform for all state normal schools of this state: An elementary course of two years; an advanced course of four years. Students

Courses of study.

completing the elementary course shall receive a certificate which shall entitle them to teach in the common schools of the state for a period of five years. Students completing the advanced course shall, after satisfactory evidence shall have been furnished of their having successfully taught for two years, receive a diploma, which shall mature into a life diploma issued by the state board of education. The board of higher education shall also prescribe two courses for professional training for graduates of colleges and accredited high schools; namely, one course of one year and another of two years. Students completing the one year course shall receive the same diploma as is granted for the regular advanced course. Those completing the two years' course shall receive a diploma which shall entitle the holder to teach in the common schools of the state for life: *Provided*, That no one shall receive a diploma or certificate in any course who has not been in attendance one full school year of forty weeks, and who has not, by at least twenty weeks' of practice teaching in the training school, given evidence of fitness for teaching: *Provided further*, That any of the foregoing certificates and diplomas may be revoked by the state board of education for good and sufficient reasons of immorality or incompetency. The board of higher education shall also provide a uniform system of rules and regulations for admission to and graduation from the normal schools.

For colleges and accredited high schools.

School year, 40 weeks.

Certificates may be revoked for cause.

Free text-books.

Deposit fee \$10.

Library fund.

Requirements for admission.

SEC. 223. No student shall be required to pay for the use of any book or books belonging to the library of any school contemplated by this act, but the board of trustees may require the deposit of a sum not exceeding ten dollars by each student, as indemnity for the loss of any book or books, or for damage done to any book or books by such student, and such sum as may be required to be deposited, less 25 per cent. of the cost price, or such part thereof as shall not be due the school for loss of or damage to any book or books, shall be returned to such student upon his retirement from the school. All sums retained for loss of or damage to books belonging to the library shall be expended in the purchase of other books for the use of the school.

SEC. 224. No person shall be admitted to any state normal school as a student who has not attained the age of sixteen years, if a male, or of fifteen years if a female, nor until by an entrance examination or otherwise he or she shall have estab-

lished the fact that he or she is qualified to enter some one of the grades or courses of study provided for in the course of study.

SEC. 225. It shall be the duty of the principals of the several state normal schools contemplated by this act to meet Annual meeting of principals. once annually to consult with each other relative to matters concerning their school work, and to discuss methods of teaching and plans of management.

SEC. 226. Each board of normal school trustees shall biennially on or before the first day of October next preceding Biennial report. each regular session of the state legislature of this state, make, through its secretary, a report to the governor of the state, which report shall be included with and constitute a part of the biennial report of the superintendent of public instruction. Said normal school report shall embrace a statement of the receipts and expenditures of the schools, and the purpose for Report contains what. which all moneys have been expended; a classified catalogue of all students enrolled in each of said schools; a directory of all graduates of each school properly classified; the course or courses of study pursued in the several schools and such other information as may be deemed advisable.

SEC. 227. No normal school trustee shall be awarded any contract for the erection, repair or the furnishing of any building belonging to any state normal school contemplated by this act, nor for the furnishing of supplies or materials for the same; and no such trustee shall act as agent for any publishing house proposing to furnish books for such school. Any trustee who shall violate any of the above named provisions shall, upon conviction thereof, be fined in any sum not exceeding five hundred dollars, and his office as such trustee shall be declared vacant. Trustees shall have no pecuniary interest in any contract.

#### CHAPTER 4.—SCHOOL FOR DEFECTIVE YOUTH.

SEC. 228. The school for the education of the deaf, blind and feeble minded youth of the State of Washington, as heretofore located and maintained at Vancouver, Clarke county, shall continue to be known as the "Washington School for Defective Youth." Establishment.

SEC. 229. Said school shall be free to all resident youth in the State of Washington, who are too deaf, blind, or feeble minded to be taught by ordinary methods in other public schools: *Provided*, They are free from vicious habits and from loathsome or contagious diseases. Free to resident youth.

Management  
in board  
of regents.

SEC. 230. Said school shall be under the management of a board of trustees, consisting of five persons of good repute and learning, being citizens of the state, nominated by the governor, and confirmed by the senate.

To have gen-  
eral control.

SEC. 231. After organization, as hereinafter provided, said board of trustees and their successors shall have the management of real and personal property, funds, financial business, and all general and public interests of the school, with power to receive, hold, manage, dispose of, and convey any and all real and personal property made over to them by purchase, gift, devise or bequest, and the proceeds and interest thereof, for the use and benefit of the school.

Appointment  
of trustees.

SEC. 232. Vacancies in the board of trustees, occurring biennially by the expiration of the term or terms of a member or members, shall be filled by nomination by the governor, at least five days before the adjournment of the legislature, of a trustee or trustees to be confirmed by the senate, to serve for six years from the first day of July following the date of his or their confirmation, and until his or their successor or successors shall be appointed and confirmed.

Term of office.

Vacancies.

SEC. 233. Vacancies in the board of trustees, caused by the death, resignation, departure from the State of Washington, or removal for cause of a member of the board, shall be filled for the unexpired balance of the term, by the appointment of a trustee by the governor, which appointment shall, at the session of the legislature held next thereafter, be submitted to the senate for confirmation.

Constitution  
of board.

SEC. 234. All appointments shall be such that the board shall always contain at least one practical educator, one physician and one lawyer.

Official  
notice of  
appointment.

SEC. 235. Official notice of appointment shall be given to each trustee, by the secretary of state, within ten days from the date of the confirmation of said trustees by the senate.

Regular  
meeting.

SEC. 236. The regular annual meeting of the board of trustees shall be held at the school on the last Wednesday of May in each year; at which meeting a president, a vice president and a treasurer shall be elected by ballot from the board, and an auditor not of the board, each to serve one year from the first day of July following, and one member of the executive committee to serve three years from the first day of July following; and any other business proper to come before said meeting may be transacted: *Provided*, That at the regular meeting to be held on the last Wednesday of May,



1897, the trustees shall elect a director of the school not of their own number, who shall hold his office until removed for cause as provided in this act.

SEC. 237. The treasurer of the board of trustees shall, within thirty days from the date of his election, file with the secretary of the State of Washington a duly executed and approved bond, in the sum of five thousand dollars (\$5,000), for the faithful performance of his duties as treasurer, during his term of office.

Treasurer's  
bond.

SEC. 238. The board of trustees shall, at the time of the first meeting above provided for, adopt suitable by-laws for its own government in the transaction of business.

Adopt  
by-laws.

SEC. 239. Special meetings of the board of trustees may be held at any time, on request of the executive committee, and shall be held on the written request of any three trustees. The official notification of each special meeting shall state the business to be transacted at said meeting, and no business other than that so stated shall be brought before said meeting.

Special  
meetings.

SEC. 240. Three members of the board of trustees shall constitute a quorum for the transaction of business.

Quorum.

SEC. 241. Official notice of each meeting of the board of trustees shall be issued by the secretary to each trustee, at least fifteen days before the date of such meeting.

Notice of  
meetings.

SEC. 242. The executive committee shall meet at the school on the last Wednesdays of August, November, February and May, in each school year, and at other times as often as may be necessary for the proper performance of their duties.

Executive  
committee  
meetings.

SEC. 243. The executive committee, upon their visits to the school, shall inspect the real and personal property of the school; shall purchase all supplies in the manner authorized for the purchase of supplies for the hospital for the insane; shall examine the accounts, bills and vouchers, and shall draw orders on the treasurer of the board for the payment of bills approved; and at suitable times shall submit the accounts to the inspection of the auditor.

Duties of the  
executive  
committee.

SEC. 244. No trustee shall, during his term of office, have any direct or indirect personal interest in any contract, agreement or indebtedness on account of the school in any way.

Trustees to  
have no pecuniary  
interest in  
any contract.

SEC. 245. The financial and official year of the school shall begin on the first day of July, and end on the thirtieth day of June, following.

Official year.

SEC. 246. The regular term of school shall begin on the

Term of  
school.



last Wednesday of August in each year, and end on the last Wednesday of May following.

Biennial  
report.

SEC. 247. At each regular session of the legislature of the State of Washington, the board of trustees shall present to the governor, for transmission to the legislature, a full report of the operations of the school during the previous two school years, showing the amount, condition and value of all real and personal property of the school, receipts and expenditures of money, number of persons employed, and amount of salary paid to each, and the number of pupils in attendance.

Director.

SEC. 248. The director of the school shall be a competent expert educator of defective youth; a hearing man of sound learning and morals, not under thirty nor over seventy years of age; practically acquainted with the school management and class instruction for the deaf, blind and feeble minded. He shall reside in the school and be furnished quarters, heat, light and food.

Duties of the  
director.

SEC. 249. The director shall be responsible for the care of the premises and property of the school, selection and control of employes, regulation of the household, discipline of the school, arrangement and execution of a proper course of study, training of the pupils in morals and manners, and the general oversight of all internal affairs of the school, and shall lay before the regular annual meeting of the board of trustees, on the last Wednesday of May in each year, a full report of the operation of the school during the previous school year.

Removal of  
director.

SEC. 250. The director may be removed at any time by a three-fifths vote of the full board of trustees for misconduct, incapacity, mismanagement, inefficiency or immorality.

Non-resident  
pupils.

SEC. 251. Defective youth not residing in the state shall be admitted on such terms and conditions as may be prescribed by the board of trustees.

Duty of district  
school clerk.

SEC. 252. It shall be the duty of the clerks of all school districts in the State of Washington at the time for making the annual reports to report to the school superintendent of their respective counties the names of all deaf, mute, blind or feeble minded youth residing within their respective districts who are between the age of six and twenty-one years.

County super-  
intendent  
to report.

SEC. 253. It shall be the duty of each county school superintendent to make a full and specific report of such defective youth to the county commissioners of his county at the regular meeting of said commissioners held in August in each

year. He shall also, at the same time, transmit a duplicate copy of said report to the director of the Washington school for defective youth.

SEC. 254. It shall be the duty of the parents or the guardians of all such defective youth to send them each year to the said state school for defective youth. The county superintendent shall take all action necessary to enforce this section of this act: *Provided*, That if satisfactory evidence shall be laid before the county superintendent that any defective youth is being properly educated at home or in some suitable institution other than the Washington school for defective youth, the county superintendent shall take no other action in such case further than to make a record of such fact, and take such steps as may be necessary to satisfy himself that said defective youth shall continue to receive a proper education.

Compulsory attendance.

SEC. 255. If it appears to the satisfaction of the county commissioners that the parents of any such defective youth within their county are unable to bear the expense of sending them to said state school, it shall then be the duty of the commissioners to send them to such school at the expense of the county.

Expenses of indigent pupils.

SEC. 256. Any parent, guardian, school superintendent or county commissioner who shall, without a proper cause, fail to carry into effect the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof, upon the complaint of any officer or citizen of the county or state, before any justice of the peace or superior court, shall be fined in any sum not less than fifty nor more than two hundred dollars, in the discretion of the court.

Penalty.

#### TITLE V.—REPEALING AND EMERGENCY CLAUSES.

SEC. 257. This act shall be known and cited as the CODE OF PUBLIC INSTRUCTION OF THE STATE OF WASHINGTON, and shall be construed as repealing chapter VI of title III, chapter VII of title V, all of title X except chapter XVII thereof, chapter IV of title L, all being of volume I of Hill's Annotated Statutes and Codes of Washington; and also repealing all amendments thereto: also repealing an act entitled "An act concerning the formation of new school districts, changing the boundaries and transferring territory from one district to another," approved March 9, 1893; also repealing an act entitled "An act to provide for the management and control of state normal

Repealing existing school laws.

schools in the State of Washington," approved March 10, 1893, and all amendments thereto; also, repealing an act entitled "An act granting to school districts the right to purchase school house sites of school lands belonging to the State of Washington of not less than one acre and not more than five acres, and granting to school districts the preference right to purchase such sites, and declaring an emergency," approved February 26, 1895; also repealing an act entitled "An act relating to the indebtedness of school districts, providing means and methods for paying and funding the same, and means for validating the same or any part thereof incurred in excess of one and one-half per centum of the taxable property of the school district, without the assent of three-fifths of the voters of the school district voting at an election held for that purpose, and declaring that an emergency exists for the taking effect of this act on its passage and approval by the governor," approved March 1, 1895; also repealing an act entitled "An act to provide for the formation of joint school districts, and to prescribe the minimum number of school children required for the formation of new school districts; and declaring an emergency," approved March 13, 1895; also repealing an act entitled "An act to authorize counties, cities, towns and school districts to provide temporary funds for current expenses in anticipation of revenue," approved March 20, 1895.

Emergency.

SEC. 258. Whereas, this act is amendatory of all existing school laws, and is for the purpose of harmonizing existing inconsistencies and unifying the school laws of this state: therefore, an emergency is declared to exist, and this act shall take effect and be in force from and after its signature by the governor of this state.

## REGISTRATION OF VOTERS IN SCHOOL ELECTIONS.

[Chapter xxxii, Session Laws of 1897.]

AN ACT to provide for the registration of voters in all school elections, in school districts having a population of ten thousand or more inhabitants, and regulating elections in such districts.

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

SECTION 1. No person shall vote at any school election, either general or special, to be held in any school district in this state having a population of ten thousand or more inhabitants, as shown by any regular or special census, unless he or she shall have previously complied with the requirements as to registration, as in this act provided.

Women must register.

SEC. 2. The secretary of the board of education in each district subject to the provisions of this act shall keep the books of registration herein provided for, and shall register therein the names of all duly qualified voters in his district, on application, in the manner and at the times herein specified.

Secretary board education shall register voters.

SEC. 3. The board of education of each district subject to the provisions of this act, shall furnish the secretary of such board, at the expense of the district, all blanks and books of registration herein provided for, within thirty days after this act shall become a law. Thereafter, after each general election of members of the board of education, the newly elected board shall furnish to the secretary and cause to be opened new books for the registration of voters. The boards of education of each district shall furnish, at the expense of their respective districts, all funds necessary for carrying out the provisions of this act.

Board of education to furnish blanks and books and pay all expenses.

SEC. 4. The books of registration shall be opened for the purposes of registration, at the office of the secretary of the board of the district, on each day between the hours of 9 o'clock A. M. and 4 o'clock P. M., on each day except legal holidays, and they shall be closed and no names shall be registered therein during the five days preceding any special election, and during the ten days preceding any general election held in such district. The secretary of the board shall give notice of the closing of the books of registration in his district by notice published in a newspaper of general circulation, published in his district, at least ten days before the day for closing said books.

Registration books open, when.

Notice to be published of closing of books.

Registration  
required but  
once each  
year.

SEC. 5. Registration shall not be required more than once in each year. All persons, male or female, who are qualified electors under the provision of this act, shall be entitled to registration on application to the secretary of the board of education of the district in which they may reside: *Provided*, Such elector shall have been a resident of the state for one year, of the county ninety days, and of the voting precinct thirty days prior to the next general or special school election to be held in such district. No person shall vote at any such election except in the precinct where he or she has resided for the length of time above specified.

Prerequisites  
to registration.

Registration  
books.

SEC. 6. There shall be provided by the board of education in each district, and kept by the secretary of such board, a separate book of registration for each school election precinct in the district. Each ward in any city within which the whole or any portion of a school district may be situate, shall be a voting precinct for all general or special school elections. The book of registration shall bear the name or number of the precinct to which it belongs. In case the whole or any portion of any such district shall lie without the limits of any incorporated city, the board of education of such district shall subdivide such outlying territory into voting precincts, so that each precinct shall contain as near as may be five hundred inhabitants, and after the boundaries of such precincts shall have been established, said territory shall not be re-districted oftener than once in three years, and not then unless one or more of the precincts thereof shall have attained a population of more than five hundred inhabitants. In case the authorities of any city, within which the whole or any portion of any district may lie, shall cause the boundaries of the wards of such city to be changed after the opening of the books of registration for the school district, the voting precincts of such district shall conform to the lines of the wards as established when said books were opened until the next set of books shall be opened, at which time said new books and the voting precincts of such district shall conform to the boundaries of the wards as then established.

Registration  
districts.

Form of  
registration  
record.

SEC. 7. The books of registration aforesaid shall be so arranged as to admit the alphabetical classification of the names of the voters, and ruled in parallel columns with appropriate heads, as follows: Date of registration, name, age, occupation, place of residence, place of birth, time of residence in the state, county and precinct, and if of foreign



birth, name and place of court and date of declaration of intention to become a citizen of the United States, or date of naturalization, and with the column for signature and one for remarks, and one column for checking the name of voter at the time of voting. Under head of place of residence shall be noted the number of lot and block, or number and street where the applicant resides, or some other definite description sufficient to locate the residence, and the voter so registering as provided in this section shall sign his or her name on the registry opposite the entries above required, in the column headed "Signature," and in case any voter shall not be capable of writing his or her name he or she shall, on the left hand margin of said column, make his or her mark by cross or such other mark as is usual in indicating his or her signature, and some person who is personally known to said voter, and is personally known to the registering officer, and who is capable of writing his or her name, shall sign in said column immediately opposite said mark as an identifying witness thereto.

SEC. 8. No person shall be registered unless he or she appears in person before the secretary of the board of education in the district in which such elector resides, during the hours the books are opened for registration, and answers truly the questions that may be put to him or her touching his or her qualifications to vote in such district, and shall also make and subscribe the following oath:

Must register  
in person.

STATE OF WASHINGTON, COUNTY OF....., SS.

I, ....., do solemnly swear (or affirm) that I am a legally qualified school elector, under the laws of the State of Washington, and that I have been an actual permanent resident of said state for eleven months and twenty days last past, and of the co..... for eighty days, last past, and the ..... precinct twenty days last past, and that I have not lost my civil rights by reason of being convicted of any infamous crime.

Oath to be  
taken.

Subscribed and sworn to before me this ..... day of .....

Said affidavit shall be filed and preserved by the secretary of the board for at least two years.

SEC. 9. The secretaries of the boards of education are hereby empowered to administer all necessary oaths in examining applicants for registration, or any witnesses that may be offered on behalf of any applicant. The said secretary shall examine carefully any applicant whose right to register he may doubt, or who may be challenged, and if the appli-

Secretaries  
empowered  
to admin-  
ister oath.

cant shall be entitled to vote at the next election he or she shall be registered, otherwise not.

Penalty for false oath.

SEC. 10. If any person shall falsely swear or affirm in taking the oath or making the affirmation herein prescribed, or shall falsely personate another and procure the person so personated to be registered, or if any person shall represent his name to the secretary or officer of registration to be different from what it actually is, and cause such name to be registered, or if any person shall cause any name to be placed upon the registry list otherwise than in the manner provided in this act, he or she shall be guilty of a felony, and upon conviction be punished by confinement in the penitentiary not more than five nor less than one year.

Change of residence of registered voter.

SEC. 11. If any elector shall, during the year for which he or she may be registered, change his or her place of residence from the precinct in which he or she is registered, he or she shall apply to the secretary of the board to have said removal noted. The secretary shall run a red ink line across the name in the precinct book in which said applicant shall be registered, and likewise note said removal in the column headed "Remarks" in said book, and thereupon the said secretary shall enter the name and re-register the elector in the registration book of the ward to which he or she has removed.

Challenge, and method of procedure under.

SEC. 12. Registration under the provisions of this act shall be *prima facie* evidence of the right of the elector to vote at any general or special school election held within the district during the year for which said elector is registered. If any person duly registered is challenged, it shall be the duty of the judges of election to examine the challenger and any witnesses that may be produced on oath, touching the right of such elector to vote; the judges shall then, unless they dismiss said challenge, examine the proposed elector on oath, and if it appears that said elector is entitled to vote at said election, his or her vote shall be received, otherwise rejected. Any person swearing falsely before any judge of election, on the hearing of any such challenge, shall be deemed guilty of perjury, and shall be subjected to the pains and penalties of perjury.

Board to appoint election officers.

SEC. 13. The board of education in each district to which this act applies shall, at their last regular meeting before any general or special school election to be held in their district, appoint two judges of election and one clerk for each voting

precinct within such district. Both the judges and the clerk shall be qualified school electors in the precinct for which they are appointed.

SEC. 14. On the morning of any general or special school election the secretary of the board shall deliver to the clerk of each voting precinct within his district, the original book of registration of the precinct for which such clerk was appointed. Each clerk of election shall return the book of registration entrusted to him to the secretary of the board at the time of the delivery of the ballots cast in the precinct at such election, and it shall be unlawful for any clerk or any judge of election, to cause or allow any marks or alterations to be made in said book while the same is in their possession, other than a proper check mark when a ballot is cast, to indicate the party voting.

Registration record delivered to clerk of election.

SEC. 15. The manner of voting at school elections shall be the same as is now provided by law. The board of education in each district shall provide suitable polling places, at a school house in each ward or precinct, and if there is no school house in any ward or precinct, then at some other suitable place in said ward or precinct, to be designated by the board; but no ward or precinct shall have more than one polling place. The voting place in each ward or precinct shall be named and designated by the board in the notice calling such election.

Board to provide suitable polling places.

SEC. 16. Nothing in this act contained shall be construed as a repeal of an act entitled "An act to establish a system of common schools in cities of ten thousand or more inhabitants, and to provide for properly maintaining, governing and grading the same," approved March 26, 1890, except in so far as this act shall be in conflict therewith, but this act shall be construed as amendatory and supplementary thereto.

Passed the House February 9, 1897.

Passed the Senate February 25, 1897.

Approved by the Governor March 4, 1897.

## RELATING TO VIVISECTION AND DISSECTION.

[Chapter XVI, Session Laws of 1897.]

AN ACT to prevent vivisection and regulate dissection in the schools of the State of Washington, except medical and dental schools, or medical department of any school, and providing a penalty therefor.

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

SECTION 1. No teacher or other person employed in any school in the State of Washington, except medical or dental school, or medical or dental department of any school, shall practice vivisection upon any vertebrate animal in the presence of any pupil in said school, or any child or minor there present; nor in such presence shall exhibit any vertebrate animal upon which vivisection has been practiced.

SEC. 2. Dissection of dead animals, or any portion thereof, in the schools of the State of Washington, in no instance shall be for the purpose of exhibition, but in every case shall be confined to the class room and the presence of those pupils engaged in the study to be illustrated by such dissection.

SEC. 3. Any person violating the provisions of this act, shall be punished by a fine of not less than fifty nor more than one hundred dollars.

Passed the House January 26, 1897.

Passed the Senate February 11, 1897.

Approved by the Governor February 17, 1897.

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CERTIFICATE.

I hereby certify that the foregoing session laws of 1897 are true copies of the enrolled bills now on file in the office of the Secretary of State.

OLYMPIA, WASH.,  
April 1, 1897.

WILL D. JENKINS,  
*Secretary of State.*

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## APPENDIX.

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STATE CONSTITUTION—OFFICIAL OPINIONS AND  
RULINGS ON QUESTIONS OF SCHOOL LAW—  
FORMS FOR USE OF SCHOOL OFFICERS AND  
TEACHERS.

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# CONSTITUTION, STATE OF WASHINGTON.

## PREAMBLE.

WE, THE PEOPLE OF THE STATE OF WASHINGTON, GRATEFUL TO THE SUPREME RULER OF THE UNIVERSE FOR OUR LIBERTIES, DO ORDAIN THIS CONSTITUTION.

### ARTICLE I.—DECLARATION OF RIGHTS.

SECTION 1. All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.

Political power.

SEC. 2. The Constitution of the United States is the supreme law of the land.

Supreme law.

SEC. 3. No person shall be deprived of life, liberty or property without due process of law.

Right of trial.

SEC. 4. The right of petition, and of the people peaceably to assemble for the common good, shall never be abridged.

Right of petition.

SEC. 5. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right.

Free speech guaranteed.

SEC. 6. The mode of administering an oath, or affirmation, shall be such as may be most consistent with and binding upon the conscience of the person to whom such oath, or affirmation, may be administered.

Oaths, how administered.

SEC. 7. No person shall be disturbed in his private affairs, or his home invaded, without authority of law.

Private affairs sacred.

SEC. 8. No law granting irrevocably any privilege, franchise or immunity shall be passed by the legislature.

SEC. 9. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

Immunity from self conviction.

SEC. 10. Justice in all cases shall be administered openly, and without unnecessary delay.

SEC. 11. Absolute freedom of conscience in all matters of religious sentiment, belief, and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion, but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent

Religious liberty.

with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.

Special privileges shall not be granted.

SEC. 12. No law shall be passed granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which upon the same terms shall not equally belong to all citizens or corporations.

Writ of habeas corpus.

SEC. 13. The privilege of the writ of habeas corpus shall not be suspended unless in case of rebellion or invasion the public safety requires it.

Excessive bail.

SEC. 14. Excessive bail shall not be required, excessive fines imposed, nor cruel punishment inflicted.

SEC. 15. No conviction shall work corruption of blood, nor forfeiture of estate.

Taking of private property.

SEC. 16. Private property shall not be taken for private use, except for private ways of necessity, and for drains, flumes or ditches on or across the lands of others for agricultural, domestic or sanitary purposes. No private property shall be taken or damaged for public or private use without just compensation having been first made, or paid into court for the owner, and no right-of-way shall be appropriated to the use of any corporation other than municipal, until full compensation therefor be first made in money, or ascertained and paid into the court for the owner, irrespective of any benefit from any improvement proposed by such corporation, which compensation shall be ascertained by a jury, unless a jury be waived as in other civil cases in courts of record, in the manner prescribed by law. Whenever an attempt is made to take private property for a use alleged to be public, the question whether the contemplated use be really public shall be a judicial question, and determined as such without regard to any legislative assertion that the use is public.

No imprisonment for debt.

SEC. 17. There shall be no imprisonment for debt, except in cases of absconding debtors.

Military subordinate.

SEC. 18. The military shall be in strict subordination to the civil power.

SEC. 19. All elections shall be free and equal, and no power,

civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.

Elections must be free and equal.

SEC. 20. All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident, or the presumption great.

Bail.

SEC. 21. The right of trial by jury shall remain inviolate, but the legislature may provide for a jury of any number less than twelve in courts not of record, and for a verdict of nine or more jurors in civil cases in any court of record, and for waiving of the jury in civil cases where the consent of the parties interested is given thereto.

Right of trial by jury.

SEC. 22. In criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel, to demand the nature and cause of the accusation against him, to have a copy thereof, to testify in his own behalf, to meet the witnesses against him face to face, to have compulsory process to compel the attendance of witnesses in his own behalf, to have a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed, and the right to appeal in all cases; and in no instance shall any accused person before final judgment be compelled to advance money or fees to secure the rights herein guaranteed.

Right of defense in court.

Right of appeal.

SEC. 23. No bill of attainder, *ex post facto* law, or law impairing the obligations of contracts shall ever be passed.

Ex post facto law.

SEC. 24. The right of the individual citizen to bear arms in defense of himself or the state shall not be impaired, but nothing in this section shall be construed as authorizing individuals or corporations to organize, maintain or employ an armed body of men.

Right to bear arms.

SEC. 25. Offenses heretofore required to be prosecuted by indictment may be prosecuted by information or by indictment, as shall be prescribed by law.

Prosecution by information.

SEC. 26. No grand jury shall be drawn or summoned in any county, except the superior judge thereof shall so order.

Grand jury.

SEC. 27. Treason against the state shall consist only in levying war against the state, or adhering to its enemies, or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or confession in open court.

Treason.

SEC. 28. No hereditary emoluments, privileges or powers shall be granted or conferred in this state.

SEC. 29. The provisions of this constitution are mandatory unless by express words they are declared to be otherwise.

Constitution mandatory.

SEC. 30. The enumeration in this constitution of certain rights shall not be construed to deny others retained by the people.

Standing  
army.

SEC. 31. No standing army shall be kept up by this state in time of peace, and no soldiers shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

SEC. 32. A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government.

ARTICLE II. — LEGISLATIVE DEPARTMENT.

Legislature.

SECTION 1. The legislative powers shall be vested in a senate and house of representatives, which shall be called the legislature of the State of Washington.

Limited mem-  
bership.

SEC. 2. The house of representatives shall be composed of not less than sixty-three nor more than ninety-nine members. The number of senators shall not be more than one-half nor less than one-third of the number of members of the house of representatives. The first legislature shall be composed of seventy members of the house of representatives and thirty-five senators.

State census.

SEC. 3. The legislature shall provide by law for an enumeration of the inhabitants of the state in the year one thousand eight hundred and ninety-five, and every ten years thereafter; and at the first session after such enumeration, and also after each enumeration made by the authority of the United States, the legislature shall apportion and district anew the members of the senate and house of representatives, according to the number of inhabitants, excluding Indians not taxed, soldiers, sailors and officers of the United States army and navy in active service.

First election  
of representa-  
tives.

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

Tenure of  
office.

Second and  
subsequent  
elections.

SEC. 5. The next election of the members of the house of representatives after the adoption of this constitution shall be on the first Tuesday after the first Monday of November, eighteen hundred and ninety, and thereafter, members of the house of representatives shall be elected biennially, and their term of office shall be two years; and each election shall be on



the first Tuesday after the first Monday in November, unless otherwise changed by law.

SEC. 6. After the first election the senators shall be elected by single districts of convenient and contiguous territory at the same time and in the same manner as members of the house of representatives are required to be elected, and no representative district shall be divided in the formation of a senatorial district. They shall be elected for the term of four years, one-half of their number retiring every two years. The senatorial districts shall be numbered consecutively, and the senators chosen at the first election had by virtue of this constitution, in odd numbered districts, shall go out of office at the end of the first year, and the senators elected in the even numbered districts shall go out of office at the end of the third year.

Election of state senators.

SEC. 7. No person shall be eligible to the legislature who shall not be a citizen of the United States and a qualified voter in the district for which he is chosen.

Eligibility.

SEC. 8. Each house shall be the judge of the election, returns and qualifications of its own members, and a majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day and may compel the attendance of absent members in such manner and under such penalties as each house may provide.

Election returns.

Quorum.

SEC. 9. Each house may determine the rules of its own proceedings, punish for contempt and disorderly behavior, and, with the concurrence of two-thirds of all the members elected, expel a member, but no member shall be expelled a second time for the same offense.

Rules.

SEC. 10. Each house shall elect its own officers, and when the lieutenant governor shall not attend as president, or shall act as governor, the senate shall choose a temporary president. When presiding, the lieutenant governor shall have the deciding vote in case of an equal division of the senate.

Officers of each house.

SEC. 11. Each house shall keep a journal of its proceedings and publish the same, except such parts as require secrecy. The doors of each house shall be kept open, except when the public welfare shall require secrecy. Neither house shall adjourn for more than three days, nor to any place other than that in which they may be sitting, without the consent of the other.

Journal.

Adjournment.

SEC. 12. The first legislature shall meet on the first Wednesday after the first Monday in November, A. D. 1889.

Meetings of the legislature.

The second legislature shall meet on the first Wednesday after the first Monday in January, A. D. 1891, and sessions of the legislature will be held biennially thereafter, unless specially convened by the governor, but the times of meeting of subsequent sessions may be changed by the legislature. After the first legislature the sessions shall not be more than sixty days.

Limit of session.

Ineligibility of members to certain offices.

SEC. 13. No member of the legislature, during the term for which he is elected, shall be appointed or elected to any civil office in the state, which shall have been created, or the emoluments of which shall have been increased, during the term for which he was elected.

Who are ineligible to membership in legislature.

SEC. 14. No person, being a member of congress, or holding any civil or military office under the United States or any other power, shall be eligible to be a member of the legislature; and if any person after his election as a member of the legislature shall be elected to congress or be appointed to any other office, civil or military, under the government of the United States, or any other power, his acceptance thereof shall vacate his seat: *Provided*, That officers in the militia of the state who receive no annual salary, local officers and post-masters, whose compensation does not exceed three hundred dollars per annum, shall not be ineligible.

Vacancies.

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

Immunity from arrest.

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

Free speech.

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

Style of laws.

SEC. 18. The style of the laws of the state shall be: "Be it enacted by the legislature of the State of Washington." And no law shall be enacted except by bill.

But one subject in bill.

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

Either house may amend.

SEC. 20. Any bill may originate in either house of the legislature, and a bill passed by one house may be amended in the other.

Yeas and nays.

SEC. 21. The yeas and nays of the members of either house

shall be entered on the journal on the demand of one-sixth of the members present.

SEC. 22. No bill shall become a law unless on its final passage the vote be taken by yeas and nays, the names of the members voting for and against the same be entered on the journal of each house, and a majority of the members elected to each house be recorded thereon as voting in its favor.

Yeas and nays in passage of bill.

SEC. 23. Each member of the legislature shall receive for his services five dollars for each day's attendance during the session, and ten cents for every mile he shall travel in going to and returning from the place of meeting of the legislature, on the most usual route.

Compensation of members.

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

Lottery.—Divorce.

SEC. 25. The legislature shall never grant any extra compensation to any public officer, agent, servant or contractor after the services shall have been rendered or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office.

Extra compensation forbidden.

SEC. 26. The legislature shall direct by law in what manner and in what courts suits may be brought against the state.

Suit against state.

SEC. 27. In all elections by the legislature the members shall vote *viva voce*, and their votes shall be entered on the journal.

#### SPECIAL LEGISLATION.

SEC. 28. The legislature is prohibited from enacting any private or special law in the following cases:

Private laws forbidden in certain cases.

1. For changing the names of persons, or constituting one person the heir at law of another.

2. For laying out, opening or altering highways, except in cases of state roads extending into more than one county, and military roads to aid in the construction of which lands shall have been or may be granted by congress.

3. For authorizing persons to keep ferries wholly within this state.

4. For authorizing the sale or mortgage of real or personal property of minors, or others under disability.

5. For assessment or collection of taxes, or for extending the time for collection thereof.

6. For granting corporate powers or privileges.

7. For authorizing the apportionment of any part of the school fund.

8. For incorporating any town or village, or to amend the charter thereof.

9. [From] giving effect to invalid deeds, wills or other instruments.

10. Releasing or extinguishing, in whole or in part, the indebtedness, liability or other obligation of any person or corporation to this state, or to any municipal corporation therein.

11. Declaring any person of age, or authorizing any minor to sell, lease or encumber his or her property.

12. Legalizing, except as against the state, the unauthorized or invalid act of any officer.

13. Regulating the rates of interest on money.

14. Remitting fines, penalties or forfeitures.

15. Providing for the management of common schools.

16. Authorizing the adoption of children.

17. For limitation of civil or criminal action.

18. Changing county lines, locating or changing county seats: *Provided*, This shall not be construed to apply to the creation of new counties.

Labor of convicts.

SEC. 29. After the first day of January, eighteen hundred and ninety, the labor of convicts of this state shall not be let out by contract to any person, copartnership, company or corporation, and the legislature shall by law provide for the working of convicts for the benefit of the state.

Corrupt solicitation.

SEC. 30. The offense of corrupt solicitation of members of the legislature, or of public officers of the state or any municipal division thereof, and any occupation or practice of solicitation of such members or officers to influence their official action, shall be defined by law, and shall be punished by fine and imprisonment. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be charged with having committed the offense of bribery or corrupt solicitation, or practice of solicitation, and shall not be permitted to withhold his testimony on the ground that it may criminate himself or subject him to public infamy, but such testimony shall not afterwards be used against him in any judicial proceeding — except for perjury in giving such testimony — and any person convicted of either of the offenses aforesaid, shall, as part of the punishment therefor, be disqualified from ever holding any position of honor, trust or profit in this state. A member who has a private interest in any bill or measure proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon.

Members shall not vote in certain cases.

Laws take effect when.

SEC. 31. No law, except appropriation bills, shall take effect until ninety days after the adjournment of the session at which it was enacted, unless in case of an emergency (which emergency must be expressed in the preamble or in the body of the act) the legislature shall otherwise direct by a vote of two-

thirds of all the members elected to each house; said vote to be taken by yeas and nays and entered on the journals.

SEC. 32. No bill shall become a law until the same shall have been signed by the presiding officer of each of the two houses in open session, and under such rules as the legislature shall prescribe.

Presiding officers to sign bill.

SEC. 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 containing valuable deposits of minerals, 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 purposes of this prohibition.

Ownership of lands by aliens.

SEC. 34. There shall be established in the office of the secretary of state, a bureau of statistics, agriculture and immigration, under such regulations as the legislature may provide.

Bureau of statistics.

SEC. 35. The legislature shall pass necessary laws for the protection of persons working in mines, factories and other employments dangerous to life and deleterious to health; and fix pains and penalties for the enforcement of same.

Laws relating to mines and factories.

SEC. 36. No bill shall be considered in either house unless the time of its introduction shall have been at least ten days before the final adjournment of the legislature, unless the legislature shall otherwise direct by a vote of two-thirds of all the members elected to each house, said vote to be taken by yeas and nays and entered upon the journal, or unless the same be at a special session.

Introduction of bills limited.

SEC. 37. No act shall ever be revised or amended by mere reference to its title, but the act revised or the section amended shall be set forth at full length.

Amending laws.

SEC. 38. No amendment to any bill shall be allowed which shall change the scope and object of the bill.

Amendment to bills.

SEC. 39. It shall not be lawful for any person holding public office in this state to accept or use a pass or to purchase trans-

Passes forbidden.



portation from any railroad or other corporation, other than as the same may be purchased by the general public, and the legislature shall pass laws to enforce this provision.

ARTICLE III.—THE EXECUTIVE.

EXECUTIVE DEPARTMENT CONSISTS OF WHOM. SECTION 1. The executive department shall consist of a governor, lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction, and a commissioner of public lands, who shall be severally chosen by the qualified electors of the state at the same time and place of voting as for the members of the legislature.

GOVERNOR. TENURE OF OFFICE. SEC. 2. The supreme executive power of this state shall be vested in a governor, who shall hold his office for a term of four years, and until his successor is elected and qualified.

OTHER OFFICERS. TENURE OF OFFICE. SEC. 3. The lieutenant governor, secretary of state, treasurer, auditor, attorney general, superintendent of public instruction and commissioner of public lands, shall hold their offices for four years, respectively, and until their successors are elected and qualified.

ELECTION OF EXECUTIVE OFFICERS.—RETURNS. SEC. 4. The returns of every election for the officers named in the first section of this article shall be sealed up and transmitted to the seat of government by the returning officers, directed to the secretary of state, who shall deliver the same to the speaker of the house of representatives at the first meeting of the house thereafter, who shall open, publish and declare the result thereof in the presence of a majority of the members of both houses. The person having the highest

CERTIFICATE OF ELECTION. number of votes shall be declared duly elected, and a certificate thereof shall be given to such person, signed by the presiding officers of both houses; but if any two or more shall be highest and equal in votes for the same office, one of them

CONTESTED ELECTIONS. shall be chosen by the joint vote of both houses. Contested elections for such officers shall be decided by the legislature in such manner as shall be decided by law. The terms of all officers named in section one of this article shall commence on the second Monday in January after their election, until otherwise provided by law.

DUTIES OF GOVERNOR. SEC. 5. The governor may require information in writing from the officers of the state upon any subject relating to the duties of their respective offices, and shall see that the laws are faithfully executed.

MESSAGE. SEC. 6. He shall communicate at every session by message

to the legislature the condition of the affairs of the state, and recommend such measures as he shall deem expedient for their action.

SEC. 7. He may, on extraordinary occasions, convene the legislature by proclamation, in which shall be stated the purposes for which the legislature is convened.

May convene legislature in extra session.

SEC. 8. He shall be commander-in-chief of the military in the state except when they shall be called into the service of the United States.

Commander-in-chief.

SEC. 9. The pardoning power shall be vested in the governor under such regulations and restrictions as may be prescribed by law.

Pardoning powers.

SEC. 10. In case of the removal, resignation, death or disability of the governor, the duties of the office shall devolve upon the lieutenant governor, and in case of a vacancy in both the offices of governor and lieutenant governor, the duties of governor shall devolve upon the secretary of state, who shall act as governor until the disability be removed or a governor be elected.

Duties shall devolve on lieutenant governor, when.

SEC. 11. The governor shall have power to remit fines and forfeitures, under such regulations as may be prescribed by law, and shall report to the legislature at its next meeting each case of reprieve, commutation, or pardon granted, and the reasons for granting the same, and also the names of all persons in whose favor remission of fines and forfeitures shall have been made, and the several amounts remitted and the reasons for the remission.

Governor may remit fines, etc.

SEC. 12. Every act which shall have passed the legislature shall be, before it becomes a law, presented to the governor. If he approves, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, which house shall enter the objections at large upon the journal and proceed to reconsider. If, after such reconsideration, two-thirds of the members present shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of the members present, it shall become a law; but in all such cases the vote of both houses shall be determined by the yeas and nays and the names of the members voting for or against the bill shall be entered upon the journal of each house respectively. If any bill shall not be returned by the governor within five days, Sunday excepted, after it shall be presented to him, it shall become a

Duties of governor in regard to enactment of laws.— Vetoes.

law without his signature, unless the general adjournment shall prevent its return, in which case it shall become a law unless the governor within ten days next after the adjournment, Sundays excepted, shall file such bill, with his objections thereto, in the office of secretary of state, who shall lay the same before the legislature at its next session in like manner as if it had been returned by the governor. If any bill presented to the governor contain several sections or items, he may object to one or more sections or items while approving other portions of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the section or sections, item or items to which he objects, and the reasons therefor, and the section or sections, item or items so objected to shall not take effect unless passed over the governor's objection as hereinbefore provided.

May veto one or more items or sections.

Fill vacancies by appointment.

SEC. 13. When, during a recess of the legislature, a vacancy shall happen in any office, the appointment to which is vested in the legislature, or when at any time a vacancy shall have occurred in any other state office, for the filling of which vacancy no provision is made elsewhere in this constitution, the governor shall fill such vacancy by appointment, which shall expire when a successor shall have been elected and qualified.

Salary of governor.

SEC. 14. The governor shall receive an annual salary of four thousand dollars, which may be increased by law, but shall never exceed six thousand dollars per annum.

He shall issue all commissions.

SEC. 15. All commissions shall issue in the name of the state, shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state.

Duties of lieutenant governor.

SEC. 16. The lieutenant governor shall be presiding officer of the state senate, and shall discharge such other duties as may be prescribed by law. He shall receive an annual salary of one thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Salary.

Duties of secretary of state.

SEC. 17. The secretary of state shall keep a record of the official acts of the legislature and executive department of the state, and shall, when required, lay the same and all other matters relative thereto before either branch of the legislature, and shall perform such other duties as shall be assigned him by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Salary.

SEC. 18. There shall be a seal of the state kept by the secretary of state for official purposes, which shall be called "The Seal of the State of Washington."

Shall keep state seal.

SEC. 19. The treasurer shall perform such duties as shall be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed four thousand dollars per annum.

Duties of state treasurer. Salary.

SEC. 20. The auditor shall be auditor of public accounts, and shall have such powers and perform such duties in connection therewith as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed three thousand dollars per annum.

Duties of state auditor.

Salary.

SEC. 21. The attorney general shall be the legal advisor of the state officers, and shall perform such other duties as may be prescribed by law. He shall receive an annual salary of two thousand dollars, which may be increased by the legislature, but shall never exceed thirty-five hundred dollars per annum.

Duties of attorney general.

Salary.

SEC. 22. The superintendent of public instruction shall have supervision over all matters pertaining to public schools, and shall perform such specific duties as may be prescribed by law. He shall receive an annual salary of twenty-five hundred dollars, which may be increased by law, but shall never exceed four thousand dollars per annum.

Duties of superintendent of public instruction.

Salary.

SEC. 23. The commissioner of public lands shall perform such duties and receive such compensation as the legislature may direct.

Land commissioner.

SEC. 24. The governor, secretary of state, treasurer, auditor, superintendent of public instruction, commissioner of public lands and attorney general shall severally keep the public records, books and papers relating to their respective offices, at the seat of government, at which place also the governor, secretary of state, treasurer and auditor shall reside.

Certain offices to be kept at capital.

SEC. 25. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office, and the state treasurer shall be ineligible for the term succeeding that for which he was elected. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may, in its discretion, abolish the offices of the lieutenant governor, auditor, and commissioner of public lands.

Eligibility to state office.

Certain offices may be abolished.

## ARTICLE IV.—THE JUDICIARY.

Supreme court. SECTION 1. The judicial power of the state shall be vested  
 Inferior courts. in a supreme court, superior courts, justices of the peace, and  
 such inferior courts as the legislature may provide.

Supreme court consists of whom. SEC. 2. The supreme court shall consist of five judges, a majority of whom shall be necessary to form a quorum and pronounce a decision. The said court shall always be open for the transaction of business except on non-judicial days. In the determination of causes, all decisions of the court shall be given in writing, and the grounds of the decision shall be stated. The legislature may increase the number of judges of the supreme court from time to time, and may provide for separate departments of said court.

Supreme judges.—Election. SEC. 3. The judges of the supreme court shall be elected by the qualified electors of the state at large, at the general state election, at the times and places at which state officers are elected, unless some other time be provided by the legislature. The first election of judges of the supreme court shall be at the election which shall be held upon the adoption of this constitution, and the judges elected thereat shall be classified, by lot, so that two shall hold their office for the term of three years, two for a term of five years, and one for the term of seven years. The lot shall be drawn by the judges, who shall for that purpose assemble at the seat of government, and they shall cause the result thereof to be certified to the secretary of state, and filed in his office.

Tenure of office. Chief justice. The judge having the shortest term to serve, not holding his office by appointment or election to fill a vacancy, shall be the chief justice, and shall preside at all sessions of the supreme court, and in case there shall be two judges having in like manner the same short term, the other judges of the supreme court shall determine which of them shall be chief justice. In case of the absence of the chief justice, the judge having in like manner the shortest or next shortest term to serve shall preside. After the first election the terms of judges elected shall be six years from and after the second Monday in January next succeeding their election. If a vacancy occur in the office of a judge of the supreme court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall take place at the next succeeding general election, and the judge so elected shall hold the office for the remainder of the unexpired term. The term of office of the judges of the supreme court, first elected, shall commence as

Vacancy, how filled.



soon as the state shall have been admitted into the Union, and continue for the term herein provided, and until their successors are elected and qualified. The sessions of the supreme court shall be held at the seat of government until otherwise provided by law.

SEC. 4. The supreme court shall have original jurisdiction in habeas corpus, and quo warranto and mandamus as to all state officers, and appellate jurisdiction in all actions and proceedings, excepting that its appellate jurisdiction shall not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property, does not exceed the sum of two hundred dollars (\$200), unless the action involves the legality of a tax, impost, assessment, toll, municipal fine, or the validity of a statute. The supreme court shall also have power to issue writs of mandamus, review, prohibition, habeas corpus, certiorari and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction. Each of the judges shall have power to issue writs of habeas corpus to any part of the state upon petition by or on behalf of any person held in actual custody, and may make such writs returnable before himself, or before the supreme court, or before any superior court of the state, or any judge thereof.

SEC. 5. There shall be in each of the organized counties of this state a superior court for which at least one judge shall be elected by the qualified electors of the county at the general state election: *Provided*, That until otherwise directed by the legislature one judge only shall be elected for the counties of Spokane and Stevens; one judge for the county of Whitman; one judge for the counties of Lincoln, Okanogan, Douglas and Adams; one judge for the counties of Walla Walla and Franklin; one judge for the counties of Columbia, Garfield and Asotin; one judge for the counties of Kittitas, Yakima and Klickitat; one judge for the counties of Clarke, Skamania, Pacific, Cowlitz and Wahkiakum; one judge for the counties of Thurston, Chehalis, Mason and Lewis; one judge for the county of Pierce; one judge for the county of King; one judge for the counties of Jefferson, Island, Kitsap, San Juan and Clallam; and one judge for the counties of Whatcom, Skagit and Snohomish. In any county where there shall be more than one superior judge, there may be as many sessions of the superior court at the same time as there are judges thereof, and whenever the governor shall direct a

Jurisdiction of  
supreme court.

Powers of  
judges.

Superior  
courts.

Sessions  
of court.

superior judge to hold court in any county other than that for which he has been elected, there may be as many sessions of the superior court in said county at the same time as there are judges therein, or assigned to duty therein by the governor, and the business of the court shall be so distributed and assigned by law, or, in the absence of legislation therefor, by such rules and orders of court, as shall best promote and secure the convenient and expeditious transaction thereof. The judgments, decrees, orders and proceedings of any session of the superior court held by any one or more of the judges of such court shall be equally effectual as if all the judges of said court presided at such session. The first superior judges elected under this constitution shall hold their offices for the period of three years, and until their successors shall be elected and qualified, and thereafter the term of office of all superior judges in this state shall be for four years from the second Monday in January next succeeding their election, and until their successors are elected and qualified. The first election of judges of the superior court shall be at the election held for the adoption of this constitution. If a vacancy occurs in the office of judge of the superior court, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term.

Tenure of  
office of super-  
ior judges.

Jurisdiction  
of superior  
courts.

SEC. 6. The superior court shall have original jurisdiction in all cases in equity, and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll or municipal fine, and in all other cases in which the demand, or the value of the property in controversy amounts to one hundred dollars, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of marriage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization, and to issue papers therefor. They shall have such appellate jurisdiction

in cases arising in justice's and other inferior courts in their respective counties as may be prescribed by law. They shall be always open except on non-judicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and non-judicial days.

Powers of judges and courts.

SEC. 7. The judge of any superior court may hold a superior court in any county at the request of the judge of the superior court thereof, and upon the request of the governor it shall be his duty to do so. A case in the superior court may be tried by a judge *pro tempore*, who must be a member of the bar, agreed upon in writing by the parties litigant, or their attorneys of record, approved by the court, and sworn to try the case.

Judges may hold court in any county by request.

Pro tempore judges.

SEC. 8. Any judicial officer who shall absent himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office: *Provided*, That in cases of extreme necessity the governor may extend the leave of absence such time as the necessity therefor shall exist.

Leave of absence of judges.

SEC. 9. Any judge of any court of record, the attorney general, or any prosecuting attorney may be removed from office by joint resolution of the legislature, in which three-fourths of the members elected to each house shall concur, for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause stated in such resolution. But no removal shall be made unless the officer complained of shall have been served with a copy of the charges against him as the ground of removal, and shall have an opportunity of being heard in his defense. Such resolution shall be entered at length on the journal of both houses, and on the question of removal the ayes and nays shall also be entered on the journal.

Removal of judicial officer by legislature.

Proceedings.

SEC. 10. The legislature shall determine the number of justices of the peace to be elected in incorporated cities or towns and in precincts, and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. In incorporated

Justices of the peace.

cities or towns having more than five thousand inhabitants the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use.

Courts of record.

SEC. 11. The supreme court and the superior courts shall be courts of record, and the legislature shall have power to provide that any of the courts of this state, excepting justices of the peace, shall be courts of record.

Inferior courts, jurisdiction of.

SEC. 12. The legislature shall prescribe by law the jurisdiction and powers of any of the inferior courts which may be established in pursuance of this constitution.

Compensation of judicial officers.

SEC. 13. No judicial officer, except court commissioners and unsalaried justices of the peace, shall receive to his own use any fees or perquisites of office. The judges of the supreme court and judges of the superior courts shall severally, at stated times, during their continuance in office, receive for their services the salaries prescribed by law therefor, which shall not be increased after their election, nor during the term for which they shall have been elected. The salaries of the judges of the supreme court shall be paid by the state. One-half of the salary of each of the superior court judges shall be paid by the state, and the other one-half by the county or counties for which he is elected. In cases where a judge is provided for more than one county, that portion of his salary which is to be paid by the counties shall be apportioned between or among them according to the assessed value of their taxable property, to be determined by the assessment next preceding the time for which such salary is to be paid.

Salary of superior judge, how paid.

Salaries of judges, amount per annum.

SEC. 14. Each of the judges of the supreme court shall receive an annual salary of four thousand dollars (\$4,000); each of the superior court judges shall receive an annual salary of three thousand dollars (\$3,000), which said salaries shall be payable quarterly. The legislature may increase the salaries of the judges herein provided.

Judges ineligible to any other office.

SEC. 15. The judges of the supreme court and the judges of the superior court shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

Charge to jury.

SEC. 16. Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law.

Eligibility to judgeship.

SEC. 17. No person shall be eligible to the office of judge of the supreme court or judge of a superior court unless he shall have been admitted to practice in the courts of record of this state or of the Territory of Washington.



SEC. 18. The judges of the supreme court shall appoint a reporter for the decisions of that court, who shall be removable at their pleasure. He shall receive such annual salary as shall be prescribed by law.

Reporter for  
supreme court.

SEC. 19. No judge of a court of record shall practice law in any court of this state during his continuance in office.

Judges shall  
not practice  
law.

SEC. 20. Every cause submitted to a judge of a superior court for his decision shall be decided by him within ninety days from the submission thereof: *Provided*, That if, within said period of ninety days a rehearing shall have been ordered, then the period within which he is to decide shall commence at the time the cause is submitted upon such a rehearing.

Decision of  
cases by su-  
perior judge,  
limit of time.

SEC. 21. The legislature shall provide for the speedy publications of opinions of the supreme court, and all opinions shall be free for publication by any person.

Publication of  
opinions of  
supreme court.

SEC. 22. The judges of the supreme court shall appoint a clerk of that court, who shall be removable at their pleasure, but the legislature may provide for the election of the clerk of the supreme court and prescribe the term of his office. The clerk of the supreme court shall receive such compensation, by salary only, as shall be provided by law.

Clerk of su-  
preme court.

Salary of.

SEC. 23. There may be appointed in each county, by the judge of the superior court having jurisdiction therein, one or more court commissioners, not exceeding three in number, who shall have authority to perform like duties as a judge of the superior court at chambers, subject to revision by such judge, to take depositions and to perform such other business connected with the administration of justice as may be prescribed by law.

Court com-  
missioners,  
powers of.

SEC. 24. The judges of the superior courts shall from time to time, establish uniform rules for the government of the superior courts.

Rules of  
courts.

SEC. 25. Superior judges shall, on or before the first day of November in each year, report in writing to the judges of the supreme court such defects and omissions in the laws as their experience may suggest, and the judges of the supreme court shall, on or before the first day of January in each year, report in writing to the governor such defects and omissions in the laws as they may believe to exist.

Superior  
judges to re-  
port to su-  
preme judges.

SEC. 26. The county clerk shall be, by virtue of his office, clerk of the superior court.

Clerk of supe-  
rior court.

SEC. 27. The style of all process shall be, "The State of

Style of  
processes.



Washington," and all prosecutions shall be conducted in its name and by its authority.

Oaths of office of judges.

SEC. 28. Every judge of the supreme court and every judge of a superior court shall, before entering upon the duties of his office, take and subscribe an oath that he will support the constitution of the United States and the constitution of the State of Washington, and will faithfully and impartially discharge the duties of judge to the best of his ability, which oath shall be filed in the office of the secretary of state.

#### ARTICLE V.—IMPEACHMENT.

Proceedings in impeachment cases.

SECTION 1. The house of representatives shall have the sole power of impeachment. The concurrence of a majority of all the members shall be necessary to an impeachment. All impeachments shall be tried by the senate, and when sitting for that purpose the senators shall be upon oath or affirmation to do justice according to law and evidence. When the governor or lieutenant governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without a concurrence of two-thirds of the senators elected.

Impeachment for what offenses.

SEC. 2. The governor and other state and judicial officers, except judges and justices of courts not of record, shall be liable to impeachment for high crimes or misdemeanors, or malfeasance in office, but judgment in such cases shall extend only to removal from office and disqualification to hold any office of honor, trust or profit, in the state. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

Removal from office.

SEC. 3. All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office, in such manner as may be provided by law.

#### ARTICLE VI.—ELECTIONS AND ELECTIVE RIGHTS.

Qualifications of electors.

SECTION 1. All male persons of the age of twenty-one years or over, possessing the following qualifications, shall be entitled to vote at all elections: They shall be citizens of the United States; they shall have lived in the state one year, and in the county ninety days, and in the city, town, ward or precinct thirty days immediately preceding the election at which they offer to vote: *Provided*, That Indians not taxed shall never be allowed the elective franchise: *Provided further*,

That all male persons who at the time of the adoption of this constitution are qualified electors of the territory shall be electors.

SEC. 2. The legislature may provide that there shall be no denial of the elective franchise at any school election on account of sex. In school elections.

SEC. 3. All idiots, insane persons, and persons convicted of infamous crime, unless restored to their civil rights, are excluded from the elective franchise. Certain persons not electors.

SEC. 4. For the purpose of voting and eligibility to office no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while kept at public expense at any poor house or other asylum, nor while confined in public prison, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas. Residence not gained or lost by military service, etc.

SEC. 5. Voters shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning therefrom. No elector shall be required to do military duty on the day of any election except in time of war or public danger. Immunity from arrest on election days.

SEC. 6. All elections shall be by ballot. The legislature shall provide for such method of voting as will secure to every elector absolute secrecy in preparing and depositing his ballot. Elections by ballot.

SEC. 7. The legislature shall enact a registration law, and shall require a compliance with such law before any elector shall be allowed to vote: *Provided*, That this provision is not compulsory upon the legislature, except as to cities and towns having a population of over five hundred inhabitants. In all other cases the legislature may or may not require registration as a pre-requisite to the right to vote, and the same system of registration need not be adopted for both classes. Registration laws.

SEC. 8. The first election of county and district officers, not otherwise provided for in this constitution, shall be on the Tuesday next after the first Monday in November, 1890, and thereafter all elections for such officers shall be held biennially on the Tuesday next succeeding the first Monday in November. The first election of all state officers not otherwise provided for in this constitution, after the election held for the adoption of this constitution, shall be on the Tuesday next after the first Monday in November, 1892, and the elections for such state First election of officers; subsequent elections.

officers shall be every fourth year thereafter on the Tuesday succeeding the first Monday in November.

ARTICLE VII.—REVENUE AND TAXATION.

All property taxed according to value; annual levies.

SECTION 1. All property in the state, not exempt under the laws of the United States, or under this constitution, shall be taxed in proportion to its value, to be ascertained as provided by law. The legislature shall provide by law for an annual tax sufficient, with other sources of revenue, to defray the estimated ordinary expenses of the state for each fiscal year. And for the purpose of paying the state debt, if there be any, the legislature shall provide for levying a tax annually, sufficient to pay the annual interest and principal of such debt within twenty years from the final passage of the law creating the debt.

Uniform and equal rates of taxation.

SEC. 2. The legislature shall provide by law a uniform and equal rate of assessment and taxation on all property in the state, according to its value in money, and shall prescribe such regulations by general law as shall secure a just valuation for taxation of all property, so that every person and corporation shall pay a tax in proportion to the value of his, her or its property: *Provided*, That a deduction of debts from credits may be authorized: *Provided further*, That the property of the United States, and of the state, counties, school districts and other municipal corporations, and such other property as the legislature may by general laws provide, shall be exempt from taxation.

Exemptions.

Assessment of corporation property.

SEC. 3. The legislature shall provide by general law for the assessing and levying of taxes on all corporation property as near as may be by the same methods as are provided for the assessing and levying of taxes on individual property.

Same.

SEC. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by any contract or grant to which the state shall be a party.

No tax except in pursuance of law.

SEC. 5. No tax shall be levied except in pursuance of law; and every law imposing a tax shall state distinctly the object of the same, to which only it shall be applied.

All taxes paid in money.

SEC. 6. All taxes levied and collected for state purposes shall be paid in money only into the state treasury.

Statement of receipts and expenditures.

SEC. 7. An accurate statement of the receipts and expenditures of the public moneys shall be published annually, in such manner as the legislature may provide.

SEC. 8. Whenever the expenses of any fiscal year shall ex-

ceed the income, the legislature may provide for levying a tax for the ensuing fiscal year, sufficient, with other sources of income, to pay the deficiency, as well as the estimated expenses of the ensuing fiscal year.

Deficiencies in revenue provided for.

SEC. 9. The legislature may vest the corporate authorities of cities, towns and villages with the power to make local improvements by special assessment, or by special taxation of property benefited. For all corporate purposes, all municipal corporations may be vested with authority to assess and collect taxes, and such taxes shall be uniform in respect to persons and property within the jurisdiction of the body levying the same.

Rights of cities and towns to levy special taxes.

#### ARTICLE VIII.—STATE, COUNTY AND MUNICIPAL INDEBTEDNESS.

SECTION 1. The state may, to meet casual deficits or failures in revenues, or for expenses not provided for, contract debts, but such debts, direct and contingent, singly or in the aggregate, shall not at any time exceed four hundred thousand dollars (\$400,000), and the moneys arising from the loans creating such debts shall be applied to the purpose for which they were obtained, or to repay the debts so contracted, and to no other purpose whatever.

State indebtedness limited.

SEC. 2. In addition to the above limited power to contract debts, the state may contract debts to repel invasion, suppress insurrection, or to defend the state in war, but the money arising from the contracting of such debts shall be applied to the purpose for which it was raised, and to no other purpose whatever.

Exceptions to limitation.

SEC. 3. Except the debts specified in sections one and two of this article, no debt shall hereafter be contracted by, or on behalf of this state, unless such debt shall be authorized by law for some single work or object to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest on such debt as it falls due, and also to pay and discharge the principal of such debt within twenty years from the time of the contracting thereof. No such law shall take effect until it shall, at a general election, have been submitted to the people and have received a majority of all the votes cast for and against it at such election, and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, if one be published therein, throughout the state, for three months

Special provision for incurring indebtedness.

next preceding the election at which it is submitted to the people.

Appropriations.

SEC. 4. No moneys shall ever be paid out of the treasury of this state, or any of its funds, or any of the funds under its management, except in pursuance of an appropriation by law; nor unless such payment be made within two years from the first day of May next after the passage of such appropriation act, and every such law making a new appropriation, or continuing or reviving an appropriation, shall distinctly specify the sum appropriated, and the object to which it is to be applied, and it shall not be sufficient for such law to refer to any other law to fix such sum.

Credit of state shall not be pledged in aid of corporations.

SEC. 5. The credit of the state shall not, in any manner, be given or loaned to, or in aid of, any individual, association, company or corporation.

Limit of indebtedness of counties, cities and school districts.

SEC. 6. No county, city, town, school district or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, school district or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district or other municipal purposes: *Provided further*, That any city or town with such assent may be allowed to become indebted to a larger amount, but not exceeding five per centum additional, for supplying such city or town with water, artificial light and sewers when the works for supplying such water, light and sewers shall be owned and controlled by the municipality.

Counties and municipalities shall not aid corporations, etc.

SEC. 7. No county, city, town or other municipal corporation shall hereafter give any money or property, or loan its money or credit, to or in aid of any individual, association, company or corporation, except for the necessary support of the poor and infirm, or become directly or indirectly the



owner of any stock in or bonds of any association, company or corporation.

ARTICLE IX.—EDUCATION.

SECTION 1. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste or sex. Education of children.

SEC. 2. The legislature shall provide for a general and uniform system of public schools. The public school system shall include common schools, and such high schools, normal schools, and technical schools as may hereafter be established. But the entire revenue derived from the common school fund, and the state tax for common schools, shall be exclusively applied to the support of the common schools. Uniform system of public schools; includes what; support of.

SEC. 3. The principal of the common school fund shall remain permanent and irreducible. The said fund shall be derived from the following named sources, to wit: Appropriations and donations by the state to this fund; donations and bequests by individuals to the state or public for common schools; the proceeds of lands and other property which revert to the state by escheat and forfeiture; the proceeds of all property granted to the state, when the purpose of the grant is not specified, or is uncertain; funds accumulated in the treasury of the state for the disbursement of which provision has not been made by law; the proceeds of the sale of timber, stone, minerals and other property from school and state lands, other than those granted for specific purposes; all moneys received from persons appropriating timber, stone, minerals or other property from school and state lands other than those granted for specific purposes, and all moneys other than rental recovered from persons trespassing on said lands; five per centum of the proceeds of the sale of public lands lying within the state, which shall be sold by the United States subsequent to the admission of the state into the Union as approved by section 13 of the act of congress enabling the admission of the state into the Union; the principal of all funds, arising from the sale of lands and other property which have been, and hereafter may be, granted to the state for the support of common schools. The legislature may make further provisions for enlarging said fund. The interest accruing on said fund, together with all rentals and other revenues derived therefrom, and from lands and other property de- Common school fund; derived from what sources. Legislature may provide for increase.

voted to the common school fund, shall be exclusively applied to the current use of the common schools.

Schools non-sectarian.

SEC. 4. All schools maintained or supported wholly or in part by the public funds shall be forever free from sectarian control or influence.

Losses to permanent school fund become a debt on state.

SEC. 5. All losses to the permanent common school or any other state educational fund, which shall be occasioned by defalcation, mismanagement or fraud of the agents or officers controlling or managing the same, shall be audited by the proper authorities of the state. The amount so audited shall be a permanent funded debt against the state in favor of the particular fund sustaining such loss, upon which not less than 6 per cent. annual interest shall be paid. The amount of liability so created shall not be counted as a part of the indebtedness authorized and limited elsewhere in this constitution.

#### ARTICLE X.—MILITIA.

Military duty, who are liable to.

SECTION 1. All able-bodied male citizens of this state, between the ages of eighteen (18) and forty-five (45) years, except such as are exempt by laws of the United States or by the laws of this state, shall be liable to military duty.

Organization of militia.

SEC. 2. The legislature shall provide by law for organizing and disciplining the militia in such manner as it may deem expedient, not incompatible with the constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the legislature shall from time to time direct, and shall be commissioned by the governor. The governor shall have power to call forth the militia to execute the laws of the state to suppress insurrections and repel invasions.

Soldiers' home.

SEC. 3. The legislature shall provide by law for the maintenance of a soldiers' home for honorably discharged Union soldiers, sailors, marines and members of the state militia disabled while in the line of duty, and who are *bona fide* citizens of the state.

Arms.

SEC. 4. The legislature shall provide by law for the protection and safe keeping of the public arms.

Immunity from arrest.

SEC. 5. The militia shall, in all cases, except treason, felony and breach of the peace, be privileged from arrest during the attendance at musters and elections of officers, and in going to and returning from the same.

Exemption from military duty.

SEC. 6. No person or persons, having conscientious scruples against bearing arms, shall be compelled to do militia duty

in time of peace: *Provided*, Such person or persons shall pay an equivalent for such exemption.

ARTICLE XI.—COUNTY, CITY AND TOWNSHIP ORGANIZATION.

SECTION 1. The several counties of the Territory of Washington existing at the time of the adoption of this constitution are hereby recognized as legal subdivisions of this state. County organization recognized.

SEC. 2. No county seat shall be removed unless three-fifths of the qualified electors of the county, voting on the proposition at a general election, shall vote in favor of such removal, and three-fifths of all votes cast on the proposition shall be required to relocate a county seat. A proposition of removal shall not be submitted in the same county more than once in four years. Removal of county seats.

SEC. 3. No new county shall be established which shall reduce any county to a population of less than four thousand (4,000), nor shall a new county be formed containing a less population than two thousand (2,000). There shall be no territory stricken from any county unless a majority of the voters living in such territory shall petition therefor, and then only under such other conditions as may be prescribed by a general law applicable to the whole state. Every county which shall be enlarged or created from territory taken from any other county or counties shall be liable for a just proportion of the existing debts and liabilities of the county or counties from which such territory shall be taken: *Provided*, That in such accounting neither county shall be charged with any debt or liability then existing, incurred in the purchase of any county property or in the purchase or construction of any county buildings then in use or under construction, which shall fall within and be retained by the county: *Provided further*, That this shall not be construed to affect the rights of creditors. Organization of new counties. Change of boundaries.

SEC. 4. The legislature shall establish a system of county government which shall be uniform throughout the state, and by general laws shall provide for township organization, under which any county may organize whenever a majority of the qualified electors of such county voting at a general election shall so determine, and whenever a county shall adopt township organization, the assessment and collection of the revenue shall be made, and the business of such county, and the local affairs of the several townships therein, shall be managed and transacted in the manner prescribed by such general law. System of county government.

County officers, compensation of.

SEC. 5. The legislature, by general and uniform laws, shall provide for the election in the several counties of boards of county commissioners, sheriffs, county clerks, treasurers, prosecuting attorneys, and other county, township or precinct and district officers, as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of all such officers, in proportion to their duties, and for that purpose may classify the counties by population. And it shall provide for the strict accountability of such officers for all fees which may be collected by them, and for all public moneys which may be paid to them, or officially come into their possession.

Vacancies.

SEC. 6. The board of county commissioners in each county shall fill all vacancies occurring in any county, township, precinct or road district office of such county by appointment, and officers thus appointed shall hold office till the next general election, and until their successors are elected and qualified.

Ineligibility for more than two terms.

SEC. 7. No county officer shall be eligible to hold his office more than two terms in succession.

Salaries.

SEC. 8. The legislature shall fix the compensation by salaries of all county officers, and of constables in cities having a population of 5,000 and upward; except that public administrators, surveyors and coroners may or may not be salaried officers. The salary of any county, city, town or municipal officer shall not be increased or diminished after his election, or during his term of office; nor shall the term of any such officer be extended beyond the period for which he is elected or appointed.

All counties liable for state taxes.

SEC. 9. No county, nor the inhabitants thereof, nor the property therein, shall be released or discharged from its or their proportionate share of taxes to be levied for state purposes, nor shall commutation for such taxes be authorized in any form whatever.

Municipal corporations, not created by special acts.

SEC. 10. Corporations for municipal purposes shall not be created by special laws; but the legislature, by general laws, shall provide for the incorporation, organization and classification, in proportion to population, of cities and towns, which laws may be altered, amended or repealed. Cities and towns heretofore organized or incorporated may become organized under such general laws whenever a majority of the electors voting at a general election shall so determine, and shall organize in conformity therewith; and cities or towns heretofore or hereafter organized, and all charters thereof framed or adopted by



authority of this constitution, shall be subject to and controlled by general laws. Any city containing a population of twenty thousand inhabitants, or more, shall be permitted to frame a charter for its own government, consistent with and subject to the constitution and laws of this state, and for such purpose the legislative authority of such city may cause an election to be had, at which election there shall be chosen by the qualified electors of said city, fifteen freeholders thereof, who shall have been residents of said city for a period of at least two years preceding their election, and qualified electors, whose duty it shall be to convene within ten days after their election and prepare and propose a charter for such city. Such proposed charter shall be submitted to the qualified electors of said city, and if a majority of such qualified electors voting thereon ratify the same, it shall become the charter of said city, and shall become the organic law thereof, and supersede any existing charter, including amendments thereto, and all special laws inconsistent with such charter. Said proposed charter shall be published in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided. All elections in this section authorized shall only be had upon notice, which notice shall specify the object of calling such election, and shall be given for at least ten days before the day of election, in all election districts of said city. Said elections may be general or special elections, and except as herein provided shall be governed by the law regulating and controlling general or special elections in said city. Such charter may be amended by proposals therefor submitted by the legislative authority of such city to the electors thereof at any general election after notice of said submission published as above specified, and ratified by a majority of the qualified electors voting thereon. In submitting any such charter, or amendment thereto, any alternate article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

Charters for cities of 20,000 or more.

Adoption of charter.

Amendment of charter.

SEC. 11. Any county, city, town or township may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws.

Privileges of cities.

SEC. 12. The legislature shall have no power to impose taxes upon counties, cities, towns or other municipal corporations, or upon the inhabitants or property thereof, for county, city, town, or other municipal purposes, but may by general

Local taxation governed by general laws.



laws vest in the corporate authorities thereof the power to assess and collect taxes for such purposes.

SEC. 13. Private property shall not be taken or sold for the payment of the corporate debt of any public or municipal corporation, except in the mode provided by law for the levy and collection of taxes.

Unlawful use of public money a felony.

SEC. 14. The making of profit out of county, city, town or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law.

All public money to be deposited with treasurer.

SEC. 15. All moneys, assessments and taxes belonging to or collected for the use of any county, city, town or other public or municipal corporation, coming into the hands of any officer thereof, shall immediately be deposited with the treasurer, or other legal depository, to the credit of such city, town, or other corporation respectively, for the benefit of the funds to which they belong.

#### ARTICLE XII.—CORPORATIONS OTHER THAN MUNICIPAL.

Not created by special laws.

SECTION 1. Corporations may be formed under general laws, but shall not be created by special acts. All laws relating to corporations may be altered, amended or repealed by the legislature at any time, and all corporations doing business in this state may, as to such business, be regulated, limited or restrained by law.

SEC. 2. All existing charters, franchises, special or exclusive privileges, under which an actual and *bona fide* organization shall not have taken place, and business been commenced in good faith, at the time of the adoption of this constitution, shall thereafter have no validity.

Legislature shall not extend franchise or remit forfeiture.

SEC. 3. The legislature shall not extend any franchise or charter, nor remit the forfeiture of any franchise or charter of any corporation now existing, or which shall hereafter exist under the laws of this state.

Liability of stockholders.

SEC. 4. Each stockholder in all incorporated companies, except corporations organized for banking or insurance purposes, shall be liable for the debts of the corporation to the amount of his unpaid stock, and no more, and one or more stockholders may be joined as parties defendant in suits to recover upon this liability.

Corporation, construed to include what.

SEC. 5. The term corporations, as used in this article, shall be construed to include all associations and joint stock com-

panies having any powers or privileges of corporations not possessed by individuals or partnerships, and all corporations shall have the right to sue and shall be subject to be sued, in all courts, in like cases as natural persons.

SEC. 6. Corporations shall not issue stock, except to *bona fide* subscribers therefor, or their assignees; nor shall any corporation issue any bond, or other obligation, for the payment of money, except for money or property received or labor done. The stock of corporations shall not be increased, except in pursuance of a general law, nor shall any law authorize the increase of stock, without the consent of the person or persons holding the larger amount in value of the stock, nor without due notice of the proposed increase having been previously given in such manner as may be prescribed by law. All fictitious increase of stock or indebtedness shall be void.

Corporation stock, fictitious issue void.

SEC. 7. No corporation organized outside the limits of this state shall be allowed to transact business within the state on more favorable conditions than are prescribed by law to similar corporations organized under the laws of this state.

SEC. 8. No corporation shall lease or alienate any franchise, so as to relieve the franchise, or property held thereunder, from the liabilities of the lessor, or grantor, lessee, or grantee, contracted or incurred in the operation, use, or enjoyment of such franchise or any of its privileges.

Leasing or alienation of franchises.

SEC. 9. The state shall not in any manner loan its credit, nor shall it subscribe to, or be interested in, the stock of any company, association or corporation.

State shall not loan its credit to corporations.

SEC. 10. The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the legislature from taking the property and franchises of incorporated companies, and subjecting them to public use the same as the property of individuals.

Eminent domain, state may exercise right.

SEC. 11. No corporation, association, or individual shall issue or put in circulation as money anything but the lawful money of the United States. Each stockholder of any banking or insurance corporation or joint stock association shall be individually and personally liable, equally and ratably and not one for another, for all contracts, debts and engagements of such corporation or association accruing while they remain such stockholders, to the extent of the amount of their stock therein at the par value thereof, in addition to the amount invested in such shares.

Corporations and individuals shall not issue money, except lawful money of U. S.

Liability of stockholders.

SEC. 12. Any president, director, manager, cashier, or other

Insolvent banks shall not receive deposits.

officer of any banking institution who shall receive or assent to the reception of deposits after he shall have knowledge of the fact that such banking institution is insolvent or in failing circumstances shall be individually responsible for such deposits so received.

Common carriers; rights; duties.

SEC. 13. All railroad, canal and other transportation companies are declared to be common carriers and subject to legislative control. Any association or corporation organized for the purpose, under the laws of the state, shall have the right to connect at the state line with railroads of other states. Every railroad company shall have the right with its road, whether the same be now constructed or may hereafter be constructed, to intersect, cross or connect with any other railroad, and when such railroads are of the same or similar gauge they shall, at all crossings and at all points where a railroad shall begin or terminate at or near any other railroad, form proper connections, so that the cars of any such railroad companies may be speedily transferred from one railroad to another. All railroad companies shall receive and transport each the other's passengers, tonnage and cars without delay or discrimination.

Certain combinations of forbidden.

SEC. 14. No railroad company or other common carrier shall combine or make any contract with the owners of any vessel that leaves port or makes port in this state, or with any common carrier, by which combination or contract the earnings of one doing the carrying are to be shared by the other not doing the carrying.

Discrimination in rates forbidden.

SEC. 15. No discrimination in charges or facilities for transportation shall be made by any railroad or other transportation company between places or persons, or in the facilities for the transportation of the same classes of freight or passengers within the state, or coming from or going to any other state. Persons and property transported over any railroad, or by any other transportation company, or individual, shall be delivered at any station, landing or port, at charges not exceeding the charges for the transportation of persons and property of the same class, in the same direction, to any more distant station, port or landing. Excursion and commutation tickets may be issued at special rates.

Shall not consolidate.

SEC. 16. No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a competing line.

SEC. 17. The rolling stock and other moveable property be-

longing to any railroad company or corporation in this state shall be considered personal property, and shall be liable to taxation and to execution and sale in the same manner as the personal property of individuals, and such property shall not be exempted from execution and sale.

Rolling stock, etc., considered to be personal property.

SEC. 18. The legislature shall pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight, and to correct abuses, and to prevent discrimination and extortion in the rates of freight and passenger tariffs on the different railroads and other common carriers in the state, and shall enforce such laws by adequate penalties. A railroad and transportation commission may be established and its powers and duties fully defined by law.

Regulation of fares and freights by legislature.

SEC. 19. Any association or corporation, or the lessees or managers thereof, organized for the purpose, or any individual, shall have the right to construct and maintain lines of telegraph and telephone within this state, and said companies shall receive and transmit each other's messages without delay or discrimination, and all of such companies are hereby declared to be common carriers and subject to legislative control. Railroad corporations organized or doing business in this state shall allow telegraph and telephone corporations and companies to construct and maintain telegraph lines on and along the rights-of-way of such railroads and railroad companies, and no railroad corporation organized or doing business in this state shall allow any telegraph corporation or company any facilities, privileges or rates for transportation of men or material, or for repairing their lines, not allowed to all telegraph companies. The right of eminent domain is hereby extended to all telegraph and telephone companies. The legislature shall, by general law of uniform operation, provide reasonable regulations to give effect to this section.

Telegraph and telephone companies.

SEC. 20. No railroad or other transportation company shall grant free passes, or sell tickets or passes at a discount, other than as sold to the public generally, to any member of the legislature, or to any person holding any public office within this state. The legislature shall pass laws to carry this provision into effect.

Free passes, discrimination forbidden.

SEC. 21. Railroad companies now or hereafter organized or doing business in this state, shall allow all express companies organized or doing business in this state, transportation over all lines of railroad owned or operated by such railroad companies upon equal terms with any other express company, and

Railroads shall not discriminate against any express company.



no railroad corporation organized or doing business in this state shall allow any express corporation or company any facilities, privileges or rates for transportation of men or materials or property carried by them, or for doing the business of such express companies, not allowed to all express companies.

Trusts and monopolies forbidden.

SEC. 22. Monopolies and trusts shall never be allowed in this state, and no incorporated company, copartnership or association of persons in this state shall directly or indirectly combine or make any contract with any other incorporated company, foreign or domestic, through their stockholders, or the trustees or assignees of such stockholders, or with any copartnership or association of persons, or in any manner whatever, for the purpose of fixing the price or limiting the production or regulating the transportation of any product or commodity. The legislature shall pass laws for the enforcement of this section by adequate penalties, and in case of incorporated companies, if necessary for that purpose, may declare a forfeiture of their charter.

#### ARTICLE XIII.—STATE INSTITUTIONS.

Educational, reformatory and penal institutions.

SECTION 1. Educational, reformatory and penal institutions; those for the benefit of blind, deaf, dumb or otherwise defective youth, for the insane or idiotic, and such other institutions as the public good may require, shall be fostered and supported by the state, subject to such regulations as may be provided by law. The regents, trustees, or commissioners of all such institutions existing at the time of the adoption of this constitution, and of such as shall thereafter be established by law, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by the ayes and noes, and entered upon the journal.

#### ARTICLE XIV.—SEAT OF GOVERNMENT.

Permanent location of seat of government, how chosen.

SECTION 1. The legislature shall have no power to change, or to locate the seat of government of this state; but the question of the permanent location of the seat of government of the state shall be submitted to the qualified electors of the territory, at the election to be held for the adoption of this constitution. A majority of all the votes cast at said election, upon said question, shall be necessary to determine the permanent location of the seat of government for the state; and



no place shall ever be the seat of government which shall not receive a majority of the votes cast on that matter. In case there shall be no choice of location at said first election, the legislature shall, at its first regular session after the adoption of this constitution, provide for submitting to the qualified electors of the state, at the next succeeding general election thereafter, the question of choice of location between the three places for which the highest number of votes shall have been cast at the said first election. Said legislature shall provide further that in case there shall be no choice of location at said second election, the question of choice between the two places for which the highest number of votes shall have been cast, shall be submitted in like manner to the qualified electors of the state at the next ensuing general election: *Provided*, That until the seat of government shall have been permanently located as herein provided, the temporary location thereof shall remain at the city of Olympia.

Temporary  
seat.

SEC. 2. When the seat of government shall have been located as herein provided, the location thereof shall not thereafter be changed except by a vote of two-thirds of all the qualified electors of the state voting on that question, at a general election, at which the question of location of the seat of government shall have been submitted by the legislature.

How changed.

SEC. 3. The legislature shall make no appropriations or expenditures for capitol buildings or grounds, except to keep the territorial capitol buildings and grounds in repair, and for making all necessary additions thereto, until the seat of government shall have been permanently located, and the public buildings are erected at the permanent capital in pursuance of law.

Capitol  
building.

#### ARTICLE XV.—HARBORS AND TIDE WATERS.

SECTION 1. The legislature shall provide for the appointment of a commission whose duty it shall be to locate and establish harbor lines in the navigable waters of all harbors, estuaries, bays and inlets of this state, wherever such navigable waters lie within or in front of the corporate limits of any city or within one mile thereof upon either side. The state shall never give, sell or lease to any private person, corporation or association any rights whatever in the waters beyond such harbor lines, nor shall any of the area lying between any harbor line and the line of ordinary high tide, and within not less than fifty feet nor more than 600 feet of such harbor line

Harbor line  
commission.

Areas reserved for wharves and landings.

Leasing of sites for wharves and docks.

(as the commissioners shall determine) be sold or granted by the state, nor its right to control the same relinquished, but such area shall be forever reserved for landings, wharves, streets and other conveniences of navigation and commerce.

SEC. 2. The legislature shall provide general laws for the leasing of the right to build and maintain wharves, docks and other structures upon the areas mentioned in section 1 of this article, but no lease shall be made for any term longer than thirty years, or the legislature may provide by general laws for the building and maintaining upon such area, wharves, docks and other structures.

SEC. 3. Municipal corporations shall have the right to extend their streets over intervening tide lands to and across the area reserved as herein provided.

#### ARTICLE XVI.—SCHOOL AND GRANTED LANDS.

Shall not be sold at less than market value.

SECTION 1. All the public lands granted to the state are held in trust for all the people, and none of such lands, nor any estate or interest therein, shall ever be disposed of unless the full market value of the estate or interest disposed of, to be ascertained in such manner as may be provided by law, be paid or safely secured to the state; nor shall any lands which the state holds by grant from the United States (in any case in which the manner of disposal and minimum price are so prescribed) be disposed of except in the manner and for at least the price prescribed in the grant thereof, without the consent of the United States.

Lands for educational purposes sold to highest bidder at public auction.

SEC. 2. None of the lands granted to the state for educational purposes shall be sold otherwise than at public auction to the highest bidder. The value thereof, less the improvements, shall, before any sale, be appraised by a board of appraisers, to be provided by law, the terms of payment also to be prescribed by law, and no sale shall be valid unless the sum bid be equal to the appraised value of said land. In estimating the value of such lands for disposal, the value of the improvements thereon shall be excluded: *Provided*, That the sale of all school and university land heretofore made by the commissioners of any county or the university commissioners, when the purchase price has been paid in good faith, may be confirmed by the legislature.

School lands, how sold.

SEC. 3. No more than one-fourth of the land granted to the state for educational purposes shall be sold prior to January 1, 1895, and not more than one-half prior to January 1, 1905:

*Provided*, That nothing herein shall be so construed as to prevent the state from selling the timber or stone off of any of the state lands in such manner and on such terms as may be prescribed by law: *And provided further*, That no sale of timber lands shall be valid unless the full value of such lands is paid or secured to the state.

SEC. 4. No more than one hundred and sixty (160) acres of Subdivision of. any granted lands of the state shall be offered for sale in one parcel, and all lands within the limits of any incorporated city, or within two miles of the boundary of any incorporated city, where the valuation of such lands shall be found by appraisement to exceed one hundred dollars (\$100) per acre, shall, before the same be sold, be platted into lots and blocks of not more than five acres in a block, and not more than one block shall be offered for sale in one parcel.

SEC. 5. None of the permanent school fund shall ever be Investment of funds. loaned to private persons or corporations, but it may be vested in national, state, county or municipal bonds.

#### ARTICLE XVII.—TIDE LANDS.

SECTION 1. The State of Washington asserts its ownership Claim of state. to the beds and shores of all navigable waters in the state up to and including the line of ordinary high tide, in waters where the tide ebbs and flows, and up to and including the line of ordinary high water within the banks of all navigable rivers and lakes: *Provided*, That this section shall not be construed so as to debar any person from asserting his claim to vested rights in the courts of the state.

SEC. 2. The State of Washington disclaims all title in and Ownership disclaimed to certain lands. claim to all tide, swamp and overflowed lands patented by the United States: *Provided*, The same is not impeached for fraud.

#### ARTICLE XVIII.—STATE SEAL.

SECTION 1. The seal of the State of Washington shall be, a Design of. seal encircled with the words: "The seal of the State of Washington," with the vignette of Gen. George Washington as the central figure, and beneath the vignette the figures "1889."

#### ARTICLE XIX.—EXEMPTIONS.

SECTION 1. The legislature shall protect by law from forced Homestead. sale a certain portion of the homestead and other property of all heads of families.

## ARTICLE XX.—PUBLIC HEALTH AND VITAL STATISTICS.

Board of health.

SECTION 1. There shall be established by law a state board of health and a bureau of vital statistics in connection therewith, with such powers as the legislature may direct.

Practice of medicine.

SEC. 2. The legislature shall enact laws to regulate the practice of medicine and surgery, and the sale of drugs and medicines.

## ARTICLE XXI.—WATER AND WATER RIGHTS.

Water rights.

SECTION 1. The use of the waters of the state for irrigation, mining and manufacturing purposes shall be deemed a public use.

## ARTICLE XXII.—LEGISLATIVE APPORTIONMENT.

First apportionment, senatorial districts.

SECTION 1. Until otherwise provided by law, the state shall be divided into twenty-four (24) senatorial districts, and said districts shall be constituted and numbered as follows: The counties of Stevens and Spokane shall constitute the first district, and be entitled to one senator; the county of Spokane shall constitute the second district, and be entitled to three senators; the county of Lincoln shall constitute the third district, and be entitled to one senator; the counties of Okanogan, Lincoln, Adams and Franklin shall constitute the fourth district, and be entitled to one senator; the county of Whitman shall constitute the fifth district, and be entitled to three senators; the counties of Garfield and Asotin shall constitute the sixth district, and be entitled to one senator; the county of Columbia shall constitute the seventh district, and be entitled to one senator; the county of Walla Walla shall constitute the eighth district, and be entitled to two senators; the counties of Yakima and Douglas shall constitute the ninth district, and be entitled to one senator; the county of Kittitas shall constitute the tenth district, and be entitled to one senator; the counties of Klickitat and Skamania shall constitute the eleventh district, and be entitled to one senator; the county of Clarke shall constitute the twelfth district, and be entitled to one senator; the county of Cowlitz shall constitute the thirteenth district, and be entitled to one senator; the county of Lewis shall constitute the fourteenth district, and be entitled to one senator; the counties of Pacific and Wahkiakum shall constitute the fifteenth district, and be entitled to one senator; the county of Thurston shall constitute the sixteenth district, and be entitled to one senator; the county of Chehalis shall constitute the seventeenth district, and be

entitled to one senator; the county of Pierce shall constitute the eighteenth district, and be entitled to three senators; the county of King shall constitute the nineteenth district, and be entitled to five senators; the counties of Mason and Kitsap shall constitute the twentieth district, and be entitled to one senator; the counties of Jefferson Clallam and San Juan shall constitute the twenty-first district, and be entitled to one senator; the county of Snohomish shall constitute the twenty-second district, and shall be entitled to one senator; the counties of Skagit and Island shall constitute the twenty-third district, and be entitled to one senator; the county of Whatcom shall constitute the twenty-fourth district, and be entitled to one senator.

SEC. 2. Until otherwise provided by law, the representa-

First apportionment, representative districts.

tives shall be divided among the several counties of the state in the following manner: The county of Adams shall have one representative; the county of Asotin shall have one representative; the county of Chehalis shall have two representatives; the county of Clarke shall have three representatives; the county of Clallam shall have one representative; the county of Columbia shall have two representatives; the county of Cowlitz shall have one representative; the county of Douglas shall have one representative; the county of Franklin shall have one representative; the county of Garfield shall have one representative; the county of Island shall have one representative; the county of Jefferson shall have two representatives; the county of King shall have eight representatives; the county of Klickitat shall have two representatives; the county of Kittitas shall have two representatives; the county of Kitsap shall have one representative; the county of Lewis shall have two representatives; the county of Lincoln shall have two representatives; the county of Mason shall have one representative; the county of Okanogan shall have one representative; the county of Pacific shall have one representative; the county of Pierce shall have six representatives; the county of San Juan shall have one representative; the county of Skamania shall have one representative; the county of Snohomish shall have two representatives; the county of Skagit shall have two representatives; the county of Spokane shall have six representatives; the county of Stevens shall have one representative; the county of Thurston shall have two representatives; the county of Walla Walla shall have three representatives; the county of Wahkiakum shall have



one representative; the county of Whatcom shall have two representatives; the county of Whitman shall have five representatives; the county of Yakima shall have one representative.

ARTICLE XXIII.—AMENDMENTS.

State constitution, how amended.

SECTION 1. Any amendment or amendments to this constitution may be proposed in either branch of the legislature, and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered in their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election, and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this constitution, and proclamation thereof shall be made by the governor: *Provided*, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause the amendments that are to be submitted to the people to be published for at least three months next preceding the election, in some weekly newspaper in every county where a newspaper is published throughout the state.

Convention to amend constitution, how called.

SEC. 2. Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this constitution, they shall recommend to the electors to vote at the next general election for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall, at the next session, provide by law for calling the same; and such convention shall consist of a number of members not less than that of the most numerous branch of the legislature.

Voters must ratify.

SEC. 3. Any constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

ARTICLE XXIV.—BOUNDARIES.

Boundaries of state defined.

SECTION 1. The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river, thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest

channel thereof to where the forty-sixth parallel of north latitude crosses said river, near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake river; thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river; thence due north to the forty-ninth parallel of north latitude; thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's Island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west; thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's Island from the continent to the termination of the boundary line between the United States and British possessions at a point in the Pacific ocean equidistant between Bonnilla point on Vancouver's Island and Tatoosh Island lighthouse; thence running in a southerly course and parallel with the coast line, keeping one marine league off shore, to place of beginning.

## ARTICLE XXV.—JURISDICTION.

SECTION 1. The consent of the State of Washington is hereby given to the exercise, by the congress of the United States, of exclusive legislation in all cases whatsoever over such tracts or parcels of land as are now held or reserved by the government of the United States for the purpose of erecting or maintaining thereon forts, magazines, arsenals, dock-yards, lighthouses and other needful buildings, in accordance with the provisions of the seventeenth paragraph of the eighth section of the first article of the constitution of the United States, so long as the same shall be so held and reserved by the United States: *Provided*, That a sufficient description by metes and bounds, and an accurate plat or map of each such tract or parcel of land be filed in the proper office of record in the county in which the same is situated, together with copies of the orders, deeds, patents or other evidences in writing of the title of the United States: *And provided*, That all civil process issued from the courts of this state, and such criminal process as may issue under the authority of this state, against any person charged with crime in cases arising outside of such reservations, may be served and executed thereon in the same

United States to have jurisdiction over certain tracts and parcels of land.

Exception.

mode and manner, and by the same officers, as if the consent herein given had not been made.

ARTICLE XXVI.—COMPACT WITH THE UNITED STATES.

The following ordinance shall be irrevocable without the consent of the United States and the people of this state:

Religious  
toleration  
guaranteed.

*First:* That perfect toleration of religious sentiment shall be secured, and that no inhabitant of this state shall ever be molested in person or property on account of his or her mode of religious worship.

Rights to un-  
appropriated  
public lands  
disclaimed.

*Second:* That the people inhabiting this state do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within the boundaries of this state, and to all lands lying within said limits owned or held by any Indian or Indian tribes; and that, until the title thereto shall have been extinguished by the United States, the same shall be and remain subject to the disposition of the United States, and said Indian lands shall remain under the absolute jurisdiction and control of the congress of the United States, and that the lands belonging to citizens of the United States residing without the limits of this state shall never be taxed at a higher rate than the lands belonging to residents thereof, and that no taxes shall be imposed by the state on lands or property therein belonging to or which may be hereafter purchased by the United States or reserved for use: *Provided,* That nothing in this ordinance shall preclude the state from taxing, as other lands are taxed, any lands owned or held by any Indian who has severed his tribal relations, and has obtained from the United States or from any person a title thereto by patent or other grant, save and except such lands as have been or may be granted to any Indian or Indians under any act of congress containing a provision exempting the lands thus granted from taxation, which exemption shall continue so long and to such an extent as such act of congress may prescribe.

Debts of terri-  
tory assumed.

*Third:* The debts and liabilities of the Territory of Washington, and payment of the same, are hereby assumed by this state.

System of pub-  
lic schools  
guaranteed.

*Fourth:* Provision shall be made for the establishment and maintenance of systems of public schools free from sectarian control, which shall be open to all the children of said state.

## ARTICLE XXVII. — SCHEDULE.

In order that no inconvenience may arise by reason of a change from a territorial to a state government, it is hereby declared and ordained as follows:

SECTION 1. No existing rights, actions; suits, proceedings, contracts or claims shall be affected by a change in the form of government, but all shall continue as if no change had taken place; and all process which may have been issued under the authority of the Territory of Washington previous to its admission into the Union shall be as valid as if issued in the name of the state.

SEC. 2. All laws now in force in the Territory of Washington, which are not repugnant to this constitution, shall remain in force until they expire by their own limitation, or are altered or repealed by the legislature: *Provided*, That this section shall not be so construed as to validate any act of the legislature of Washington Territory granting shore or tide lands to any person, company or any municipal or private corporation.

Laws of Territory of Washington valid.

SEC. 3. All debts, fines, penalties and forfeitures, which have accrued, or may hereafter accrue, to the Territory of Washington, shall inure to State of Washington.

Debts, fines, etc., inure to state.

SEC. 4. All recognizances heretofore taken, or which may be taken before the change from a territorial to a state government, shall remain valid, and shall pass to and may be prosecuted in the name of the state, and all bonds executed to the Territory of Washington or to any county or municipal corporation, or to any officer or court in his or its official capacity, shall pass to the state authorities and their successors in office, for the uses therein expressed, and may be sued for and recovered accordingly, and all the estate, real, personal and mixed, and all judgments, decrees, bonds, specialties, choses in action, and claims or debts, of whatever description, belonging to the Territory of Washington, shall inure to and vest in the State of Washington, and may be sued for and recovered in the same manner, and to the same extent, by the State of Washington, as the same could have been by the Territory of Washington.

Recognizances taken under territorial government valid under state government.

SEC. 5. All criminal prosecutions and penal actions which may have arisen, or which may arise, before the change from a territorial to a state government, and which shall then be pending, shall be prosecuted to judgment and execution in the name of the state. All offenses committed against the laws

Penal actions.

of the Territory of Washington, before the change from a territorial to state government, and which shall not be prosecuted before such change, may be prosecuted in the name and by the authority of the State of Washington, with like effect as though such change had not taken place; and all penalties incurred shall remain the same as if this constitution had not been adopted. All actions at law and suits in equity which may be pending in any of the courts of the Territory of Washington, at the time of the change from a territorial to a state government, shall be continued and transferred to the court of the state having jurisdiction of the subject matter thereof.

Public officers. SEC. 6. All officers now holding their office under the authority of the United States, or of the Territory of Washington, shall continue to hold and exercise their respective offices until they shall be superseded by the authority of the state.

First election of officers. SEC. 7. All officers provided for in this constitution, including a county clerk for each county, when no other time is fixed for their election, shall be elected at the election to be held for the adoption of this constitution on the first Tuesday of October, 1889.

Courts, transfer of cases. SEC. 8. Whenever the judge of the superior court of any county, elected or appointed under the provisions of this constitution, shall have qualified, the several causes then pending in the district court of the territory, except such causes as would have been within the exclusive jurisdiction of the United States district court, had such court existed at the time of the commencement of such causes within such county, and the records, papers and proceedings of said district court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the superior court of such county. And where the judge is elected for two or more counties, it shall be the duty of the clerk of the district court having custody of such papers and records to transmit to the clerk of such county or counties, other than that in which such records are kept, the original papers in all cases pending in such district and belonging to the jurisdiction of such county or counties, together with transcript of so much of the records of said district court as relate to the same; and until the district courts of the territory shall be superseded in manner aforesaid, the said district courts and the judges thereof shall continue with the same jurisdiction and powers, to be exercised in the same judicial districts, respectively, as heretofore constituted under the laws of the territory. Whenever a



quorum of the judges of the supreme court of the state shall have been elected and qualified, the causes then pending in the supreme court of the territory, except such causes as would have been within the exclusive jurisdiction of the United States circuit court, had such court existed at the time of the commencement of such causes, and the papers, records and proceedings of said court, and the seal and other property pertaining thereto, shall pass into the jurisdiction and possession of the supreme court of the state, and until so superseded, the supreme court of the territory and the judges thereof shall continue with like powers and jurisdiction as if this constitution had not been adopted.

SEC. 9. Until otherwise provided by law, the seal now in use in the supreme court of the territory shall be the seal of the supreme court of the state. The seal of the superior courts of the several counties of the state shall be, until otherwise provided by law, the vignette of General George Washington, with the words: "Seal of the superior court of ..... county," surrounding the vignette. The seal of municipalities, and of all county officers of the territory, shall be the seals of such municipalities and county officers, respectively, under the state, until otherwise provided by law.

SEC. 10. When the state is admitted into the Union, and the superior courts in their respective counties organized, the books, records, papers and proceedings of the probate court in each county, and all causes and matters of administration pending therein, shall, upon the expiration of the term of office of the probate judges, on the second Monday in January, 1891, pass into the jurisdiction and possession of the superior court of the same county created by this constitution, and the said court shall proceed to final judgment or decree, order or other determination, in the several matters and causes as the territorial probate court might have done if this constitution had not been adopted. And until the expiration of the term of office of the probate judges, such probate judges shall perform the duties now imposed upon them by the laws of the territory. The superior courts shall have appellate and revisory jurisdiction over the decisions of the probate courts, as now provided by law, until such latter courts expire by limitation.

SEC. 11. The legislature, at its first session, shall provide for the election of all officers whose election is not provided for elsewhere in this constitution, and fix the time for commencement and duration of their term.

Contests at first election.

SEC. 12. In case of a contest of election between candidates, at the first general election under this constitution, for judges of the superior courts, the evidence shall be taken in the manner prescribed by the territorial laws, and the testimony so taken shall be certified to the secretary of state; and said officer, together with the governor and treasurer of state, shall review the evidence and determine who is entitled to the certificate of election.

Representative in congress.

SEC. 13. One representative in the congress of the United States shall be elected from the state at large, at the first election provided for in this constitution; and thereafter at such times and places and in such manner as may be prescribed by law. When a new apportionment shall be made by congress, the legislature shall divide the state into congressional districts, in accordance with such apportionment. The vote cast for representative in congress, at the first election, shall be canvassed and the result determined in the manner provided for by the laws of the territory for the canvass of the vote for delegate in congress.

District, county and precinct officers to hold office until 1891.

SEC. 14. All district, county and precinct officers, who may be in office at the time of the adoption of this constitution, and the county clerk of each county elected at the first election, shall hold their respective offices until the second Monday of January, A. D, 1891, and until such time as their successors may be elected and qualified, in accordance with the provisions of this constitution; and the official bonds of all such officers shall continue in full force and effect as though this constitution had not been adopted. And such officers shall continue to receive the compensation now provided until the same be changed by law.

Election to adopt constitution, how conducted.

SEC. 15. The election held at the time of the adoption of this constitution shall be held and conducted in all respects according to the laws of the territory, and the votes cast at said election for all officers (where no other provisions are made in this constitution), and for the adoption of this constitution and the several separate articles, and the location of the state capital, shall be canvassed and returned in the several counties in the manner provided by territorial law, and shall be returned to the secretary of the territory in the manner provided by the enabling act.

State constitution in effect, when.

SEC. 16. The provisions of this constitution shall be in force from the day on which the president of the United States shall issue his proclamation declaring the State of Washington ad-

mitted into the Union, and the terms of all officers elected at the first election under the provisions of this constitution shall commence on the Monday next succeeding the issue of said proclamation, unless otherwise provided herein.

SEC. 17. The following separate articles shall be submitted to the people for adoption or rejection at the election for the adoption of this constitution: Separate article No. 1. "All persons, male and female, of the age of 21 years, or over, possessing the qualifications, provided by this constitution, shall be entitled to vote at all elections." Separate article No. 2. "It shall not be lawful for any individual, company or corporation, within the limits of this state, to manufacture, or cause to be manufactured, or to sell, or offer for sale, or in any manner dispose of, any alcoholic, malt or spirituous liquors, except for medicinal, sacramental or scientific purposes." If a majority of the ballots cast at said election on said separate articles be in favor of the adoption of either of said separate articles, then such separate articles so receiving a majority shall become a part of this constitution and shall govern and control any provision of the constitution in conflict therewith.

Separate articles submitted.

Female suffrage.

Prohibition article.

SEC. 18. The form of ballot to be used in voting for or against this constitution, or for or against the separate articles, or for the permanent location of the seat of government, shall be:

Form of ballot.

1. For the Constitution.  
Against the Constitution.
2. For Woman Suffrage Article.  
Against Woman Suffrage Article.
3. For Prohibition Article.  
Against Prohibition Article.
4. For the permanent location of the seat of Government.

[Name of place voted for.]

SEC. 19. The legislature is hereby authorized to appropriate from the state treasury sufficient money to pay any of the expenses of this convention not provided for by the enabling act of congress.

Appropriation authorized to pay deficiency.

#### CERTIFICATE.

We, the undersigned, members of the convention to form a constitution for the State of Washington, which is to be submitted to the people for their adoption or rejection, do hereby declare this to be the constitution formed by us, and in testimony thereof, do hereunto set our hands, this twenty-second

day of <sup>1</sup>/<sub>4</sub> August, anno domini, one thousand eight hundred and eighty-nine.

JOHN P. HOYT, President.

J. J. BROWNE,  
N. G. BLALOCK,  
JOHN F. GOWEY,  
FRANK M. DALLAM,  
JAMES Z. MOORE,  
E. H. SULLIVAN,  
GEORGE TURNER,  
AUSTIN MIRES,  
M. M. GODMAN,  
GWIN HICKS,  
WM. F. PROSSER,  
LOUIS SOHNS,  
A. A. LINDSLEY,  
J. J. WEISENBURGER,  
P. C. SULLIVAN,  
R. S. MORE,  
THOMAS T. MINOR,  
J. J. TRAVIS,  
ARNOLD J. WEST,  
CHARLES T. FAY,  
CHARLES P. COEY,  
ROBT F. STURDEVANT,  
JOHN A. SHOUDY,  
ALLEN WEIR,  
W. E. GRAY,  
TRUSTEN P. DYER,  
GEO. H. JONES,  
B. L. SHARPSTEIN,  
H. M. LILLIS,  
J. F. VAN NAME,  
ALBERT SCHOOLEY,  
H. C. WILLISON,  
T. M. REED,  
S. H. MANLY,  
RICHARD JEFFS,

FRANCIS HENRY,  
GEORGE COMEGYS,  
OLIVER H. JOY,  
DAVID E. DURIE,  
D. BUCHANAN,  
JOHN R. KINNEAR,  
GEORGE W. TIBBETTS,  
H. W. FAIRWEATHER,  
THOMAS C. GRIFFITTS,  
C. H. WARNER,  
J. P. T. McCROSKEY,  
S. G. COSGROVE,  
THOS. HAYTON,  
SAM'L H. BERRY,  
D. J. CROWLEY,  
J. T. McDONALD,  
JOHN M. REED,  
EDWARD ELDRIDGE,  
GEO. H. STEVENSON,  
SILVIUS A. DICKEY,  
HENRY WINSOR,  
THEODORE L. STILES,  
JAMES A. BURK,  
JOHN McREAVY,  
R. O. DUNBAR,  
MORGAN MORGANS,  
JAS. POWER,  
B. B. GLASCOCK,  
O. A. BOWEN,  
HARRISON CLOTHIER,  
MATT. J. McELROY,  
J. T. ESHELMAN,  
ROBERT JAMIESON,  
HIRAM E. ALLEN,  
H. F. SUKSDORF,  
J. C. KELLOGG.

Attest :

JNO. I. BOOGE, *Chief Clerk.*

## RULES AND REGULATIONS, BY THE STATE BOARD OF EDUCATION.

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Authorized by the Code of Public Instruction, section 27: "The said board shall have power—*Second*, to prepare a course or courses of study for the primary, grammar and high school departments of the common schools, and to prescribe such rules for the general government of the common schools as shall secure regularity of attendance, prevent truancy, secure efficiency and promote the true interests of the common schools."

### TEACHERS.

#### RULE I.

The teachers in the public schools of this state shall follow the prescribed course of study and enforce the rules and regulations of the board of education; shall keep records, use blanks and render reports according to instructions.

#### RULE II.

Teachers shall be held responsible for the care of all school property entrusted to them; shall frequently inspect the same and promptly report to the district clerk any damage it may have received.

#### RULE III.

Teachers shall prepare a program of daily exercises, a copy of which shall be posted in a conspicuous place in the school room.

#### RULE IV.

Teachers shall exercise watchful care over the conduct and habits of the pupils while under their jurisdiction.

#### RULE V.

Teachers shall maintain strict order and discipline in their schools at all times. Any neglect of this requirement will be considered good cause for dismissal. Corporal punishment may be resorted to when it becomes necessary to the preservation of proper discipline. No cruel punishment shall be inflicted; and no teacher shall administer punishment on or about the head of any pupil.

#### RULE VI.

In any case of misconduct or insubordination, when the teacher deems it necessary for the good of the school, he may suspend a pupil, and shall immediately notify the directors of the district thereof for further action.

#### RULE VII.

Every public school teacher shall give vigilant attention to the temperature and ventilation of the schoolroom, and shall see that the doors and windows are open at each intermission, for the purpose of changing the atmosphere of the room.

#### RULE VIII.

Teachers shall have the right, and it shall be their duty, to direct and control within reasonable limits the studies of their pupils: *Provided*, That all pupils shall receive instruction in the branches included in the prescribed course of study.



## RULE IX.

The use of tobacco in any form or place by a teacher is discountenanced, and the use of alcoholic stimulants in any form or place, as a beverage, is prohibited. The use of tobacco or any other narcotic on the school premises by a teacher shall work a forfeiture of his certificate.

## RULE X.

At the close of every term of school the teacher shall thoroughly examine his pupils in the studies of the term, using written questions and requiring written answers whenever practicable, and the standing of each pupil in the examination shall be noted accurately upon the school register. A report of the examination and standing of the pupils shall be forwarded to the county superintendent.

## RULE XI.

Teachers shall require excuses from the parents or guardians of pupils, either in person or by written note, in all cases of absence, tardiness or dismissal before the close of school, and no excuse shall be deemed valid except that of sickness or necessary employment. The teacher shall be the judge of the sufficiency of excuses, subject to an appeal to the directors.

## RULE XII.

Whenever the unexcused absences of any pupil during any term shall amount in the aggregate to five days, he shall be reported to the directors, and the teacher shall suspend him until the opinion of the directors shall be given. For this purpose an unexcused tardiness or unexcused absence for half a day or less shall be deemed a half day's absence; and any unexcused absence for more than half a day at one time shall be reckoned as an absence for a whole day.

## RULE XIII.

□ In all public schools in this state the teachers shall require of their pupils regular exercises in composition and declamation. In the preparation of programs for rhetorical, teachers shall use every effort to secure selections of a high literary character and to make the work truly educational.

## PUPILS.

## RULE XIV.

□ Every pupil shall be punctual and regular in attendance, obedient to all rules of the school, diligent in study, respectful and obedient to teachers and kind and obliging to schoolmates.

## RULE XV.

Willful disobedience, habitual truancy, vulgarity or profanity, the use of tobacco on or about the school premises, stealing, the carrying of deadly weapons, the carrying or using of dangerous playthings, shall constitute good cause for suspension or expulsion from school.

## RULE XVI.

As soon as dismissed, pupils shall leave the school premises and go directly to their homes. Loitering on the way to and from school is positively forbidden.

## RULE XVII.

Pupils shall give attention to personal neatness and cleanliness, and any who repeatedly fails in this respect may be sent home to be prepared properly for school.

## OFFICIAL OPINIONS AND RULINGS ON QUESTIONS OF SCHOOL LAW, IN FORCE UNDER THE CODE OF PUBLIC INSTRUCTION.

BY ATTORNEY GENERAL.

1. Any person who is actually the head of a family, that is, who is under legal obligation to provide for the support and education of persons dependent upon him, and who is in fact providing for their education and support, is the head of a family for the purpose of signing petitions relating to school matters, whether he is a legal voter or not. Any person who is not the head of a family within the definition given above is not qualified to sign such petition, though he be a legal voter. Secs. 4 and 5  
of Code.

2. When a petition is presented to a county superintendent praying for the organization of a new school district, he may, after he has heard all the evidence presented by the parties interested, exercise his judgment, within reasonable limits, in the organization of such new district and the fixing of its boundaries, and in so doing, he may correct any mistakes that may have been made in the description given in the petition, and in a proper case modify the boundaries described therein. Secs. 4 and 5.

3. A person can not legally hold the office of school district director and that of school district clerk at one and the same time. Sec. 33.  
Twelfth.

4. Children of school age, residing upon military reservations lying within any school district, constitute a legitimate portion of the school population of the district, and should be enumerated as other children are. Sec. 49.  
Third.

5. If a teacher is a near relative of a member of the school district board, he is not, by reason of such relationship alone, rendered ineligible to election as a teacher in a school under the management of such board of directors. Sec. 51.

6. When cities, in extending their limits, take in other districts or parts of districts, and in so doing take in a part or all of the school district officers of such included school districts, the officers so taken into the city district do not become a part of the board of directors of the city districts so extending their limits. Sec. 72.

7. The stated reading of the Bible in the public schools of this state is a religious exercise within the meaning of the constitution, and as such is thereby prohibited in section 11, article 1 of that document. Sec. 110.

## DECISIONS BY STATE SUPERINTENDENT.

See secs. 2, 4, 5,  
6, 12, 14, 30-38.

1. The powers and duties of a county superintendent of common schools, under the law, are mainly executive and supervisory. He has, in addition, limited judiciary power in cases of hearing petitions and appeals; but in the exercise of this power he should not lay aside his executive and supervisory functions and assume the attitude of a judge in a case at law, leaving to the parties interested the entire burden of conducting the investigation. He should, on the contrary, exercise his other official powers to the extent necessary to enable him to investigate thoroughly the matter before him, elicit all necessary testimony, and thus have at hand the data upon which he will be able to render the just and equitable decision required of him by the law.

Sec. 175.

2. When the officers of a new school district have been appointed, and have qualified according to law, the new district is fully organized and possesses all the powers of any other school district, though by a failure to have the required amount of school within one year it may forfeit its organization and cease to exist as a corporation.

Sec. 33,  
*Twelfth.*

3. The terms of office of all the first officers of a new school district expire at the time of the first annual election succeeding its organization, whether those officers were appointed by the county superintendent or hold their positions by virtue of a previous election in the old district or districts from which the new district was taken. They are only temporary officers in either case.

Sec. 33,  
*Second.*

4. For the purpose of visitation by the county superintendent, the term "school" is construed to mean a department or room—a distinct collection of pupils under the supervision or instruction of a teacher, though that department, room or collection, may be but a part of the system or systems of schools of a city or town. Any other interpretation of the term would defeat the primary object of the law.

Sec. 33,  
*Twelfth.*

5. Appointments of officers made by a county superintendent do not extend beyond the time of the next annual election.

Sec. 33,  
*Twelfth.*

6. In case a school district shall fail to elect officers at the time and in the manner prescribed by law, the officers whose terms of office expire at the time such election should take place, do not hold over or continue in office until the next election, but the offices which they hold become vacant, and can only be filled by appointment, as special elections cannot be held for the election of such officers. But should no appointment be made, it is the duty of the officer whose time has expired to continue to discharge the duties of his office until his successor is elected or appointed and qualified, as the law directs. He is an officer *de facto*, and his acts are just as legal as they were prior to the expiration of the time for which he was elected or appointed. His legal *claim* to the office has simply ceased.

Sec. 39.

Sec. 48.

7. A board of directors cannot dismiss a teacher simply because the teacher is unpopular, or does not give general satisfaction.

Sec. 40,  
*First.*

8. A board of directors cannot dismiss a teacher simply because the teacher is unpopular, or does not give general satisfaction.

They must first establish the fact that he is incompetent, or that he has violated the law or the terms of his contract. Neither can boards of directors make contracts that are not in accordance with law.

8. The spirit of the code is, that school houses shall be used for *public school purposes*, and all incidental uses must be under such restrictions as to result in no injury to the school or to the school property. Sec. 40.  
Eleventh.

9. Boards of directors and other school officers possess such powers as are delegated to them by law, and such other implied powers as are necessary in order to transact all business prescribed by law. Sec. 40.

10. It is the duty of boards of directors to make all necessary rules and regulations for the systematic transaction of their official business, and to transact all business *as a board, at board meetings*. Sec. 43.

11. In the absence of any by-law of the board prescribing the manner of calling them, special meetings of the board of directors may be called by the chairman, or by a majority of the board. Sec. 43.

12. A board of directors cannot legally employ a minor child of one of the directors to perform services for the district unless such child has been first emancipated by its parent. Unless the child has been emancipated, the parent may lawfully claim its wages, and thus the director would be placed in the attitude of auditor of his own accounts against the district. Sec. 45.

13. All persons between the ages of five and twenty-one years, whether married or single, residing in any school district on the first day of June, should be enumerated by the school district clerk. The simple fact that a person is married does not debar him or her from the privileges of the common school in this state, under existing laws. Sec. 49.  
Third.

14. The notice to be given by the school district clerk, of all meetings of the board of directors, is not a notice to the public, but simply a notice to the members of the board. A failure to give the required notice does not, of itself, invalidate the meeting, provided all members of the board actually attend the meeting and participate in its transactions. Sec. 49.  
Fifth.

15. It is the duty of the directors to provide for and maintain a public school in the district, open to all children of school age residing therein, but they have no power to apply the public school money to the maintenance of any private school for the benefit of individual pupils of the district. Sec. 64.

16. A teacher does not forfeit his certificate by non-attendance at a teachers' institute, but simply renders it *forfeitable* in case he has not a valid excuse for non-attendance. In other words, a *forfeiture* does not and cannot exist until a declaration of the forfeiture has been made by the proper authority. Sec. 99.  
Sec. 148.

17. That provision of the school law which requires the school district clerk to certify to the county auditor the levy of special Sec. 112.

taxes on or before the first day of September of the year in which the levy is ordered to be made, is not mandatory in regard to the time of making the certificate. That is to say, a failure to make the certificate on or before the first day of September does not invalidate the levy. The county auditor may lawfully receive the certificate and enter the levy upon his books at any time prior to closing them. But a special tax levied one year cannot be certified and entered upon the auditor's books the next year. Any special levy is based upon the assessment of the year in which it is made, and it cannot consistently be based upon the assessment of one year and collected upon the assessment of another.

Sec. 146.

18. The law requiring a county superintendent to grant temporary certificates under certain conditions is mandatory, provided that the conditions contemplated by the law are complied with; and the certificate in lieu of which the temporary certificate is granted, or upon which the application is based, need not be a certificate which is in full force and effect at the time the application is made.



## FORMS FOR USE OF SCHOOL OFFICERS AND TEACHERS.

## FORM NO. 1.

*County Superintendent's Annual Report to State Superintendent of Public Instruction.*

[Not printed with laws.]

## FORM NO. 2.

*Petition to County Superintendent, Praying for Formation of a New School District.*

TO THE SUPERINTENDENT OF COMMON SCHOOLS, — COUNTY, WASHINGTON:

We, the undersigned, being heads of families and lawful petitioners for the purpose herein set forth, do hereby petition you to form a school district in the county of —, State of Washington, with the following boundaries, viz.: [Here describe boundaries.] Our reasons for asking for the formation of the above described district are as follows, viz.: [Here give reasons.] Following is a correct list of the names of children of school age residing within the limits of the proposed district, viz.: [Here insert the names of children of school age.]

<i>Signed.</i>	<i>Signed.</i>

Dated this — day of —, 18—.

REMARKS.—This petition must be signed by at least five heads of families, who are *bona fide* residents of the proposed district.

## FORM NO. 3.

*Petition to County Superintendent, Praying for Alteration of Boundaries of School District.*

TO THE SUPERINTENDENT OF COMMON SCHOOLS, — COUNTY, WASHINGTON:

We, the undersigned, being heads of families and lawful petitioners for the purpose herein set forth, do hereby petition you to change the boundaries of School Districts Nos. —, of — county, Washington, as follows, viz.: [Here describe change desired.] Our reasons for desiring said change of boundaries are as follows, viz.: [Here give reasons.] Following is a correct list of the names of children of school age residing on the territory which it is desired to have transferred: [Here give list of names.]

<i>Signed.</i>	<i>Signed.</i>

Dated this — day of —, 18—.

## FORM NO. 4.

*Notice of Meeting to Investigate a Petition for the Formation of a School District.*

Notice is hereby given that a meeting will be held at — on the — day of —, 189—, at the hour of — o'clock — m., for the purpose of investigating a petition which was filed in my office on the — day of —, 189—, praying for the formation of a school district, with the following boundaries, viz.:

.....

And all parties are hereby notified that a full and fair investigation will be made at the time and place above stated, of all matters pertaining to the formation of the above described school district, and if it shall be deemed advisable, the petition will be granted and the school district formed as prayed for.

Dated this — day of —, 189—.

(Signed) ———,

Supt. of Com. Schools, ——— County, Washington.

The above notice is posted by ———, this — day of —, 189—.

REMARKS.—Twenty days notice must be given. See Code of Public Instruction, section 4.

## FORM NO. 5.

*Notice of Meeting to Investigate a Petition for the Alteration of School District Boundaries.*

Notice is hereby given that a meeting will be held at — on the — day of —, 189—, at the hour of — o'clock — m., for the purpose of investigating a petition which was filed in my office on the — day of —, 189—, praying for changes in the boundaries of School Districts Nos. — and — in the county of —, State of Washington, as follows, viz.:

.....

And all parties are hereby notified that a full and fair investigation will be made at the time and place above stated of all matters pertaining to said change of boundaries, and that if it shall be deemed advisable, the petition will be granted and the changes made as above described.

Dated this — day of —, 189—.

(Signed) ———,

Supt. of Com. Schools, ——— County, Washington.

The above notice is posted by ———, this — day of —, 189—.

REMARKS.—Twenty days notice must be given. See section 5, Code of Public Instruction.

## FORM NO. 6.

*Certificate of Formation of School District.*

TO THE BOARD OF COMMISSIONERS OF ——— COUNTY, WASHINGTON:

I, ———, superintendent of common schools in and for ——— county, State of Washington, do hereby certify that on the — day of —, 189—, I did, in accordance with law, form a school district in said county, and designate it "School District No. —, ——— county, Washington," and prescribe for it the following boundaries, viz.:

.....

Witness my hand at my office this — day of —, 189—.

—————,  
Supt. of Com. Schools of ——— County, Washington.

## FORM NO. 7.

*Certificate of Alteration of School District Boundaries.*

TO THE BOARD OF COMMISSIONERS OF ——— COUNTY, WASHINGTON:

I, ———, superintendent of common schools in and for ——— county, State of Washington, do hereby certify, that on the ——— day of ———, 189—, I did, in accordance with law, change the boundaries of School Districts Nos. ——— and ——— of said county, as follows, viz.:

.....

Witness my hand at my office this ——— day of ———, 189—.

—————,  
Supt. of Com. Schools, ——— County, Washington.

## FORM NO. 8.

*County Superintendent's Order, Forming a School District.*

WHEREAS, In compliance with a petition praying for the formation of a school district in the county of ———, State of Washington, which petition was filed in my office on the ——— day of ———, 189—, a meeting to investigate all matters pertaining thereunto was held at ——— on the ——— day of ———, 189—, of which meeting due notice was given as required by law, and it appearing from said investigation that the prayer of the petitioners should be granted:

Now, therefore, I, ———, superintendent of common schools in and for said county, do hereby form said school district and designate it "School District No. ———, ——— county, Washington," and prescribe for it the following boundaries, viz.:

.....

And all persons affected by this action are hereby notified, that unless an appeal from this action be taken, as provided by law, this action will be final; that it will be certified to the county commissioners at their next regular meeting, and that the officers of the district will be appointed as provided by law.

Dated this ——— day of ———, 189—.

(Signed) ———,  
Supt. of Com. Schools, ——— County, Washington.

REMARKS.—Three of the above notices should be posted in the new district, and all except the notice following the description of the boundaries should be entered in the superintendent's record book, together with action of county commissioners in case of an appeal, after final action is completed.

.....

## FORM NO. 9.

*County Superintendent's Order, Changing School District Boundaries.*

WHEREAS, In compliance with a petition praying for the alteration of boundaries of School Districts Nos. ——— and ——— in ——— county, State of Washington, which petition was filed in my office on the ——— day of ———, 189—, a meeting to investigate all matters pertaining thereunto was held at ———, on the ——— day of ———, 189—, of which meeting due notice was given as required by law; and it appearing from said investigation that the prayer of the petitioners should be granted;

Now, therefore, I, ———, superintendent of common schools in and for said county, do hereby grant said petition and transfer the territory hereinafter described from School District No. ——— to School District No. ———, as follows, viz.:

.....

And all persons affected by this action are hereby notified, that unless an appeal shall be taken as provided by law, this action will be final, and that it will be certified to the board of county commissioners at their next regular meeting.

Dated this — day of —, 18—.

Supt. of Com. Schools, — County, Washington.

REMARKS.— At least one copy of this notice should be posted in each district affected by the change, and a record of the change should be made in the superintendent's office.

FORM NO. 10.

*Report of Teachers' Institute, — County, Washington.*

Institute convened at — on the — day of —, 18—. Conductor, —, of — instructors, —, —, —. No. of days institute was in session, —; No. of teachers enrolled, —; total expense of institute paid by county, \$—.

SCHEDULE OF ATTENDANCE.

Names.	Postoffice address.	No. days attendance.	No. of months' or years' experience had as a teacher.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Dated this — day of —, 18—.

County Superintendent.

REMARKS.—This report is required to be made within fifteen days after the close of the institute.

FORM NO. 11.

*Certificate of County Treasurer to County Superintendent Showing the Amount of Funds on Hand to be Apportioned.*

To —, SUPERINTENDENT OF COMMON SCHOOLS, — COUNTY, WASHINGTON:

I hereby certify that the amount of school funds now in my possession and subject to apportionment to the several school districts of — county, State of Washington, is \$—, derived from the following sources, viz.: Taxation, \$—; fines, \$—; licenses, \$—; other sources, \$—.

Dated this — day of —, 18—.

Treasurer of — County, Washington.

FORM NO. 12.

*Certificate of County Superintendent to County Treasurer, Showing Amount of Funds Apportioned to Each School District.*

TO MR. —, TREASURER OF — COUNTY, WASHINGTON:

I hereby certify that I have this day apportioned the school funds belonging to the several school districts of — county, Washington, now in your hands and subject to apportionment,

as shown by certificates now on file in my office, and that the several school districts are entitled to the amounts set opposite their respective numbers, as follows:

State fund..... County fund.....

No. of district.....	Amount of state funds.		Amount of county funds.		Total.		No. of district.....	Amount of state funds.		Amount of county funds.		Total.	
	\$	c.	\$	c.	\$	c.		\$	c.	\$	c.	\$	c.
	.....								.....				
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Dated this — day of —, 18—. (Signed) —, Supt. Com. Schools, — County, Washington.

FORM NO. 13.

Form for Notifying District Clerk of the Amount of Funds Apportioned to his District by County Superintendent.

TO CLERK OF SCHOOL DISTRICT NO. —, — COUNTY, WASHINGTON:  
 I hereby certify that on the — day of —, 18—, funds were apportioned to your district as follows: State school fund, \$—; county school fund, \$—; total \$—.  
 Dated this — day of —, 18—. (Signed) —, Supt. Com. Schools, — County, Washington.

FORM NO. 14.

Annual Report of County Treasurer to County Superintendent Showing Financial Status of Each School District for Preceding Year Ending June 30.

[Not printed with laws.]

FORM NO. 15.

Appointment of Director or Clerk to Fill Vacancy.

By virtue of authority in me vested by law, I hereby appoint — to the office of — of School District No. —, of — county, State of Washington, to fill a vacancy caused by [here state cause of vacancy]; said — to continue in office until the next annual school election, and until his successor is elected and qualified according to law.  
 Done this — day of —, 18—. (Signed) —, Supt. of Com. Schools, — County, Washington.



## OATH OF OFFICE.

STATE OF WASHINGTON, COUNTY OF —, SS.

I, —, do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Washington; that I will endeavor to promote the interests of education, and will faithfully discharge the duties of — of School District No. —, in the county of —, in said state. So help me God.

(Signed) —.

(Postoffice) —.

Subscribed and sworn to before me this — day of —, 18—.

(Signed) —.

[Here state official character of officer who administered oath.]

## FORM No. 16.

*Report of Defective Youth.*

TO THE BOARD OF COMMISSIONERS OF — COUNTY, WASHINGTON:

I herewith transmit to you a report of all defective youth residing in your county, as reported to me by the clerks of the several school districts of the county.

Dated this — day of —, 18—.

—, —,  
Supt. of Com. Schools, — County, Washington.

<i>Name of youth.</i>	<i>Character of ailment.</i>	<i>Name of parent or guardian.</i>	<i>Postoffice address of parent or guardian.</i>
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

REMARKS.—This report should be made to the county commissioners at their August meeting and a copy of it should be sent by the county superintendent to the director of the School for Defective Youth, at Vancouver, Washington.

## FORM No. 17.

*District Clerk's Report to Superior Judge.*

TO —, SUPERIOR JUDGE, — COUNTY, WASHINGTON:

SIR—In compliance with the provisions of section 49 of the Code of Public Instruction of the State of Washington, I herewith send you the names of such children residing in School District No. —, of — county, Washington, as have not attended school as required by law.

Dated this — day of —, 18—.

—, —,  
Clerk of School District No. —, — County, Washington.

<i>Name of child.</i>	<i>Name of guardian or parents.</i>	<i>Postoffice address.</i>
.....	.....	.....
.....	.....	.....
.....	.....	.....
.....	.....	.....

REMARKS.—This report should be sent on or before the first day of December of each year.

## FORM NO. 18.

*Teachers' Grade Report.*

[Not printed with laws.]

## FORM NO. 19.

*Annual Report of School District Clerk to County Superintendent.*

[Not printed with laws.]

## FORM NO. 20.

*District Clerk's Certificate to Directors.*

TO THE DIRECTORS OF SCHOOL DISTRICT NO. —, — COUNTY, WASHINGTON:

I hereby certify that all reports required by law to be made by teachers to school district clerks or to county superintendents have been made by — —; that the register has been properly kept, and that said — — is now entitled to an order in full payment of his services as teacher.

— —,  
Clerk of School District No. —.

REMARKS.—Directors shall not sign warrant for last month's salary until this certificate is made a part of the clerk's records, or until by personal inspection they find that the reports have been properly made.

## FORM NO. 21-A.

*Certificate of Special Tax Levy.*

(When ordered by vote of electors.)

STATE OF WASHINGTON, }  
COUNTY OF —, } ss.

TO THE AUDITOR OF — COUNTY, WASHINGTON:

I, — —, clerk of School District No. —, of said county, do hereby certify that at a special election, duly called and held in said school district, on the — day of —, 189—, it was voted by the legal electors of said school district that a special tax of — mills on the dollar be levied on all the taxable property of said school district, as shown by the assessment roll for the year 189—, for the purpose of —.

Witness my hand this — day of —, 189—.

— —,  
Clerk of School District No. —, — County, Washington.

REMARKS.—This certificate must be filed with the auditor on or before the first day of September. The directors of a school district may levy a tax not exceeding five mills on the dollar.

## FORM NO. 21-B.

*Certificate of Special Tax Levy.*

(When levied by school district directors.)

STATE OF WASHINGTON, }  
COUNTY OF —, } ss.

TO THE AUDITOR OF — COUNTY, WASHINGTON:

I, — —, clerk of School District No. —, of said county, do hereby certify that at a meeting of the board of directors duly held in said school district, on the — day of —, 189—,

it was voted by the said board of directors of said school district that a special tax of — mills on the dollar be levied on all the taxable property of said school district, as shown by the assessment roll for the year 189—, for the purpose of —.

Witness my hand this — day of —, 189—.

(Signed) —, —,

Clerk of School District No. —, — County, Washington.

NOTE.—This certificate must be filed with the auditor on or before the first day of September. Boards of directors may levy a special tax of five mills or less without a vote of the people.

## FORM NO. 22.

### *School District Warrant.*

\$—.

No. —.

—, WASHINGTON, —, 18—.

TREASURER OF — COUNTY, WASHINGTON:

Pay to —, or order, the sum of — dollars out of the [here state what fund] funds of School District No. —, of said county, for [here state for what service] and charge the same to the account of said district.

Countersigned,

(Signed) —, —,

—, —,  
Clerk School District No. —.

—, —,  
—, —, } Directors.

## FORM NO. 23.

### *Notice of Annual Election.*

Notice is hereby given that the annual election of School District No. —, of — county, State of Washington, will be held at —, in said school district, on Saturday, the — day of June, 189—, for the purpose of electing school district officers as follows, viz.:

One school district clerk for a term of one year.

One school district director for a term of three years.

.....  
and for the transaction of such other business as may lawfully come before the meeting.

The polls will be open from — o'clock — m., to — o'clock — m.

By order of the board of directors.

Dated this — day of —, 18—.

—, —,  
School District Clerk.

REMARKS.—Three of these notices must be posted at least ten days prior to the day of election, one of which must be at the place of holding the election. All elections should be held at the school house if there be one.

## FORM NO. 24.

### *Notice of Election to Vote Special Tax.*

Notice is hereby given that a special election will be held at —, in School District No. —, of — county, State of Washington, on the — day of —, 189—, for the purpose of determining whether a special tax of — mills on the dollar shall be levied upon all taxable property in

said school district, for the purpose of.....

Those in favor of said tax levy will vote, "Tax, yes;" those opposed, "Tax, no."

The polls will be open from — o'clock — M. to — o'clock — M.

By order of the board of directors.

Dated this — day of —, 18—.

(Signed) ————,  
School District Clerk.

REMARKS.—All elections must be held at the school house, if there be one. At least three notices must be posted at least ten days, one of which must be at place of holding election.

FORM NO. 25.

*Notice of School District Bond Election.*

Notice is hereby given that a special election will be held at —, in School District No. —, of — county, State of Washington, on the — day of —, 189—, for the purpose of determining whether or not the directors of said school district shall borrow money and issue bonds of the district in the sum of — dollars, for the purpose of .....

Said bonds, if issued, shall bear a rate of interest not to exceed 10 per centum per annum, payable — annually; the bonds to be payable and redeemable in — years after date: \**Provided*, That said school district reserves the right to pay or redeem said bonds, or any of them, at any time after — years from the date thereof.

The election will be by ballot. Those in favor of the issuing of bonds as above specified, will vote, "Bonds, yes;" those opposed, "Bonds, no."

The polls will be open from — o'clock — M. to — o'clock — M.

By order of the board of directors.

Dated this — day of —, 189—.

(Signed) ————,  
School District Clerk.

REMARKS.—All elections must be held at the school house, if there be one. At least three notices must be posted at least ten days, one of which must be at the place of holding election.

Preserve one copy of this notice as a part of the records.

\*If the directors do not desire the option of paying the bonds, or any part of them, before the maximum limit stated in the notices, this clause should be erased.

FORM NO. 26.

*Notice of Special School District Meeting.*

Notice is hereby given that a special meeting of the legal school electors of School District No. — of — county, Washington, will be held at —, in said district, on the — day of —, 18—, beginning at the hour of — o'clock — M., of said day, for the purpose of determining.....

By order of the board of directors.

Dated this — day of —, 18—.

—————,  
School District Clerk.

REMARKS.—At least three notices should be posted at least ten days. No business can be transacted except such as is specified in the notice. The meeting contemplated is not an election in the strict sense of that term, but is a meeting at which the voters may assemble to discuss and determine matters pertaining to the welfare of their district.

## FORM NO. 27.

*Certificate of Election to be Given by Clerk of Annual School Meeting to Officers-Elect.*

To ———, GREETING:

This is to certify that at the annual election of School District No. ———, of ——— county, State of Washington, held on the ——— day of June, 18—, you were duly elected to the office of ——— of said district for a term of ——— years, beginning on the first Monday in \*—— next succeeding said election.

Dated this ——— day of ———, 18—.

(Signed) ———,

Clerk of District School Election.

REMARKS.—This notice should be retained by the officer elected.

\* Directors take office on the first Monday in July; clerks on the first Monday in August.

## FORM NO. 28.

*Certificate of Election and Oath of Office.*

TO SUPERINTENDENT OF COMMON SCHOOLS OF ——— COUNTY, WASHINGTON:

I hereby certify that at the annual election of School District No. ———, ——— county, State of Washington, held on the ——— day of June, 189—, M— ——— was duly elected to the office of ——— of said district for a term of ——— years, beginning on the first Monday in \*—— next succeeding said election. I further certify that h— postoffice address is ———, State of Washington.

(Signed) ———,

Clerk of Annual School Election.

## OATH OF OFFICE.

STATE OF WASHINGTON, COUNTY OF ———, ss.

I, ———, do hereby solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Washington; that I will endeavor to promote the interests of education, and will faithfully discharge the duties of ——— of School District No. ———, in the county of ———, in said state. So help me God.

(Signed) ———,

Subscribed and sworn to before me this ——— day of ———, 189—.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[ Here state official character of officer who administers oath.]

REMARKS.—This notice should be given to the person elected, who must qualify on or before the day designated for him to take office, and send the oath and certificate above to the county superintendent. He must also file with the county treasurer his signature, certified to by some school officer. The treasurer cannot pay or register any warrants signed by any school officers whose signatures, so certified, are not filed in his office. The county superintendent should not recognize any one as director or clerk whose oath is not on file in his office.

\* Directors take office on the first Monday in July, and clerks on the first Monday in August.

## FORM NO. 29.

*School District Election Poll Book.*

Poll book of an election held in School District No. ———, of ——— county, State of Washington, on the ——— day of ———, 18—, ——— and ——— being chosen judges of said elec-



tion, and \_\_\_\_\_ clerk, all being duly sworn as required by law, before entering upon the duties of their respective offices.

*Number and names of electors voting.*

1.....	4.....
2.....	5.....
3.....	6.....

*Tally list.*

*Tally list.*

.....	.....
.....	.....
.....	.....

We hereby certify that the whole number of electors voting at this election amounts to \_\_\_\_\_; that the whole number of ballots cast at this election amounts to \_\_\_\_\_; that \_\_\_\_\_ received \_\_\_\_\_ votes for director; that \_\_\_\_\_ received \_\_\_\_\_ votes for clerk, etc., etc.

Attest: \_\_\_\_\_, }  
 \_\_\_\_\_, } Judges.  
 \_\_\_\_\_,  
 Clerk of Election.

REMARKS.—Election boards will vary the tally list and certificate to suit the nature of the election. If it be for the election of officers at an annual election, the name of each person voted for must be entered on the tally list, and a tally of the votes cast for him must be placed opposite his name. If the election be for voting a special tax or for voting bonds, the number of votes for and against the proposition must be entered on the tally list. The certificate must simply contain a summary of the vote as shown by the tally list. Election boards are chosen by the electors. The school district officers, or any part of them, may be chosen as an election board. The poll book and all other papers should be delivered to the county superintendent.

*Oath of Judges of Election.*

STATE OF WASHINGTON, COUNTY OF \_\_\_\_\_, SS.

We, \_\_\_\_\_ and \_\_\_\_\_, do solemnly swear that we will, as judges of an election to be held in and for School District No. \_\_\_\_\_, of \_\_\_\_\_ county, State of Washington, on this \_\_\_\_\_ day of \_\_\_\_\_, 18—, duly attend said election during its continuance; that we will not receive any vote or ballot from any person other than such as we firmly believe to be duly qualified voters at said election, according to law; that we will make a true and perfect return of said election, and will in all things faithfully and impartially discharge our duties as judges of said election to the best of our judgment and ability; and that we are not directly or indirectly interested in any bet or wager on the result of said election. So help us God.

\_\_\_\_\_, }  
 \_\_\_\_\_, } Judges.  
 \_\_\_\_\_,

Subscribed and sworn to this \_\_\_\_\_ day of \_\_\_\_\_, 18—.

[Here state official character of officer administering oath.]

*Oath of Clerk of Election.*

STATE OF WASHINGTON, COUNTY OF \_\_\_\_\_, SS.

I, \_\_\_\_\_, do solemnly swear that I will, as clerk of an election to be held in and for School District No. \_\_\_\_\_, county of \_\_\_\_\_, State of Washington, on this \_\_\_\_\_ day of \_\_\_\_\_, 18—, duly attend said election during its continuance; that I will record on the poll book of said election the name of each person voting thereat, and faithfully and impartially discharge the duties of clerk of said election; and that I am not directly or indirectly interested in any bet or wager on the result of said election. So help me God.

\_\_\_\_\_,  
 Clerk of Election.  
 \_\_\_\_\_,

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 18—.

[Here state official character of officer administering the oath. A director may administer it.]

FORM NO. 30.

*Certificate of Bond Election.*

STATE OF WASHINGTON, }  
COUNTY OF \_\_\_\_\_ } ss.

TO THE TREASURER OF \_\_\_\_\_ COUNTY, WASHINGTON:

We, the undersigned, directors of School District No. \_\_\_\_\_, of \_\_\_\_\_ county, State of Washington, do hereby certify that at an election held in said school district on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_, it was voted that the bonds of said district shall be issued by the directors thereof in the sum of \_\_\_\_\_ dollars, payable \_\_\_\_\_ years after date, with interest at the rate of \_\_\_\_\_ per cent. per annum, payable \_\_\_\_\_ annually; \*and we further certify that the board of directors of said district reserves the right to redeem said bonds as follows, viz.: .....

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_.

Attest:

\_\_\_\_\_  
School District Clerk.

\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_, } Directors.

\*The people determine, at the election, the maximum time the bonds are to run. If the directors reserve the right to pay the bonds or any portion of them prior to that date, they shall specify such intention in their certificate to the county treasurer, to guide him in his advertisement; if the directors do not reserve such right, this clause may be omitted from their certificate to treasurer.

FORM NO. 31.

*Report of County Superintendent to County Treasurer of School District Officers Elected or Qualified.*

TO THE TREASURER OF \_\_\_\_\_ COUNTY, WASHINGTON:

You are hereby notified that the following named persons were duly elected to the offices indicated, at the annual school election held on the \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_; that the oath of office of each of said persons has been filed in my office as required by law.

No. of dist.	Name of officer.	Title to office.	Duration of term.	Postoffice address.
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 18\_\_\_\_.

\_\_\_\_\_,  
Supt. Com. Schools, \_\_\_\_\_ County, Washington.

FORM NO. 32.

*Report of County Superintendent to County Treasurer of the Appointment of a School District Officer.*

TO THE TREASURER OF \_\_\_\_\_ COUNTY, WASHINGTON:

You are hereby notified that \_\_\_\_\_, of \_\_\_\_\_, has been appointed to the office of \_\_\_\_\_ of School District No. \_\_\_\_\_, of this county, in place of \_\_\_\_\_; that he qualified as such officer on the \_\_\_\_\_ day of \_\_\_\_\_, 189\_\_\_\_; that his oath of office is now on file in my office.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 189\_\_\_\_.

\_\_\_\_\_,  
Supt. Com. Schools, \_\_\_\_\_ County, Washington.

REMARK.—All appointed officers serve until the next annual election.

## FORM No. 33.

*Teacher's Register.*

[Not printed with laws.]

## FORM No. 34.

*Teacher's Contract.*

To ———, SUPERINTENDENT COMMON SCHOOLS:

The following contract has been made in accordance with the action of the board of directors as found in the minutes of the meeting of — day of —, 189—:

## TEACHER'S CONTRACT.

It is hereby agreed, by and between the directors of School District No. —, county of —, State of Washington, and ———, the holder of a teacher's certificate now in force in said county, that said teacher is to teach, govern and conduct the public school of said district to the best of h— ability, follow the course of study lawfully adopted, keep a register of the daily attendance of each pupil attending said school, make all reports required by law or by lawful authority, and endeavor to preserve in good condition the school house, grounds, furniture, apparatus and such other property of the district as may come under the immediate supervision of said teacher, for a term of — school months, commencing on the — day of —, 189—, for the sum of — dollars per month, to be paid at the end of each school month, out of the funds of said school district, upon a warrant drawn by the directors of said school district and payable by the county treasurer: *Provided*, That if said teacher shall be legally dismissed from school, or shall have h— certificate lawfully annulled by expiration or otherwise, then said teacher shall not be entitled to compensation from and after such dismissal or annulment: *Provided further*, That the wages of said teacher for the last month of the school term shall not be paid unless said teacher shall have made the reports hereinbefore mentioned.

And the directors of said school district hereby agree to keep the school house in good repair, to provide a school register, fuel and other necessary supplies for the comfort of the school.

In witness whereof, we have hereunto subscribed our names this — day of —, 189—.

—————, }  
 —————, } Directors.  
 —————, }  
 —————, }  
 —————, } Teacher.

Attest: ———, District Clerk.

Recorded on — page of Record of Contracts.

—————,  
Supt. Common Schools.

NOTE.—This contract shall be made in duplicate, and mailed to the county superintendent of common schools, who shall, if it be legal, countersign the same and mail one copy to the district clerk and one to the teacher.

## FORM No. 35.

*Teacher's Annual Report to County Superintendent or District Clerk.*

[Not printed with laws.]

## FORM No. 36.

*Teacher's Term Report.*

[Not printed with laws.]

FORM No. 37.

*Teacher's Temporary Certificate.*

COMMON SCHOOLS OF THE STATE OF WASHINGTON.

This is to certify that \_\_\_\_\_, having filed in my office legal evidence of being a person of good moral character, and of possessing ability to teach and govern, is hereby granted this temporary certificate, which entitles h— to teach in the common schools of \_\_\_\_\_ county, Washington, until the next regular examination of teachers in said county.

This certificate is granted upon the following evidence of ability to teach, viz.....

Valid until \_\_\_\_\_, 189—. Extended until \_\_\_\_\_ 189—.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 189—.

Supt. Com. Schools, \_\_\_\_\_ County, Washington.

FORM No. 38.

*Teacher's Special Certificate.*

COMMON SCHOOLS OF THE STATE OF WASHINGTON.

This is to certify that \_\_\_\_\_ having filed in my office legal evidence of being a person of good moral character and of possessing ability to teach and govern, is hereby granted this special certificate, which entitles h— to teach the subject of \_\_\_\_\_ in the common schools of \_\_\_\_\_ county, State of Washington, until revoked for cause.

This certificate is granted upon the following evidence, viz.....

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 189—.

Supt. Com. Schools, \_\_\_\_\_ County, Washington.

FORM No. 39.

*County Superintendent's Certificate that All Reports Have Been Made.*

OFFICE OF SUPERINTENDENT OF COMMON SCHOOLS, \_\_\_\_\_ COUNTY, WASHINGTON,  
\_\_\_\_\_ 189—.

TO THE BOARD OF DIRECTORS OF SCHOOL DISTRICT No. \_\_\_\_\_, \_\_\_\_\_ COUNTY, WASHINGTON:

I hereby certify that \_\_\_\_\_, clerk of School District No. \_\_\_\_\_, has made all reports due from said district, to the county superintendent, for the quarter last past, including the following:

\_\_\_\_\_  
County Superintendent.

REMARKS.—This certificate is required to be made out and forwarded, on or before the last Saturday of January, April, July and October, of each year, to all clerks who have made all reports required by law, and the board of directors is forbidden to audit any account or issue any warrant for services performed by any clerk until this certificate is filed with them.

FORM No. 40.

*Notice of Appeal to State Board of Education.*

TO THE SECRETARY OF THE STATE BOARD OF EDUCATION:

You are hereby notified that the undersigned, feeling aggrieved by the action of the superintendent of public instruction does hereby appeal from the decision of said superintendent and

respectfully ask that you take such action in the matter as will redress the grievance hereinafter set forth. The action complained of is: [Here state fully and clearly the action complained of.]

STATE OF WASHINGTON, COUNTY OF ———, ss.

I, ———, do solemnly swear that the above and foregoing statement is true. So help me God.

Subscribed and sworn to before me this — day of ———, 18—. (Signed) ———,  
—————,

[Here state official character of officer administering oath.]

REMARKS.—All appeals must be taken within thirty days after the act, order or decision complained of.

## FORM NO. 41.

### *Notice of Appeal to Superintendent of Public Instruction.*

TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION OF WASHINGTON:

You are hereby notified that the undersigned, feeling aggrieved by the action of the county superintendent of ——— county, State of Washington, does hereby appeal from the decision of said ———, and respectfully ask that you take such action in the matter as will redress the grievance hereinafter set forth. The action complained of is as follows, viz.: [Here state fully and clearly the action complained of.]

STATE OF WASHINGTON, COUNTY OF ———, ss.

I, ———, do solemnly swear that the above and foregoing statement is true. So help me God.

Subscribed and sworn to before me this — day of ———, 18—. (Signed) ———,  
—————,

[Here state official character of officer administering oath.]

REMARKS.—All appeals must be taken within thirty days after the act, order or decision complained of.

## FORM NO. 42.

### *Appeal to County Superintendent.*

TO THE SUPERINTENDENT OF COMMON SCHOOLS OF ——— COUNTY, WASHINGTON:

You are hereby notified that the undersigned, feeling aggrieved by the action of the board of directors of School District No. ———, of ——— county, State of Washington, do hereby appeal from the decision of said board, and respectfully ask that you take such action as will redress the grievance hereinafter set forth. The action complained of is as follows, viz.: [Here state clearly and fully the action complained of.]

STATE OF WASHINGTON, COUNTY OF ———, ss.

I, ———, do solemnly swear that the above and foregoing statement is true. So help me God.

Subscribed and sworn to before me this — day of ———, 18—. (Signed) ———,  
—————,

[Here state official character of the officer administering oath.]

REMARKS.—All appeals must be taken within thirty days of the act, order or decision complained of.



FORM No. 43.

*Report of Fines Collected by Clerks of Courts and Justices of the Peace.*

TO THE SUPERINTENDENT OF COMMON SCHOOLS, ——— COUNTY, WASHINGTON:

You are hereby notified that the sum of \$—— has been collected by me during the quarter beginning on the first day of ———, 18—, as fines for breach of penal laws of the State of Washington, and that said money has been turned over to the county treasurer to be placed to the credit of the common school fund.

Dated this — day of ———, 18—.

\_\_\_\_\_,  
\_\_\_\_\_.

REMARKS.—Clerks of courts and justices of the peace are required to make this report quarterly.

FORM No. 44.

*School District Officer's Signature.*

TREASURER OF ——— COUNTY, WASHINGTON:

SIR—My signature, herewith transmitted for filing in your office, is in the form in which it will hereafter appear when attached to warrants drawn upon you by the officers of this school district during my term of office. Said term is for — year—, beginning on the first Monday of ———, 189—.

(Signed) \_\_\_\_\_,

\* Director—Clerk of School District No. —, ——— County, Washington.

\* Erase "Director" or "Clerk," as the case may require.

*Certificate.*

I hereby certify, that the within signature of M— ——— is genuine, and that he is a — of School District No. —.

(Signed) \_\_\_\_\_,

\* Director—Clerk of School District No. —, ——— County, Washington.

\* Erase "Director" or "Clerk," as the case may require.

FORM No. 45.

*Common School Diploma.*

COMMON SCHOOLS OF THE STATE OF WASHINGTON.

This certifies that ———, of District No. —, county of —, State of Washington, has passed a creditable examination in the subjects required for the first eight years of the common school course as adopted by the state board of education, and has maintained a high standing in department; and is therefore granted this

CERTIFICATE OF GRADUATION.

In testimony whereof, our signatures are affixed this — day of ——— 189—.

\_\_\_\_\_,  
\_\_\_\_\_, } Directors.  
\_\_\_\_\_, }

\_\_\_\_\_,  
Teacher.

[SEAL]

\_\_\_\_\_,  
Supt. Common Schools.

## FORMS Nos. 46, 47, 48, 49, 50, 51 and 52.

Not printed with the laws.]

FORM No. 46.—Map of School District.

FORM No. 47.—Code of Public Instruction.

FORM No. 48.—Biennial Report of Superintendent of Public Instruction.

FORM No. 49.—Report of Teachers' Examination.

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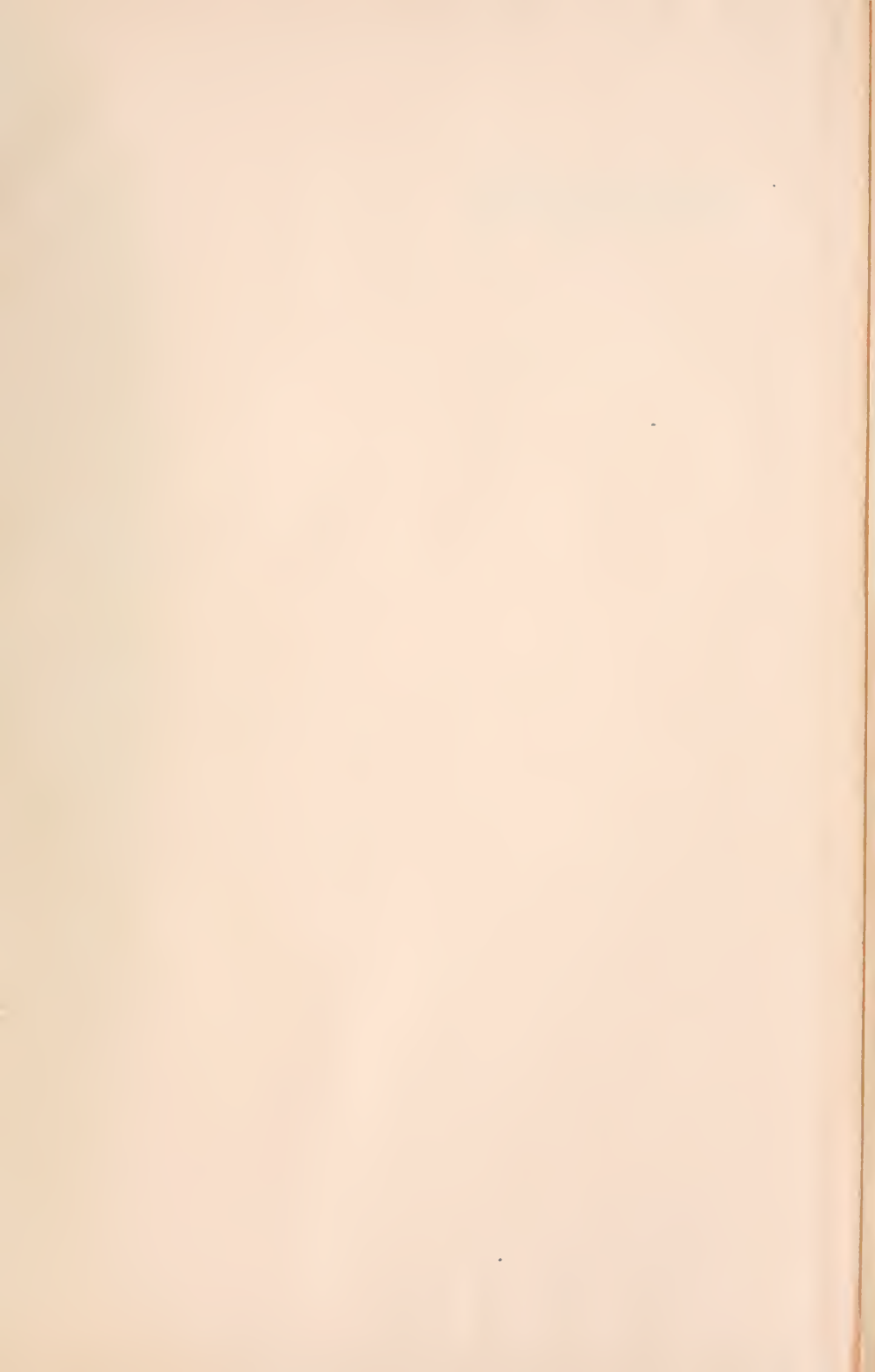
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