

1926

SALARIES OF JUDGES

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SALARIES OF JUDGES. Senate Constitutional Amendment 41. Amends Section 17 of Article VI of Constitution. Provides that the judges of Supreme Court, District Courts of Appeal, and Superior Court, shall severally, at stated times during their continuance in office, receive for their service such compensation as is or shall be provided by law; declares that the state shall pay three thousand dollars of the salary of each superior court judge, and that the county for which he is elected shall pay the remainder of his salary, as the same is now or may hereafter be established.

YES

NO

(For full text of Measure see page 22, Part II.)

Argument in Favor of Senate Constitutional Amendment No. 41.

This measure is not one to increase salaries, but one to deal justly with the smaller counties of the state and to pay an adequate salary to the superior judges of such counties. At present the state pays one-half the salary and the counties pay the other half. The result is that the judges of the smaller counties, who are frequently the ablest and best judges, receive a very small salary. A superior judge is a state official who not only performs the duties in his own county, but may be assigned by the Governor to other counties. Some of the ablest judges in California reside in the smaller counties and are kept a great portion of the time in trying cases in the larger centers of popula-

tion. Owing to the congested calendar in Los Angeles County the Governor keeps from four to five extra judges there all the time. Some of these judges receive as small a salary as \$3,000 and are doing the same work as is done by Los Angeles judges, who receive \$7,000. This amendment proposes that the state pay \$3,000 of the salary of the judge of every county of the state; the balance of the salary will be paid by the county. This will insure a fair remuneration for the judges in the small counties and will not prevent the larger counties from paying larger amounts.

L. L. DENNETT,

State Senator, Twelfth District.

E. P. SAMPLE,

State Senator, Fortieth District.

REQUIRING BIBLE IN SCHOOLS. Initiative measure amending Section 8 of Article IX of Constitution. Forbids appropriating public money for support of sectarian or denominational schools or those not exclusively controlled by public school officers; prohibits teaching sectarian or denominational doctrines, directly or indirectly, in public schools; authorizes purchase, with public funds, and use of Holy Bible therein, requiring copy thereof in every public school library and classroom; permits daily study thereof in school and reading therefrom by teacher, without comment, but requiring no pupil to read or hear it read, contrary to wishes of parent or guardian.

YES

NO

(For full text of Measure see page 23, Part II.)

Argument in Favor of Requiring Bible in Schools Initiative Measure.

This amendment does not require, but only permits the reading of the Bible in the schools and places the reading on the same basis as the offering of prayer in both houses of Congress, and in the legislatures of all the states. The supreme courts of Texas and Georgia specifically defend it on that ground. We all believe in separation of church and state, but that does not mean separation of religion from civil government.

In our judgment the Appellate Court of California, First Appellate District, Division Two, erred in its interpretation of section 8 of the state constitution when it declared the King James version of the Bible to be a "book of sectarian or denominational character," and upon this ground excluded it from the public schools.

Prior to about 1870 the Bible was in daily use in practically every schoolhouse in the land, not by requirement of law, but by custom. The book upon which our Christian civilization was founded was, without question, accepted as a suitable book for the school room.

For about fifty years the Bible has not been used in many of our schools; not shut out by law, but crowded out by the few and the neglect of the many.

No law has ever been passed by any legislative body in America plainly excluding the Bible from the schools of any state, but it has been put out of the schools of eight or nine states, including California, by interpretation of courts, attorney generals, or state superintendents of schools.

The Bible is now going back into the schools of this country. Six states, Iowa, Indiana, the two Dakotas, Kansas and Okla-

PART II

Appendix

SCHOOL DISTRICTS. Assembly Constitutional Amendment 11. Adds Section 14 to Article IX of Constitution. Empowers the Legislature, 15 by general law, to provide for the incorporation and organization of school districts, high school districts, and junior college districts, of every kind and class, and to classify such districts.	YES	
	NO	

Assembly Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding to article nine thereof a new section, to be numbered fourteen, relating to the incorporation, organization, and classification of school districts.

Resolved by the assembly, the senate concurring, That the legislature of the State of California, at its forty-sixth session, commencing on the fifth day of January, one thousand nine hundred twenty-five, two-thirds of the members

elected to each of the two houses of said legislature voting therefor, hereby proposes to the people of the State of California that the constitution of said state be amended by adding to article nine thereof a new section, to be numbered fourteen, reading as follows:

PROPOSED AMENDMENT.

Sec. 14. The legislature shall have power, by general law, to provide for the incorporation and organization of school districts, high school districts, and junior college districts, of every kind and class, and may classify such districts.

SALARIES OF JUDGES. Senate Constitutional Amendment 41. Amends Section 17 of Article VI of Constitution. Provides that the judges of Supreme Court, District Courts of Appeal, and Superior Court, shall 16 severally, at stated times during their continuance in office, receive for their service such compensation as is or shall be provided by law; declares that the state shall pay three thousand dollars of the salary of each superior court judge, and that the county for which he is elected shall pay the remainder of his salary, as the same is now or may hereafter be established.	YES	
	NO	

Senate Constitutional Amendment No. 41—Relative to salaries of justices of the supreme court, of the district courts of appeal and of the judges of the superior courts. A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section seventeen of article six thereof, relating to the salaries of justices of the supreme court, of the district courts of appeal and of the judges of the superior courts.

Resolved by the senate, the assembly concurring, That the legislature of the State of California at its regular session commencing on the fifth day of January, one thousand nine hundred twenty-five, two-thirds of all members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the people of the State of California that section seventeen of article six of the constitution of this state be amended to read as follows:

PROPOSED AMENDMENT.

(Proposed changes in provisions are printed in black-faced type.)

Sec. 17. The justices of the supreme court and of the district courts of appeal and the judges of the superior courts, shall severally, at stated times during their continuance in office receive for their service such compensation as is or shall be provided by law. Three thousand dollars shall be paid by the state upon the salary of each superior court judge, the remainder of such salary, as the same is now

or may hereafter be established, shall be paid by the county for which he is elected.

EXISTING PROVISIONS.

(Provisions proposed to be repealed are printed in italics.)

Sec. 17. The justices of the supreme court and of the district courts of appeal, and the judges of the superior courts, shall severally, at stated times during their continuance in office, receive for their service such compensation as is or shall be provided by law. *The salaries of the judges of the superior court, in all counties having but one judge, and, in all counties in which the terms of the judges of the superior court expire at the same time, shall not hereafter be increased or diminished after their election, nor during the term for which they shall have been elected. Upon the adoption of this amendment the salaries then established by law shall be paid uniformly to the justices and judges then in office. The salaries of the justices of the supreme court and of the district courts of appeal shall be paid by the state. One half of the salary of each superior court judge shall be paid by the state; and the other half thereof shall be paid by the county for which he is elected. On and after the first day of January, A. D. one thousand nine hundred and seven, the justices of the supreme court shall each receive an annual salary of eight thousand dollars, and the justices of the several district courts of appeal shall each receive an annual salary of seven thousand dollars; the said salaries to be payable monthly.*