

1914

PROHIBITION ELECTIONS

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Sec. 7. The state controller and state treasurer shall keep full and particular account and record of all their proceedings under this act, and they shall transmit to the governor, in triplicate, an abstract of all such proceedings thereunder, with annual report, in triplicate, one copy of each to be by the governor laid before each house of the legislature bi-annually. The books and papers pertaining to the matters provided for in this act shall at all times be open to the inspection of any parties interested, or of the governor, the attorney general, or the legislature, or of any citizen of the state.

Sec. 8. This act shall be known and may be cited as the "University of California building bond act," and, after any of the bonds herein provided for have been sold, shall be irrevocable until the principal and interest of all bonds sold shall have been paid and discharged in full, but the legislature may amend this act at any time in furtherance of its purpose, and may also repeal this act at any time after its adoption, provided that there are at the time no bonds which have been sold thereunder outstanding and unpaid in full as to both principal and interest.

ARGUMENT IN FAVOR OF UNIVERSITY OF CALIFORNIA BUILDING BOND ACT.

The \$1,800,000 bond issue for the University of California is for permanent buildings for the university at Berkeley. The graduates of the university, of whom there are now about 10,000 in California, are bringing this bond issue to the attention of the people of the state. It is proposed to erect a number of buildings to meet the crowded conditions now existing. A building or buildings must be provided for the college of agriculture, which is growing rapidly in all its branches, and which under the new organization is doing a tremendous service to the entire state; for completing the university library, which is already overcrowded in every way; a chemical laboratory for the chemistry department, whose laboratories were built to take care of 300 and are now being used to teach more than 2,000 students; and, most important of all, to construct a large recitation and class room building in place of North Hall, which is daily a menace to life and property and overcrowded almost beyond endurance.

The University of California is in point of numbers the largest state university in the United

States, the second largest of all universities in the country, and the eighth largest of all in the world. It has grown from 2,500 students in 1899 to over 7,000 students in 1914, while its class rooms in the same time have increased from 54 to only 68. Several classes now number 600 students and lectures are held temporarily in the gymnasium. Through its agricultural department, its agricultural train and county advisers, its university extension, its correspondence courses, and its stations in southern California, Fresno, and at Davis, the university reaches and benefits over 250,000 persons annually. With the large number of students, many departments of the university are housed under pitiful conditions at Berkeley.

Private benefaction has recognized the University of California by building the following permanent structures on the campus: The University Library, the Hearst Memorial Mining Building, the Boalt Hall of Law, the Hearst Greek Theater, the Sather Gate, and the Sather Campanile, at a total cost of approximately \$2,000,000, besides a \$600,000 hospital for the medical school; while the state has built California Hall and the first agricultural building at a total cost of \$500,000.

The Alumni Association believes that while the state has been liberal in its support and maintenance of the University of California, yet it is absolutely necessary at this time to make the people of California realize the grievous inadequacy of the present building equipment of the university and to make it clear that without this bond issue the state cannot supply these buildings. In collecting the signatures to place this measure on the ballot, no opposition has been met. The work of getting signatures was largely voluntary, and support was given the measure in every county of the state. The benefits which the university gives to the state are unquestioned; therefore it is felt that it is proper and right to place before the people of California the opportunity of endorsing and properly providing for the work of their state university.

ALLEN L. CHICKERING,
President Alumni Association.

PROHIBITION ELECTIONS.

Initiative amendment adding section 1½ to article IV of constitution. Prohibits, for eight years after this election, state election on question of prohibiting or permitting transportation of intoxicating liquors and any election on question of prohibiting or permitting the manufacture or sale thereof; prohibits state election or election under local option law or charter upon latter question within eight years of like election thereon; declares majority vote in each municipality or district at this election upon prohibition amendment to article I of constitution, and at any statewide prohibition election hereafter, makes same license or non-license territory.

The electors of the State of California present to the secretary of state this petition and request that a proposed amendment to the Constitution of the State of California, by adding to article IV thereof, after section 1 of said article, a new section to be numbered and known as section 1½, be submitted to the people of the State of California for their approval or rejection at the next ensuing general election or as provided by law. The proposed amendment is entitled as follows:

Amendment to the Constitution of the State of California by adding to article IV thereof after section 1 of said article IV a new section numbered section 1½ limiting the times and periods at which elections may be held on questions or propositions as to the prohibition or licensing of the manufacture, sale or transportation of intoxicating liquors and declaring the effect of such elections.

The people of the State of California do enact as follows:

Article IV of the Constitution of the State of California is hereby amended by adding thereto

a new section to follow section 1 and to be numbered section 1½, in the following words:

Section 1½. Subdivision first: From and after the general election in the year 1914 (at which there is submitted to the people of the State of California for their approval or rejection a certain proposed amendment to the constitution proposing to add to article I thereof, sections 26 and 27 relating to intoxicating liquors), and for a period of eight years thereafter, no other or further election upon the question of prohibiting or permitting the manufacture or the sale or the transportation in or to the state, of intoxicating liquors shall be held in the state at large whether by way of proposed amendment to the constitution or by way of legislation, either as an initiative or as a referendum measure, or in pursuance of any existing law, or of any law that may be enacted hereafter; nor during the said period of eight years from and after said election shall there be submitted to the votes of the electors of any incorporated city or town, or supervisory

district, not included within the boundaries of any incorporated city or town, or of the electors of any portion of a supervisory district not included within the boundaries of any incorporated city or town, any question or proposition as to the prohibition or permitting of the manufacture or the sale or the licensing or non-licensing of the sale of intoxicating liquors in any such incorporated city or town or supervisory district, or portion of a supervisory district. And whenever any election shall be hereafter held in the state at large at which there shall be submitted to the votes of the electors any such question or proposition as last mentioned, no other or further election upon any such question or proposition shall be held for a period of eight years after such last mentioned election.

Subdivision second: If, at the said general election held in the year 1914, a majority of the votes cast shall be or were against the proposed amendment so submitted, each and every incorporated city and town and each and every supervisory district not included within the boundaries of any incorporated city or town, and each and every portion of a supervisory district not included within the boundaries of any incorporated city or town, in which incorporated city or town or supervisory district, or portion of a supervisory district, a majority of the votes cast shall be found upon a canvass thereof to have been against the said proposed amendment, shall be deemed and considered and held to be "license territory" (meaning by the words "license territory" territory within which licenses for the sale of intoxicating liquors may be granted or the granting of licenses therefor may be authorized by the governing or legislative body having legislative authority or jurisdiction in or over such incorporated city or town or supervisory district, or portion of a supervisory district), and each and every incorporated city and town and each and every supervisory district or portion of a supervisory district not included within the boundaries of any incorporated city or town, in which incorporated city or town or supervisory district, or portion of a supervisory district, a majority of the votes cast shall be found upon a canvass thereof to have been in favor of the said proposed amendment, shall be deemed and considered and held to be "non-license territory," and no license for the sale or authorizing the sale of intoxicating liquors within such non-license territory shall be granted or authorized.

Subdivision third: Whenever any election shall be held hereafter throughout the state at large at which there shall be submitted to the votes of the electors any question or proposition as to whether the manufacture and sale (or either), of intoxicating liquors shall be prohibited throughout the state, or whether the same shall be licensed or shall not be licensed, and a majority of the votes cast at such election shall be against the prohibition thereof, or in favor of the licensing thereof, each and every incorporated city and town and each and every supervisory district not included within the boundaries of any incorporated city or town, and each and every portion of a supervisory district not included within the boundaries of any incorporated city or town, in which incorporated city or town or supervisory district, or portion of a supervisory district, a majority of the votes cast shall be found upon a canvass thereof to have been against such prohibition, or in favor of the licensing of such manufacture or sale of intoxicating liquors, shall be deemed and held and considered to be

license territory, as defined in subdivision second of this section 13, and each and every incorporated city and town and each and every supervisory district, or portion of a supervisory district not included within the boundaries of any incorporated city or town, in which incorporated city or town, or supervisory district, or portion of a supervisory district, a majority of the votes cast shall be found upon a canvass thereof to have been in favor of the prohibition of such manufacture and sale of intoxicating liquors, and against the licensing thereof, shall be deemed and considered and shall be held to be "non-license territory," and no license for the sale or authorizing the sale of intoxicating liquors within such non-license territory shall be granted or authorized.

Subdivision fourth: Whenever pursuant to any law now existing or hereafter enacted, relating to local option, or pursuant to the provisions of the charter of any county, city and county, city, or town, any election shall hereafter be held in any county, city and county, city or town, or supervisory district not included within the boundaries of any incorporated city or town, or portion of a supervisory district not included within the boundaries of any incorporated city or town, upon the question of prohibiting or permitting the manufacture or the sale or the licensing or non-licensing of the manufacture and sale (or either), of intoxicating liquors therein, no other or further election shall be held upon such question in such county, city and county, city or town, supervisory district or portion of supervisory district, for a period of eight years thereafter, and whenever any such election as in this subdivision mentioned shall be held hereafter, each county, city and county, city or town, supervisory district or portion of supervisory district, in which upon a canvass of the votes it shall be found that a majority of the votes cast shall be or shall have been against such prohibition or in favor of the licensing of the manufacture or sale of intoxicating liquors, shall be deemed and held and considered to be "license territory" within which licenses for the sale of intoxicating liquors may be granted or the granting of licenses therefor may be authorized by the governing or legislative body having legislative authority or jurisdiction in or over such territory, and each and every county, city and county, or incorporated city or town, or supervisory district not included within the boundaries of any incorporated city or town, or portion of a supervisory district not included within the boundaries of any incorporated city or town, in which, upon a canvass of the votes, it shall be found that a majority of the votes cast shall be or shall have been in favor of prohibiting the manufacture or sale of intoxicating liquors or against the licensing thereof, shall be deemed and held and considered to be "non-license territory," and no license for the sale, or authorizing the sale, of intoxicating liquors within such non-license territory, shall be granted or authorized.

Subdivision fifth: The proper governing or legislative body having legislative authority or jurisdiction over any county, city and county, incorporated city or town, or supervisory district or portion of a supervisory district, as the case may be, shall have authority to enforce by laws or ordinances and penalties for the violation thereof, the prohibition of the manufacture, sale, or giving away of intoxicating liquors in non-license territory, and shall also have authority to regulate the manufacture and sale of intoxicating liquors in license territory and granting and issuance of licenses therein.

ARGUMENT IN FAVOR OF AMENDMENT REGULATING PROHIBITION ELECTIONS.

This amendment is of vital interest to every citizen, and especially every taxpayer, whether "wet" or "dry."

Without stopping, or hindering, any real temperance or anti-saloon work, this amendment will regulate the holding of liquor elections so that the same results may be accomplished, but without continually engendering strife and bitter feeling in peaceful communities, without demoralizing other business interests, and without imposing the grievous burden on taxpayers inflicted by the present system.

First—The amendment provides that, beginning with the election to be held on November 3, 1914, the period between liquor elections of any kind shall be eight years. The taxpayers have paid for three hundred liquor elections in the last three years. This amendment will give the state a chance to adjust itself and will relieve the taxpayers of any more such expense for eight years.

Second—It restores local authority to communities where it has been taken away; that is, any city, or supervisorial district outside of an incorporated city, which votes against state-wide prohibition in November, will thereby regain the right to handle its own liquor question as it pleases without holding an election.

Third—It provides that any city, or supervisorial district outside of an incorporated city, which votes in favor of state-wide prohibition will thereby become "no-license" territory for eight years.

The amendment does not take away, nor interfere with, any of the police powers delegated by the state constitution to the governing licensing body of any political subdivision of the state.

It does not take the control of the liquor traffic out of the hands of the people. The power of the city or county authorities, or of the state legislature, to regulate the sale of liquor where licensed, or to abolish it entirely at any time, is not affected in any way whatever.

It does not hinder the work of any temperance organization but merely regulates their work so that taxpayers will have to pay for liquor elections only at reasonable intervals.

It does not make any new wet territory.

It does not prevent any wet territory from going dry.

It does not repeal, or compel the repeal, of any dry ordinance of any kind whatever.

It does not compel any one to vote for state-wide prohibition to keep saloons out of the local community. Every voter may vote against state-wide prohibition without making one change in the present wet or dry territory.

Every voter, whether "wet" or "dry," should vote for this amendment because it is in line with the rising sentiment of the people against continual agitation of any kind that demoralizes business conditions and causes hard times.

While still retaining the power, through your legislative body, to establish license fees and regulations for the sale of liquor where permitted by law, or to abolish it entirely, you, Mr. Voter, and you, Mr. Taxpayer, now have an opportunity to secure a breathing spell and to help to restore peace and prosperity.

Vote "Yes."

FRANK G. RONEY,
and Recorder, Grand Lodge Knights of the
Royal Arch.

ARGUMENT AGAINST AMENDMENT REGULATING PROHIBITION ELECTIONS.

This amendment is unfair and misleading. It seeks to disfranchise the people by making a vote on one issue settle an entirely different matter. There are voters who favor local prohibition, but who are opposed to state-wide prohibition. Under this amendment they could not choose between the two. To preserve or obtain local prohibition they would have to vote for state-wide prohibition. Then there are voters opposed to saloons, and yet not in favor of absolute prohibition, either local or state-wide. Under this amendment they could not vote for anything except absolute prohibition.

Under the pretense of preventing frequent elections, this amendment would repeal all existing laws and ordinances touching the liquor question. If it were adopted, the state legislature would have no power to either prohibit or regulate the liquor traffic. Subdivision 5 puts such power exclusively in the hands of local legislative bodies; and even they could not prohibit the traffic in "license territory"; they could only "regulate" it. This would mean that liquor could be sold on election days, and to Indians, minors and drunkards, unless prohibited by local ordinance; also that saloons could be established as close to universities, prisons, soldiers' homes, and other state institutions as local governing bodies would permit.

Under this amendment "license territory" would mean every city or supervisorial district which gives a majority against state-wide prohibition on November 3d. Such a vote would repeal all existing charter provisions and ordinances touching the liquor traffic, would forbid the people or their representatives from prohibiting that traffic for eight years thereafter, and would make mandatory a policy of "regulation." Not only would this be an unwarranted interference with the long established rights of California cities, but it would be an interference based on deception, as the amendment does not show on its face what is concealed beneath its legal verbiage.

This amendment is vicious because while pretending to give the people power to adopt local prohibition, it really takes that power from them. It provides that no license or authority to sell intoxicating liquors shall be granted in "non-license territory," but it does not prohibit or make unlawful the selling of such liquors therein. Ohio has had experience with this kind of constitutional provision. The supreme court there held that prohibiting licenses does not prohibit the sale of liquor. (*Adler vs. Whitbeck*, 44 Ohio St. 539.) Hence saloons flourished legally, though without licenses, in Ohio. They could do the same in California. Under this amendment, the people's vote against license would not insure prohibition of the traffic, but would leave that wholly with the local officials. They might either prohibit or permit the sale of liquor in territory which had voted dry. On the other hand, if a majority voted for license this vote would be mandatory, and neither the people nor their local officials could banish saloons from that territory for eight years thereafter. This is grossly one-sided and would be an intolerable interference with local rights.

Vote "No."

D. M. GANDLER,
State Superintendent Central and Northern California Anti-Saloon League.