

1930

# HUNTINGTON LIBRARY AND ART GALLERY

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popular form of government. As this is a comparatively new country, its population is continually moving.

2. The work involved in trying to keep the list of registered electors up to date will cost the taxpayer more money than to make a new and complete registration every two years.

3. Official figures show that 30 per cent of the registered electors fail to vote each general election and 40 per cent move every two years, leaving only an average of 30 per cent remaining permanent, which makes a small minority that would benefit by permanent registration.

4. It will open the door to fraud on election day by permitting the opportunity for unscrupulous persons to vote the names of dead and removed voters, as it will be impossible for the official list of voters to be kept clean and up to date.

5. Permanent registration has been tried in California before and found unsatisfactory. From 1873 up to 1898 we had a Permanent Registration law and had to abolish it on account of the frauds that were perpetrated, thus defeating the very purpose which registration was supposed to correct. For this reason Permanent Registration was abolished by the Legislature in 1899 and the present biennial registration law was enacted. Since the enactment of the present registration law there has not

been any evidence of fraud being perpetrated by voting any of the names of dead and removed voters. You will note after 27 years of use of this so-called Permanent Registration this State discarded it. Why was it discarded? Because it was found insufficient, undesirable and wholly unsatisfactory. Why now let some theorists attempt to lead us back into the discarded mistakes of the past?

6. Permanent Registration has been refused passage by the Legislature at the three last sessions.

7. Permanent Registration will reduce the percentage of registered electors to population instead of increasing it, thereby decreasing the percentage of vote to population.

The State of Idaho has just recently changed from Permanent Registration back to the two-year registration period, because they found permanent registration was not satisfactory.

All registration laws should be enacted by the Legislature and not by initiative measure, as it is almost impossible to amend or change an initiative law.

These are only a few of the reasons why the County Clerks Association is urging you to vote against the so-called Permanent Registration Act.

HENRY A. PFISTER,  
President, County Clerks Association.

**HUNTINGTON LIBRARY AND ART GALLERY. Senate Constitutional Amendment 9.** Adds Section 15 to Article IX of Constitution. Confirms trusts and estates created for Henry E. Huntington Library and Art Gallery by Henry E. and Arabella D. Huntington August 30, 1919, and subsequently. Authorizes such institution, or trustees thereof, to receive for its benefit any real or personal property upon same trusts unless otherwise provided. Exempts from taxation all property as of July 1, 1929, held in trust for said institution and all personal property received in exchange therefor, authorizing Legislature to modify, suspend and revive such exemption.

YES

NO

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

**Argument in Favor of Constitutional Amendment No. 9**

The late Henry E. Huntington founded the world famous library and art gallery, which now bears his name, at San Marino, California, for the purpose of maintaining a free public library and art gallery, museum and park, for the advancement of learning, the arts and sciences, and to promote the public welfare. This property, together with certain securities from which an income is derived for the operation and maintenance of the institution has been placed in a perpetual trust, and the title thereto is held by a Board of five trustees for the benefit of the public for all time. Since the formal opening of the institution to the public in January, 1928, more than two hundred eighty thousand people, or an average of five hundred five persons for each exhibition day, have visited the library and

art gallery and grounds, while students in steadily increasing numbers are carrying on their work among the library collection of rare books and manuscripts.

Recognizing the public character of the institution, and in order that the entire income from the securities and property of the trust might be devoted to the maintenance and operation of the Henry E. Huntington Library and Art Gallery, the Legislature has submitted to the people this proposed amendment to the Constitution, exempting this property from taxation.

That this is not a new or novel proposition is evidenced by the fact that the people of this state since 1894 have recognized the importance of public libraries and free museums by exempting them from taxation under the provisions of Article XIII, Section of our State Constitution. Precedent for this

[Twenty]

special legislation relative to the Huntington Library and Art Gallery may be found in the existing amendments to our Constitution exempting from taxation the property of the California School of Mechanical Arts of San Francisco; the property of the California Academy of Science in San Francisco; the property of Cogswell Polytechnic College of San Francisco; and also the amendment permitting the Legislature to exempt from taxation the property of Leland Stanford Junior University at Palo Alto.

The property comprising the Henry E. Huntington Library and Art Gallery, together with the treasures therein contained are immensely valuable, and if the proposed amendment is adopted, the revenue from the securities held by the Board of Trustees for the operation and maintenance of this property will

be devoted to the high public purpose for which the Library and Art Gallery was founded, to wit, for the operation of a free public library and art gallery, museum and park, for the advancement of learning, the arts and sciences, and to promote the public welfare.

In order that this property may be devoted to the purpose for which it was intended by the donor, and in order that other public spirited citizens may be encouraged to make similar gifts and bequests for the public welfare, we recommend the adoption of this constitutional amendment.

Vote Yes.

FRANK C. WELLER,  
State Senator, Thirty-sixth District.

C. C. BAKER,  
State Senator, Seventeenth District.

**CORPORATIONS. Senate Constitutional Amendment 24.** Amends Sections 1 and 7, and repeals Sections 2, 3, 9, 11, 12 and 14 of Article XII of Constitution. Empowers Legislature by general laws to provide for formation, organization and regulation of corporations, prescribe their powers, rights, duties and liabilities, and those of their officers, stockholders and members, and provide for extension of term of existence of all corporations formed for limited period, but shall not extend franchise of any quasi-public corporation nor remit forfeiture thereof. Declares present laws concerning corporations and those hereafter passed pursuant hereto may be altered or repealed.

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YES

NO

(For full text of Measure, see page 24, Part II)

**Argument in Support of Senate Constitutional Amendment No. 24**

The purpose of this amendment is to empower the legislature to provide, and keep up to date, a modern system of laws for the organization and regulation of corporations, better adapted to present-day economic and social conditions than the antiquated laws we now have. Retaining the wise provision that the power may be exercised only by general laws, the amendment repeals certain sections that now prevent the legislature from enacting the sort of corporation laws we need.

Corporation laws affect people in every walk of life. During the last quarter century, the use of corporations has become almost universal in every kind of business, large and small. The Dean of the State University Law School has said, "The financial value of a suitable legal system of corporation law is incalculable in precise figures but it must be obvious that it is enormous." The President of Columbia University has said, "The limited liability corporation is the greatest single discovery of modern times."

But the people of California have denied themselves the advantage of the modern improvements in this form of doing business. The present restrictive constitutional provisions were adopted in 1879, some even in 1849, and are now intolerably burdensome and old fashioned. Their authors did not contemplate the

present-day universal use of corporations as instruments of business nor the modern methods of corporate finance and organization.

Thousands of corporations, organized by California citizens to transact business in California, incorporate under the laws of other states, because they can not obtain reasonable corporate facilities at home. It is absurd for the people of California to continue to place themselves under this disadvantage.

This amendment will enable the legislature to give to the people of this state the full advantage of the corporate facilities enjoyed by the people of other states. It will enable the legislature to eliminate entirely the proportional liability for corporate debts which is now imposed upon stockholders in California alone of all the states, and under which investors may lose more than their investment, so that they are deterred from putting capital into California corporations. The amendment will also enable the legislature to revise the statutes so as to provide for extensions of corporate existence for more than fifty years, the combination of par value and non-par value shares, and the regulation of voting rights and of the inspection of corporate books. Under the broad provisions of Section 1, the Legislature will have full power to provide all safeguards required to protect the interests of stockholders, creditors and the public.

By encouraging the formation of Californian instead of foreign corporations, the state's con-

**HUNTINGTON LIBRARY AND ART GALLERY. Senate Constitutional Amendment 9.** Adds Section 15 to Article IX of Constitution. Confirms trusts and estates created for Henry E. Huntington Library and Art Gallery by Henry E. and Arabella D. Huntington August 30, 1919, and subsequently. **15** Authorizes such institution, or trustees thereof, to receive for its benefit any real or personal property upon same trusts unless otherwise provided. Exempts from taxation all property as of July 1, 1929, held in trust for said institution and all personal property received in exchange therefor, authorizing Legislature to modify, suspend and revive such exemption.

YES	
NO	

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the constitution of said state by adding section 15 to article nine thereof, relating to the Henry E. Huntington Library and Art gallery.

Resolved by the Senate, the Assembly concurring, that the Legislature of the State of California at its forty-eighth regular session, beginning on the seventh day of January, 1929, two-thirds of all members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors 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 15 and to read as follows:

(This proposed amendment does not expressly amend any existing section of the Constitution but adds a new section thereto; therefore the provisions thereof are printed in BLACK-FACED TYPE to indicate that they are NEW.)

PROPOSED AMENDMENT TO THE CONSTITUTION.

**Sec. 15.** The trusts and estates created for the founding, endowment and maintenance of the Henry E. Huntington Library and Art gallery, under and in accordance with an act of the Legislature approved March 10, 1885, chapter forty-seven of the statutes of California of 1885, by the endowment grant executed by Henry E. Huntington and Arabella D. Huntington on the thirtieth day of Au-

gust, 1919, and recorded in book 6937, page 97 of deeds, records of Los Angeles, California, on the fifteenth day of September, 1919, and by the amendments of such grant and by gifts and grants supplementary thereto and by confirmatory grants, are permitted, approved and confirmed. The board of trustees of the Henry E. Huntington Library and Art gallery, as such, or in the name of the institution, or by other intelligible designation of the trustees, or of the institution, may receive property, real or personal, and wherever situated, by gift, grant, devise, or bequest, for the benefit of the institution, and such property, unless otherwise provided, shall be held by the trustees of the Henry E. Huntington Library and Art gallery upon the trusts provided for in the grant founding the institution, and amendments thereof and grants supplementary thereto. All property as of July 1, 1929, held in trust for the founding, maintenance or benefit of the Henry E. Huntington Library and Art gallery and the increments thereof and all personal property received in exchange therefor shall be exempt from taxation. The Legislature may modify, suspend and revive at will the exemption from taxation herein given. The trustees of said institution shall annually report their proceedings to the person who for the time being shall fill the office of secretary of state of the State of California, and said trustees shall accompany said report with a full account of their financial operations for the preceding year and with a statement of the financial affairs of the institution.