

1915

## TERM OF SUPERIOR JUDGES

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**ARGUMENT IN FAVOR OF THE "FORM OF BALLOT LAW."**

This new ballot law contains several minor improvements over the former law, including the cutting down of the present cumbersome ballot to about one-half its former size.

The most important change, however, is the omission of party designations from the names of candidates for state and local office. Not only is this omission made necessary by the new direct primary law, but it is also in line with every effort to secure a maximum of efficiency in government by electing candidates on their personal merits rather than because of any party tag.

An interesting and valuable commentary on this omission of party designation is contained in an opinion handed down in volume 137 of the California reports by a no less thoughtful man and able jurist than the late Chief Justice Beatty.

"It is not the duty," writes Judge Beatty, "and in my opinion not the proper function of the state to furnish information to voters as to the party connections or political proclivities of the candidates whose names appear upon the official ballot. The task of supplying that information is one which might, with perfect justice and much greater wisdom, be left to other agencies."

Hence, as will be noted, the ballot here provided is in exact accord with the decision of the chief justice.

In fairness to the voter, he should be informed of a situation which would seem practically to demand from everyone favorable action on these laws.

As has been seen, two so-called "nonpartisan laws" have been held up by referendum. A third law of equal importance was, through some colossal blunder, overlooked. This third law, providing that hereafter voters, on registering, shall not declare their party affiliation, has now gone into effect.

Suppose in this election these two nonpartisan laws were by any possibility defeated. In that case the old primary law would continue to

operate, but it would have to operate in conjunction with the new registration law. The result would be hopeless confusion in our election laws, and would seemingly prevent the holding of any partisan primary whatever, even for federal offices.

The old law explicitly states that every registered without statement of party affiliation shall be given only a nonpartisan ballot, from which is omitted the name of every party nominee. And since everybody will be registered without statement of party affiliation, everybody would receive a nonpartisan ballot, and hence no one could legally vote for candidates for any party nomination, local, state, or federal. Accordingly, all public officers, including congressmen and United States senators, could legally run only as independents.

As the case now stands, all who favor non-partisanship in local affairs will, of course, vote "YES" on these two bills. Moreover, all who think they oppose local nonpartisanship will also do well to vote "YES" upon them, since, through the bungling of the referendum forces, to do otherwise will create a situation which may mean non-partisanship not only in state offices but in federal offices also—a situation which nobody wants.

C. C. YOUNG,  
Speaker of the Assembly.

**ARGUMENT AGAINST FORM OF BALLOT LAW.**

The argument advanced against the main nonpartisan bill is applicable to this one. It is necessary, therefore, for those who do not believe in nonpartisanship in state matters, to vote NO upon this measure, which is merely designed to amend the Political Code relating to the form of ballots, so as to conform to the provisions of the main measure. Retain your right to affiliate with any political party you may choose, and preserve to the people of California the privilege of knowing, when the ballot is presented to them, what principles and policies the nominees named thereon will stand for and adhere to.

MILTON L. SCHMITT,  
Assemblyman Thirty-first District.

<b>3</b>	<b>TERM OF SUPERIOR JUDGES.</b>	Senate Constitutional Amendment 2 adding section 6½ to article VI	YES
	of constitution making term of office of superior judges twelve years except judges elected to fill unexpired terms. Declares them subject to recall, impeachment and removal provisions relating to judges.		NO

Senate Constitutional Amendment No. 2, a resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by adding to article six of said constitution a new section, to be numbered section six and one-half, relating to the term of office of judges of the superior court.

The legislature of the State of California at its regular session commencing on the fourth day of January, 1915, two-thirds of the members

electd to each of the two houses of said legislature voting in favor thereof, hereby proposes to the people of the State of California an amendment to the constitution of said state by adding to article six thereof a new section, to be numbered six and one-half, to read as follows:

**PROPOSED AMENDMENT.**

Section 6½. The term of office of judges of the superior court shall be twelve years from and after the first Monday of January next succeeding their election, except in the case of a