
Amendments to Constitution

and

Proposed Statutes

With Arguments Respecting the Same

To be submitted to the Electors of the State of California at the
General Election on

Tuesday, November 5, 1912

Certified by FRANK C. JORDAN, Secretary of State.

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Proposed changes in language printed in black face. Provisions to be repealed printed
in italics.

FRIEND WM. RICHARDSON, SUPERINTENDENT OF STATE PRINTING
SACRAMENTO, CALIFORNIA
1912

CERTIFICATE OF SECRETARY OF STATE.

STATE OF CALIFORNIA,
DEPARTMENT OF STATE.

SACRAMENTO, CALIFORNIA, September 3, 1912.

To the qualified electors of the State of California:

WHEREAS, the legislature of the State of California at its extraordinary session of the thirty-ninth regular session beginning on the 27th day of November, 1911, and ending on the 24th day of December, 1911, two thirds of all the members elected to each of the houses of said legislature voting in favor thereof, proposed the following several amendments to the constitution of the State of California, designated by the following numbers, to wit:

Senate Constitutional Amendment No. 3 and Assembly Constitutional Amendment No. 3.

AND WHEREAS, there has been presented to me within ninety days after final adjournment of the legislature in said extraordinary session, petitions signed by qualified electors equal in number to 5 per cent of all the votes cast for all candidates for governor at the last preceding general election at which a governor was elected, asking that the following acts or sections or parts of acts of the legislature be submitted to the electors for their approval or rejection, to wit:

1. An act to amend section 4013 of the Political Code of the State of California, relative to the officers of a county;
2. An act to amend the Political Code of the State of California by adding two new sections thereto, to be numbered 4149e and 4149f, providing for the appointment of a registrar of voters, prescribing his duties and fixing his term of office and the compensation to be paid such registrar in the various classes of counties; and
3. An act to amend section 4232 of the Political Code of the State of California relating to the salaries and fees of officers in counties of the third class.

AND WHEREAS, petitions have been presented to me signed by qualified electors equal in number to 8 per cent of all the votes cast for all candidates for governor at the last preceding general election at which a governor was elected, proposing the following laws and amendments to the constitution, to wit:

1. Proposition to amend section 7 of article XI of the constitution of the State of California relating to the formation of consolidated city and county governments;
2. An act to prohibit bookmaking and pool-selling, and to provide for a state racing commission to grant licenses for horse racing in the State of California, for a limited period, and the permitting of wagering upon such racing by the Paris Mutual and Auction Pool systems only; and
3. A proposition to amend article XIII of the constitution of the State of California by the addition of a new section to said article, to be designated and numbered as section 8½ of said article, relating to taxation by counties, cities and counties, cities, towns, districts and townships.

Therefore, pursuant to the constitution and the laws of the state, I have caused to be printed and transmitted to each of the county clerks in this state, and to the registrar of voters of the city and county of San Francisco, for distribution to said qualified electors, copies of said proposed amendments to the constitution and propositions (and accompanying statements) to be voted upon at the general election to be held on the 5th day of November, 1912.


Secretary of State.

FREE SCHOOL TEXT-BOOKS.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3.

A resolution to propose to the people of the State of California an amendment to the constitution of the state by amending section 7 of article IX thereof, relating to boards of education, free text-books, and minimum use of such text-books.

Resolved by the assembly, the senate concurring, That the legislature of the State of California, at its extraordinary session, commencing on the twenty-seventh day of November, nineteen hundred and eleven, two thirds of all the 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 7 of article IX of the constitution of the State of California be amended so as to read as follows:

PROPOSED LAW.

Section 7. The legislature shall provide for the appointment or election of a state board of education, and said board shall provide, compile, or cause to be compiled, and adopt, a uniform series of text-books for use in the day and evening elementary schools throughout the state. The state board may cause such text-books, when adopted, to be printed and published by the superintendent of state printing, at the state printing office; and wherever and however such text-books may be printed and published, they shall be furnished and distributed by the state free of cost or any charge whatever, to all children attending the day and evening elementary schools of the state, under such conditions as the legislature shall prescribe. The text-books, so adopted, shall continue in use not less than four years, without any change or alteration whatsoever which will require or necessitate the furnishing of new books to such pupils, and said state board shall perform such other duties as may be prescribed by law. The legislature shall provide for a board of education in each county in the state. The county superintendents and the county boards of education shall have control of the

examination of teachers and the granting of teachers' certificates within their respective jurisdictions.

Section 7, article IX, proposed to be amended as above, now reads as follows:

EXISTING LAW.

Section 7. *The governor, the superintendent of public instruction, the president of the university of California, and the professor of pedagogy therein and the principals of the state normal schools, shall constitute the state board of education, and shall compile, or cause to be compiled, and adopt a uniform series of text-books for use in the common schools throughout the state.* The state board may cause such text-books when adopted, to be printed, and published by the superintendent of state printing, at the state printing office; and *when so printed and published, to be distributed and sold at the cost price of printing, publishing and distributing the same.* The text-books, so adopted, shall continue in use not less than four years, without any change or alteration whatsoever which will require or necessitate the purchase of new books by such pupils, and said state board shall perform such other duties as may be prescribed by law. The legislature shall provide for a board of education in each county in the state. The county superintendents and the county boards of education shall have control of the examination of teachers and the granting of teachers' certificates within their respective jurisdictions. [Amendment adopted October 10, 1911.]

REASONS FOR ADOPTING ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3, RELATING TO BOARD OF EDUCATION AND FREE SCHOOL BOOKS.

This proposed amendment changes section 7 of article IX of the constitution by providing for a reorganization of the state board of education by the legislature—necessarily with the approval of the governor.

With the power and corrective of the initiative, referendum and recall in the hands of the people no fear need exist that the legislature, the governor and such reorganized board of education would not perform their full and comprehensive duties in their respective spheres of action.

The amendment provides that text-

books for use in the day and evening elementary schools of the state shall be furnished by the state free of charge or any cost whatever to the children attending such schools; instead of, as at present, that such text-books shall be furnished to such children at the cost price.

Except for the two changes above noted, the proposed amendment makes no change in the existing law.

Under the amendment the best expert services of the country may be employed, or the best of copyrights may be used under the royalty system, for the pur-

pose of providing for a uniform series of text-books for a standardized, uniform, fundamental education of the children of the state, which text-books may be printed, as now, at the state printing office.

The adoption of the amendment will make our elementary or common school education free in fact as well as in name.

With free schoolhouses, free school grounds, free tuition, and free apparatus, there is no reason why free text-books, the most needful of all, should not be furnished.

The cost to the state in making the change will be nominal. The cost of all the text-books of the state series furnished to the school children of the state for the fiscal year ending June 30, 1911, amounted to only \$194,264. If a tax to raise that amount had been levied against the assessed valuation of all property in the state for that year, such tax would have amounted to only seven and four tenths mills upon the one hundred dollars valuation. If we add to this the cost of supplementals forced into the schools through the efforts of book agents, teachers and boards of education, which, in some counties, exceeds the cost of the regular series provided by law, the cost to the state will still be nominal.

Under the present efficient management of state printing, the cost of the state series of text-books has been reduced, on an average, at least twenty per cent, and the same management has demonstrated that henceforth these books may be printed and bound, using the best materials and workmanship needed for the purpose, for at least twenty per cent less than the former cost price. Such text-books will be used under such sanitary and other regulations as may be prescribed by the legislature.

So far as cleanliness and prevention of transmission of disease is concerned the children of the state will be as well or better protected under the free than under the present system, where the child and parents, under the theory of absolute ownership, believe they are entitled to do as they please with that which they own. Under private, or any, ownership or control, a book carried into the presence of infectious disease will, like clothing on the person, carry infection into the schools. Hence, real protection does not relate to the ownership of the book, but to public and private care in preventing the transmission of disease.

Free text-books will remove the last excuse that some selfish parents have for not sending their children to school. In many, many cases poor families will be benefited out of all proportion to the cost. It is true, on a pauper showing, free text-books may now be procured; but the

American spirit will not endure such humiliation.

Opponents of this amendment will probably argue that it is unjust that the state should be required to furnish free text-books in the public elementary schools and not furnish the like books free to similar grades in private schools under private control. The same objection can as reasonably be made to the whole public school system. The complete answer to the objection is, that the state should not support, in whole, or in part, two school systems, the one system under state control and the other system under private control.

There are opponents to this amendment who profess to doubt its validity. Nearly all of the senate, and practically all of the assembly, lawyers and laymen, hold it to be valid. This fact, without entering into argument, should be sufficient.

A Warning.

Some school-teachers, acting consciously or unconsciously in the interest of the private book-publishing concerns, the book trust, have advocated the submission of a constitutional amendment in opposition to the foregoing Assembly Constitutional Amendment No. 3, which proposed measure they hope to get upon the ballot through the initiative, by petition. This scheme provides for local adoption by each county, city and high school district, making in all some three hundred and twenty-five different possible adoptions, would destroy a uniform, fundamental education, and would put the state completely at the mercy of the book trust as to the text-books to be used and prices to be paid. The state printing office would be eliminated as a factor and the immense cost of the state printing plant, including the machinery, would be virtually thrown away, for the sole and only purpose of paying enormous profits to the book trust.

Therefore, every voter in the state should vote FOR Assembly Constitutional Amendment No. 3, which will be No. 2 in the column on the ballot containing the amendments and propositions to be voted upon: and every voter should likewise vote AGAINST any other amendment relative to text-books which may appear upon such ballot.

T. W. H. SHANAHAN,
Author and introducer,
Senator Second District.

JOHN F. BECKETT,
Assemblyman Sixty-third District.

FRANK M. SMITH,
Assemblyman Fifty-first District.

ROBERT L. TELFER,
Assemblyman Fifty-fifth District.

DAN E. WILLIAMS,
Assemblyman Twenty-sixth District,
Introducers.

ARGUMENT AGAINST ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3, RELATING TO BOARD OF EDUCATION AND FREE SCHOOL BOOKS.

It is provided by law that arguments for and against a proposed constitutional amendment should be sent by the secretary of state to each voter, together with such constitutional amendment. Having been appointed by the speaker of the assembly of the State of California, to prepare and present points against the so-called "Free Text-Book Amendment," I beg to submit the following:

The title FREE TEXT-BOOKS, as applied to the foregoing proposed constitutional amendment, is a misnomer, for the reason that the cost of the text-books comes from the state treasury, and you, Mr. Voter, are paying for the same through your taxes. It is true, of course, that the state funds are supplied by the corporations, but in the event that the taxes derived from the corporations are insufficient to operate the state government, you will be required to pay to the state your pro rata of that deficit in order to meet the needs and requirements of the state government. The cost of printing school text-books and distributing them free of charge will run into large figures each year, and may cause or contribute to the cause of creating a deficit, and those of you who do not have children attending the public elementary schools will be contributing to the cost of the books of such children as do attend such schools.

Such an amendment as the foregoing is not required for the purpose of assisting parents who may be unable to pay for their children's books used at public school. If a parent is financially unable to pay for school books for his or her child, or children, there is a provision in the law which will enable such parent to obtain school books free of charge, upon the proper application being made therefor. A sensible teacher or principal, to whom such application is made, will certainly keep such application from being publicly known, and will thereby avoid

offending the feelings or sensibilities of the applicant.

There is a stringent objection, from a sanitary standpoint, viz., to give to a scholar an old and soiled text-book which has been used by others may tend to the spreading of germs and the dissemination of children's diseases. I have been informed that the epidemic of infantile paralysis, last year, in the city of Boston, was largely attributed to the use of infected school text-books.

Educators—teachers in class room principally, uniformly say that scarcely anything plays a greater part in creating a liking in a child for study than a new, crisp and clean text-book—a thing which, during the four years that a text-book is in use, would be unknown. If it were to be the intention of disinfecting these school books after a child had used them, the cost of such disinfection would be great and the process destructive.

As a general proposition, when one receives something for nothing, it is usually treated as being worth nothing, therefore these books will not receive the same treatment at the hands of the children that a privately owned book would receive. A parent who is obliged to spend a few cents which a text-book costs usually sees to it that his child does not destroy, mutilate, or otherwise abuse the book; such parental supervision, in the event of free text-books, will be entirely eliminated.

The giving of books free to the children of state schools and not the children of other schools (and all of them contribute to a great educational benefit to our people), is a discrimination and increases the burden of supporting schools which are not operated by the state.

For the foregoing reasons, I believe that this amendment is unnecessary, and should be defeated.

MILTON L. SCHMITT,
Assemblyman Fortieth District.

IRRIGATION DISTRICT BONDS.

SENATE CONSTITUTIONAL AMENDMENT NO. 3.

A resolution to propose to the people of the State of California an amendment to section 16½ of article eleven of the constitution, relating to the deposits of moneys belonging to the state, or to any county or municipality within the state.

The legislature of the State of California, at its extraordinary session of the thirty-ninth session, commencing on the twenty-seventh day of November, A. D. nineteen hundred and eleven, two thirds of the members elected to both the senate and assembly, respectively, voting therefor, hereby proposes to the people of the State of California that section 16½ of

article eleven of the constitution of this state be amended so as read as follows:

PROPOSED LAW.

Section 16½. All moneys belonging to the state, or to any county or municipality within this state, may be deposited in any national bank or banks within this state, or in any bank or banks organized under the laws of this state, in such manner and under such conditions
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as may be provided by law; provided, that such bank or banks in which such moneys are deposited shall furnish as security for such deposits, bonds of the United States, or of this state or of any county, municipality or school district within this state, or of any irrigation district within this state, to be approved by the officer or officers designated by law, to an amount in value of at least 10 per cent in excess of the amount of such deposit; and provided, that such bank or banks shall pay a reasonable rate of interest, not less than 2 per cent per annum on the daily balances therein deposited; and provided, that no deposit shall at any one time exceed 50 per cent of the paid-up capital stock of such depository bank or banks; and provided, further, that no officer shall deposit at one time more than 20 per cent of such public moneys available for deposit in any bank while there are other qualified banks requesting such deposits.

Section 16 $\frac{1}{2}$, article XI, proposed to be amended, now reads as follows:

EXISTING LAW.

Section 16 $\frac{1}{2}$. All moneys belonging to the state, or to any county or municipi-

pality within this state, may be deposited in any national bank or banks within this state, or in any bank or banks organized under the laws of this state, in such manner and under such conditions as may be provided by law; provided, that such bank or banks in which such moneys are deposited shall furnish as security for such deposits, bonds of the United States, or of this state or of any county, municipality or school district within this state, to be approved by the officer or officers designated by law, to an amount in value of at least ten per cent in excess of the amount of such deposit; and provided, that such bank or banks shall pay a reasonable rate of interest, not less than two per cent per annum on the daily balances therein deposited, and provided, that no deposit shall at any one time exceed fifty per cent of the paid-up capital stock of such depository bank or banks, and provided further, that no officer shall deposit at one time more than twenty per cent of such public moneys available for deposit in any bank while there are other qualified banks requesting such deposits. [Adopted November 6, 1906.]

REASONS FOR ADOPTING SENATE CONSTITUTIONAL AMENDMENT NO. 3, RELATING TO DEPOSITS OF MONEY, INCLUDING IRRIGATION DISTRICT BONDS.

This amendment was proposed by the legislature in pursuance of its policy to give the bonds of irrigation districts the same privileges that are enjoyed by state, county and municipal securities, after having placed such restrictions upon the issuance of the bonds of irrigation districts as to make them sound and to assure their stability in the market.

To prevent the issuance of bonds for impracticable projects or in excess of an irrigation district's ability to pay, the legislature passed an act providing for a careful examination of the affairs of such districts and the feasibility of any project for which bonds are desired. This investigation is to be made by a state commission, composed of the attorney general, the state engineer and the superintendent of banks, thus assuring an examination of the legality of a district's proceedings, its engineering problems and its financial responsibility. It further provided that all bonds issued in accordance with the requirements of the act shall be recorded with the state controller, who is to certify that the law providing for the examination referred to has been complied with.

It is then provided that the bonds of irrigation districts, under the restrictions set forth in the act of the legislature, shall be legal investments for all trust funds and for the funds of all insurance companies, banks, banking associations and trust companies and for the state

school funds, and whenever any money or funds may by law, now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts or municipalities in the State of California, such money or funds may be invested in the said bonds of irrigation districts, and whenever bonds of cities, cities and counties, counties, school districts or municipalities may by any law, now or hereafter enacted, be deposited as security for any public money or deposits or for the performance of any act, bonds of irrigation districts, under the limitations in this act provided, may be so used or deposited.

This act is now in force, and its provisions, especially the one allowing banks to invest in the bonds of irrigation districts, have marked beneficial effect upon the market for these securities. Some question arose, however, as to the constitutionality of the provision allowing the bonds of irrigation districts to be used as security for deposits of public money in banks, as the constitution, in providing for such deposits, specifies the kind of bonds which may be used as security, and does not mention irrigation district bonds. It was contended by the framers of the law that an irrigation district is a "municipality," and they quoted decisions of the supreme court in support of that contention, but in order to make definite settlement of the question the above constitutional amendment was submitted to the

people, including specifically the bonds of irrigation districts among the classes of bonds which may be used as security for public money deposited in banks. No other change is made by the amendment in the constitution as it now stands, and the ratification of the amendment, which was approved by unanimous vote of the legislature, will carry into full effect the policy adopted by the legislature in the passage of the act to give recognition to the bonds of irrigation districts under the limitation described.

The development of hundreds of thousands of acres of rich California land depends upon irrigation. The law allowing the formation of irrigation districts was framed so that the owners of a certain area might construct their own irrigation system, and, with the ownership of the water inseparably joined with the ownership of the land, the prosperity of that area is assured. The experience of the Modesto and Turlock irrigation districts in Stanislaus county have demonstrated the success of the district plan, and several districts have been formed and have their canal projects under way. The law requires that their bonds shall bear five per cent interest, the same rate borne by most county and municipal bonds, and the fact that until the legislature changed the law, irrigation district bonds were not legal investments for the purposes specified in that act, made it extremely difficult to sell such bonds. As a result the people of irrigation districts have been compelled to pay a great deal more for their work than it was worth, and the fact that they have gone ahead under so many difficulties proved their eagerness to own the water that is the life of their land.

The legislature has recognized that it is unjust to give privileges to the bonds of

a city or school district and discriminate against the bonds of the irrigation district which makes it possible for that city or school district to have a prosperous existence. Such discrimination in the past has cost the taxpayers of irrigation districts hundreds of thousands of dollars in interest on greater bonded indebtedness than would have been necessary if their bonds had been allowed the privileges of counties, cities and school districts, and they now appeal to the people to approve the policy adopted by the legislature and ratify this constitutional amendment.

It should be remembered that the amendment merely puts irrigation district bonds in the list of securities which may be used to guarantee the repayment of public money deposited in banks. The legislature may place upon the use of such bonds any limitations it may deem proper, and the official responsible for the loan of such money may refuse to accept any bonds offered.

The demand for bonds as security for public deposits adds greatly to their market value, and if this amendment is adopted the taxpayers of the irrigation districts will benefit by the consequent increase in the price of their securities. Even the districts which are now in operation contemplate further issuance of bonds for storage reservoirs and other permanent works. The inhabitants of these districts are doing great work for the upbuilding of the state. The laws discriminating against their bonds had hindered their efforts. The people, by the adoption of this amendment, can, without injury to themselves, remove the last vestige of this discrimination. They ought to do it.

J. B. CURTIN,

Senator Twelfth Senatorial District.

G. W. CARTWRIGHT,

Senator Twenty-sixth Senatorial District.

REFERENDUM OPPOSING AN ACT CREATING THE OFFICE OF REGISTRAR OF VOTERS.

OFFICERS OF A COUNTY.

Referendum Measure Submitted Directly to the Electors.

WHEREAS, the legislature of the State of California, in extraordinary session in December, 1911, passed, and the governor of the State of California, on the 10th day of January, 1912, approved a certain law and act, which law and act, together with its title, is in the words and figures following, to wit:

An act to amend section 4013 of the Political Code of California, relative to the officers of a county.

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

SECTION 1. Section four thousand and thirteen of the Political Code of California, is hereby amended to read as follows:

PROPOSED LAW.

4013. The officers of a county are:

1. A district attorney;

2. A sheriff;
3. A county clerk;
4. An auditor;
5. A treasurer;
6. A recorder;
7. A license collector;
8. A tax collector, who shall be ex officio license collector;
9. An assessor;
10. A superintendent of schools;
11. A public administrator;
12. A coroner;

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13. A surveyor;
14. Members of the board of supervisors;
15. A live stock inspector;
16. A fish and game warden;
17. A registrar of voters;
18. A sealer of weights and measures;
19. Such other officers as may be provided by law.

AND WHEREAS, said extraordinary session of the said legislature finally adjourned December 24, 1911, and ninety days having not expired since said final adjournment.

Now, therefore, sufficient qualified electors of the State of California, have presented to the secretary of state their petitions asking that said law and act hereinbefore set forth, so passed by the legislature and approved by the governor, as hereinbefore stated, be submitted to the electors of the State of California for their approval or rejection.

Section 4013, proposed to be

amended as above, now reads as follows:

EXISTING LAW.

4013. The officers of a county are:

1. A district attorney;
2. A sheriff;
3. A county clerk;
4. An auditor;
5. A treasurer;
6. A recorder;
7. A license collector;
8. A tax collector, who shall be ex officio license collector;
9. An assessor;
10. A superintendent of schools;
11. A public administrator;
12. A coroner;
13. A surveyor;
14. Members of the board of supervisors;
15. A live stock inspector;
16. A fish and game warden;
17. Such other officers as may be provided by law.

REGISTRAR OF VOTERS, SALARY AND DUTIES.

Referendum Measure Submitted Directly to the Electors.

WHEREAS, the legislature of the State of California, in extraordinary session in December, 1911, passed, and the governor of the State of California, on the 10th day of January, 1912, approved a certain law and act, which law and act, together with its title, is in the words and figures following, to wit:

An act to amend the Political Code of the State of California by adding two new sections thereto, to be numbered 4149e and 4149f, providing for the appointment of a registrar of voters, prescribing his duties and fixing his term of office and the compensation to be paid such registrar in the various classes of counties.

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

SECTION 1. A new section is hereby added to the Political Code of California, to be known and numbered as section 4149e and to read as follows:

PROPOSED LAW.

4149e. The board of supervisors of each county shall appoint a registrar of voters who shall serve until twelve o'clock M. of the first Monday after the first day of January, 1915, and on the first Monday after the first day of January, 1915, and every four years thereafter, the board of supervisors of each county shall appoint a registrar of voters who shall receive the compensation provided by law and shall serve for the period of four years. Such registrar of voters shall, before entering upon the discharge of his duties, take the oath of office prescribed by law for county officers, and execute a bond in such sum as may be required by the board of supervisors for the faithful and proper discharge of his duties as such registrar of voters, said bond to be approved, recorded and filed, as provided by law for other county officers.

The salary of the registrar in counties of Eight

the first class shall be twenty-four (\$24.00) dollars per annum. In counties of the second class the registrar shall be allowed such salaries and deputies as are now or may hereafter be provided by law. In counties of the third class the registrar shall be allowed such salaries and deputies as are now or may hereafter be provided by law.

The salary of the registrar in counties of the fourth class shall be twenty-four (\$24.00) dollars per annum. In counties of the fourth class the registrar shall be allowed two deputies to serve during each even numbered year; each of said deputies shall receive a salary of one hundred dollars per month during each even numbered year.

The salary of the registrar in counties of the fifth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the sixth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the seventh class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the eighth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the ninth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the tenth class shall be twenty-four (\$24.00) dollars per annum; and in addition to such salary and in addition to the deputies now provided by law and allowed to the official charged with regis-

tration, said registrar may appoint additional deputies, not to exceed two in number, for the purpose of registering electors and attending to election matters, to be paid not to exceed four (\$4.00) dollars per diem each; provided, that such deputies so employed and appointed shall not be employed except during a year when the general election is held throughout the state, and then only between the first day of January and the fifteenth day of November of said year. Each of said deputies shall be paid at the same time and in the same manner as county officials are paid.

The salary of the registrar in counties of the eleventh class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the twelfth class shall be twenty-four (\$24.00) dollars per annum. In addition to such salary in counties of this class, the registrar shall receive from the county the sum of twelve and one half cents for each name registered.

The salary of the registrar in counties of the thirteenth class shall be twenty-four (\$24.00) dollars per annum; provided, further, that in counties of this class the registrar of voters is hereby allowed one deputy whose salary is hereby fixed at seventy-five (\$75.00) dollars per month.

The salary of the registrar in counties of the fourteenth class shall be two hundred and fifty (\$250.00) dollars per annum.

The salary of the registrar in counties of the fifteenth class shall be twenty-four (\$24.00) dollars per annum; provided, that in counties of this class the registrar of voters shall be allowed one deputy whose salary is hereby fixed at seventy-five dollars per month.

The salary of the registrar in counties of the sixteenth class shall be one hundred (\$100.00) dollars per annum; provided, further, that in any year that the compilation of a new great register is required by law or supplements to be made thereto, the registrar shall receive as expenses for compiling such great register and making supplements thereto the sum of five cents for each name inserted thereto, to be paid upon the filing and presentation of a duly verified claim therefor by the registrar of voters with the board of supervisors of said county; and provided, further, that in any year when a new register of voters is required by law or supplements to be made thereto, the said registrar may appoint such number of registration deputies as may be necessary for the registration of voters in their respective precincts, each of said deputies to receive the sum of ten cents per name for each elector registered by him; said registration deputies to be paid for their services on the presentation and filing with the board of supervisors of said county a duly verified claim therefor on the general fund of said county after proper allowance of said claim by said board of supervisors.

The salary of the registrar in counties of the seventeenth class shall be five hundred dollars (\$500.00) per annum and such other fees as are now allowed by

law to the county clerk for registration of voters.

The salary of the registrar in counties of the eighteenth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the nineteenth class shall be six hundred (\$600.00) dollars per annum.

The salary of the registrar in counties of the twentieth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the twenty-first class shall be twenty-four (\$24.00) dollars per annum; provided, that in counties of this class the registrar of voters in any year when a new registration of voters is required by law he shall be paid the sum of seven cents per name for each elector registered by him.

The salary of the registrar in counties of the twenty-second class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the twenty-third class shall be twenty-four (\$24.00) dollars per annum; provided, that in counties of this class the registrar of voters is hereby allowed one deputy whose salary shall be the sum of seventy-five dollars per month.

The salary of the registrar in counties of the twenty-fourth class shall be one hundred (\$100.00) dollars per annum; provided, further, that in any year that the compilation of a new great register is required by law or supplements thereto, the registrar shall receive as expenses for compiling such great register and making supplements thereto the sum of fifteen cents for each name inserted in said great register and supplements thereto, to be paid by the board of supervisors upon the filing and presentation of a duly verified claim therefor by the registrar of voters with the board of supervisors of said county.

The salary of the registrar in counties of the twenty-fifth class shall be eight hundred and forty (\$840.00) dollars per annum.

The salary of the registrar in counties of the twenty-sixth class shall be seven hundred (\$700.00) dollars per annum.

The salary of the registrar in counties of the twenty-seventh class shall be two hundred and fifty (\$250.00) dollars per annum.

The salary of the registrar in counties of the twenty-eighth class shall be three hundred (\$300.00) dollars per annum.

The salary of the registrar in counties of the twenty-ninth class shall be three hundred (\$300.00) dollars per annum.

The salary of the registrar in counties of the thirtieth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the thirty-first class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the thirty-second class shall be twenty-four (\$24.00) dollars per annum. In counties of this class the registrar shall receive and he is hereby allowed in addition to such salary of twenty-four (\$24.00) dollars per annum from the county, the sum of twelve and a half cents for each name registered.

The salary of the registrar in counties of the thirty-third class shall be six hundred (\$600.00) dollars per annum.

The salary of the registrar in counties of the thirty-fourth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the thirty-fifth class shall be twelve hundred (\$1,200.00) dollars per annum.

The salary of the registrar in counties of the thirty-sixth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the thirty-seventh class shall be twenty-four (\$24.00) dollars per annum. In addition to such salary in counties of this class the registrar shall receive from the county the sum of ten cents for each name registered.

The salary of the registrar in counties of the thirty-eighth class shall be five hundred (\$500.00) dollars per annum.

The salary of the registrar in counties of the thirty-ninth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the fortieth class shall be twenty-four (\$24.00) dollars per annum; provided, further, that in any year when a new registration of voters is required by law, the registrar of voters shall be paid the sum of ten cents (10c) per name for each elector registered by him.

The salary of the registrar in counties of the forty-first class shall be twenty-four (\$24.00) dollars per annum; provided, further, that in any year when a new registration of voters is required by law, the registrar of voters shall be paid the sum of ten (10c) cents per name for each elector registered by him.

The salary of the registrar in counties of the forty-second class shall be three hundred and sixty (\$360.00) dollars per annum.

The salary of the registrar in counties of the forty-third class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the forty-fourth class shall be one hundred (\$100.00) dollars per annum; provided, further, that in any year that the compilation of a new great register is required by law or supplements to be made thereto, the registrar shall receive as expenses for compiling such great register and making supplements thereto the sum of fifteen cents for each name inserted in said great register and supplements thereto, to be paid by the board of supervisors out of the county general fund upon the filing and presentation of a duly verified claim therefor by the registrar of voters with the board of supervisors of said county.

The salary of the registrar in counties of the forty-fifth class shall be twenty-four (\$24.00) dollars per annum; provided, further, that in any year when a new registration of voters is required by law, the registrar of voters shall be paid the sum of ten (10) cents per name for each elector registered by him.

The salary of the registrar in counties of the forty-sixth class shall be one hundred (\$100.00) dollars per annum; provided, further, that in any year that the compilation of a new great register is

required by law or supplements to be made thereto, the registrar shall receive as expenses for compiling such great register and making supplements thereto the sum of fifteen cents for each name inserted in said great register and supplements thereto, to be paid by the board of supervisors out of the county general fund upon the filing and presentation of a duly verified claim therefor by the registrar of voters with the board of supervisors of said county.

The salary of the registrar in counties of the forty-seventh class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the forty-eighth class shall be four hundred (\$400.00) dollars per annum.

The salary of the registrar in counties of the forty-ninth class shall be one hundred (\$100.00) dollars per annum.

The salary of the registrar in counties of the fiftieth class shall be one hundred (\$100.00) dollars per annum; provided, further, that in any year that the compilation of a new great register is required by law or supplements to be made thereto, the registrar shall receive as expenses for compiling such great register and making supplements thereto the sum of fifteen cents for each name inserted in said great register and supplements thereto, to be paid by the board of supervisors out of the county general fund upon the filing and presentation of a duly verified claim therefor by the registrar of voters with the board of supervisors of said county.

The salary of the registrar in counties of the fifty-first class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the fifty-second class shall be seventy-five (\$75.00) dollars per annum.

The salary of the registrar in counties of the fifty-third class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the fifty-fourth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the fifty-fifth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the fifty-sixth class shall be twenty-four (\$24.00) dollars per annum.

The salary of the registrar in counties of the fifty-seventh class shall be twenty-four (\$24.00) dollars per annum; provided, further, that in any year when a new registration of voters is required by law, the registrar of voters shall be paid the sum of ten (10c) cents per name for each elector registered by him.

The salary of the registrar in counties of the fifty-eighth class shall be twenty-four (\$24.00) dollars per annum; provided, further, that in any year when a new registration of voters is required by law, the registrar of voters shall be paid the sum of ten cents (10c) per name for each elector registered by him. The compensation of all deputies in this section provided for shall be paid by the said county in equal monthly installments, at the same time, in the same manner, and out of the same fund as the salary of the registrar is paid; and provided, further,

that where the registrar is allowed fees the same shall be allowed on claims duly verified, presented and allowed by the board of supervisors.

In addition to the salaries in this section provided where in any case the county clerk is now allowed fees or compensation or deputies or assistants for the registration of voters, or in the administration of laws relating to elections, such fees, compensation, deputies and assistants shall continue to be received or employed by the registrar of voters, and the right of the county clerk in such case to receive or employ the same shall thereupon cease, except where otherwise provided by law.

SEC. 2. A new section is hereby added to the Political Code of California, to be known and numbered as section 4149f and to read as follows:

4149f. All the powers now or hereafter conferred and the duties now or hereafter

AND WHEREAS, said extraordinary session of the said legislature finally adjourned December 24, 1911, and ninety days having not expired since said final adjournment.

Now, therefore, sufficient qualified electors of the State of California, have presented to the secretary of state this their petition asking that said law and act hereinbefore set forth, so passed by the legislature and approved by the governor, as hereinbefore stated, be submitted to the electors of the State of California for their approval or rejection.

SALARIES AND FEES IN COUNTIES OF THIRD CLASS.

Referendum Measure Submitted Directly to the Electors.

WHEREAS, the legislature of the State of California, in extraordinary session in December, 1911, passed, and the governor of the State of California, on the 10th day of January, 1912, approved a certain law and act, which law and act, together with its title, is in the words and figures following, to wit:

An act to amend section 4232 of the Political Code of California relating to the salaries and fees of officers in counties of the third class.

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

SECTION 1. Section 4232 of the Political Code of California is hereby amended to read as follows:

PROPOSED LAW.

4232. In counties of the third class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries:

1. The county clerk, four thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one judgment clerk, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one assistant judgment clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; six court room deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one index clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one document clerk, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one clerk to the board of supervisors, whose salary is hereby

imposed by law upon county clerks in relation to the conduct, management and control of the registration of voters and in relation to elections, shall be exercised and performed exclusively by such registrar of voters unless otherwise provided by law; and all certificates of nomination, nomination papers or election papers required by law to be filed with, or presented to, the county clerk shall be filed with, or presented to, the registrar of voters, and the deputies or clerks in the office of the registrar of voters, acting under the orders of the registrar of voters, or the election commission, shall have all the powers heretofore exercised by the deputies of the county clerk in matters relating to registration and elections; provided, however, that until the actual exercise of the duties of the office of registrar, under appointment or consolidation, the county clerk shall continue to perform the duties now imposed on him by law with reference to registration and election.

fixed at the sum of fifteen hundred dollars per annum; one deputy, who shall also act as court room clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; four deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; four copyists, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and two stenographers, whose salaries are hereby fixed at the sum of nine hundred dollars per annum each; all the foregoing deputies, clerks, copyists and stenographers, herein provided for, shall be appointed by the clerk of said county, and their salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk.

2. The sheriff, four thousand dollars per annum; provided, that in counties of this class there shall be, and there hereby is, allowed to the sheriff one under-sheriff, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one deputy, who shall be bookkeeper for the sheriff's office, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one deputy, who shall be assistant bookkeeper for the sheriff's office, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one deputy for office, whose salary is hereby fixed at the sum of fifteen hundred dollars per

Eleven

annum; two deputies, who shall be detectives for the sheriff, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two deputies, who shall be transportation men, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; six deputies, who shall be bailiffs, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; one deputy, who shall also act as bailiff, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one stenographer, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one deputy, who shall be chief jailer, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two deputies, who shall be assistant jailers, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; six deputies, who shall be turnkeys at the jail, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; one matron for the jail, whose salary is hereby fixed at the sum of nine hundred dollars per annum; one engineer for the jail, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one assistant engineer for the jail, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; provided, further, that the under-sheriff, all deputies, bookkeepers, office deputy, detectives, transportation men, bailiffs, stenographer, chief jailer, assistant jailers, turnkeys, matron for the jail, engineer and assistant engineer herein provided for shall be appointed by the sheriff and their salaries shall be paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the sheriff; the sheriff shall also receive the amount of money necessarily expended by him in serving all process and notices, and all expenses necessarily incurred by him in the pursuit of criminals, and the same shall be a charge against the county, and allowed as such by the board of supervisors, and paid as other county charges are paid.

3. The recorder, four thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the recorder the following deputies and copyists, who shall be appointed by the recorder of such county, and shall be paid salaries and compensations as follows: One chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; three deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each, and five deputies whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; two deputies, who shall be comparers, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two deputies, who shall be comparers, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; provided, further, that the salary of the chief deputy, and the salaries of the deputies and com-

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parers herein provided for shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the recorder; provided, further, that in counties of this class the recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents and records in his office at the rate of six and three fourths cents per folio for each paper or document so recorded; and provided, further, that said recorder shall file monthly with the county auditor a verified statement showing in detail the persons and the amount paid to each for such recording.

4. The auditor, thirty-six hundred dollars per annum; provided, that in counties of this class there shall be and hereby is allowed to the auditor one chief deputy, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one redemption deputy, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one deputy, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two deputies, who shall be appointed by the auditor of said county, and whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; and one stenographer, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of nine hundred dollars per annum; and such additional assistants as the auditor may appoint, and whose compensation shall not in the aggregate exceed the sum of two thousand dollars per annum; and provided, that the auditor shall file with the county clerk a verified statement showing in detail the amounts paid, and the person to whom said compensation is paid for such extra assistance as aforesaid. The salaries herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the auditor.

5. The treasurer, four thousand dollars per annum; provided, that in counties of this class there shall be, and there hereby is, allowed to the treasurer one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one deputy, whose salary is hereby fixed at the sum of twenty-one hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of eighteen hundred dollars per annum each, which sums shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the treasurer; provided, that the chief deputy and the three deputies herein provided for shall be appointed by the treasurer of said county.

6. The tax collector, four thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the tax col-

lector one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one cashier, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two assistant cashiers, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one chief clerk, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two correspondence clerks, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one bookkeeper, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one state lands clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one stenographer, whose salary is hereby fixed at the sum of nine hundred dollars per annum; provided, further, that there shall be and there hereby is allowed to the tax collector three extra deputies for a period not to exceed eight months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed five months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed four months in any one year, at a salary of one hundred dollars per month each; provided, further, that in counties of this class the tax collector shall appoint six persons to be known as indexers, which office is hereby created, and whose duties it shall be under the supervision and direction of the tax collector to compile, make out, and complete an index of the assessment rolls of the county, and of the sanitary assessment rolls for each sanitary district in the county of Alameda, yearly, commencing with the year nineteen hundred and nine, as soon as said rolls are completed by the assessor of the county and each assessor of said sanitary districts and for each year thereafter. The said indexes to be a public record for use of the tax collector and the general public and to be kept in the office of the tax collector during the collection of taxes and to be turned over to the auditor at the same time as the assessment rolls are turned over in the final settlement of the tax collector with the county auditor. Such indexers shall be paid a salary of one hundred dollars per month each, payable at the same time and in the same manner as other county officers are paid, but such indexers shall not be employed to exceed four months in any one year; provided, further, that the chief deputy, the stenographer and all other deputies herein provided for shall be appointed by the tax collector of said county, and the salaries of said chief deputy, stenographer, and all deputies herein provided for shall be paid by said county during the time which they shall hold office as herein provided at the same time and in the same manner and out of the same fund as the salary of the tax collector.

7. The license collector shall receive fifteen per cent of all licenses collected by him.

8. The assessor, seven thousand dollars per annum; provided, that in coun-

ties of this class there shall be and there hereby is allowed to the assessor the following deputies, who shall be appointed by the assessor and shall be paid salaries as follows: One chief deputy, whose salary is hereby fixed at the sum of three thousand dollars per annum; one head deputy assessor, city department, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one head deputy assessor, country department, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one record deputy assessor, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one mortgage deputy assessor, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one transfer deputy assessor, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one cashier, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one bookkeeper, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; four outside field deputies, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and fifty dollars per month each; three outside field deputies, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and twenty-five dollars per month each; six field deputies, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred dollars per month each; two building inspectors, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; six building inspectors, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and twenty-five dollars per month each; five extra deputies, for a period not to exceed six months in any one year, at a salary of one hundred dollars per month each; ten copyists, for a period not to exceed six months in any one year, at a salary of one hundred dollars per month each; two stenographers, whose salaries are hereby fixed at the sum of nine hundred dollars per annum each; and such additional deputies as the assessor may appoint, and whose compensation shall not, in the aggregate, exceed the sum of forty-five hundred dollars per annum; and provided, that the assessor shall file with the county auditor a verified statement showing, in detail, the amounts paid and the persons to whom such compensation is paid for such extra assistance as aforesaid. The salaries herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid; provided, however, that should the assessor be directed by any law, or by any order of the board of supervisors, or by any municipality within said counties of the third class to prepare maps, plats, or block books for the use of the county, or assessment rolls for the use of any municipality, then said assessor shall make such maps, plats, or block books,

or assessment rolls for the use of any municipality, but shall only receive the actual cost by him incurred in making or preparing said maps, plats or block books; and provided, further, that he shall file with the county auditor a sworn statement showing the persons to whom, and the amounts paid to each for such maps, plats or block books, and he shall account forthwith and pay over to the county any difference between such costs and the amount allowed him for such work; and provided, further, that the salaries herein named shall be in full compensation for all services of every kind and description rendered by the assessor, his deputies and assistants; and it is further provided that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes, nor shall the said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section one thousand nine hundred and one of the Political Code; provided, however, that fifteen per cent of all moneys collected by him for poll taxes, and road poll taxes shall be allowed to such counties on their settlement with the state, and be and remain the property of such counties.

9. The district attorney, four thousand dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the district attorney the following assistant, deputies and employees, who shall be appointed by the district attorney of said county, and who shall be paid salaries as follows: One assistant district attorney, whose salary is hereby fixed at the sum of two hundred and seventy-five dollars per month; one chief deputy district attorney, whose salary is hereby fixed at the sum of two hundred and fifty dollars per month; two deputy district attorneys, whose salaries are hereby fixed at the sum of two hundred and twenty-five dollars per month each; two deputy district attorneys, whose salaries are hereby fixed at the sum of two hundred dollars per month each; two deputy district attorneys, whose salaries are hereby fixed at the sum of one hundred and seventy-five dollars per month each; two deputy district attorneys, whose salaries are hereby fixed at the sum of two hundred dollars per month each, whose duty it shall be, in addition to performing services as deputy district attorneys, to attend the sessions of the police courts in cities of the second class, and conduct, on behalf of the people, all prosecutions for public offenses of which said police courts shall have jurisdiction; one clerk, whose salary is hereby fixed at the sum of one hundred and twenty-five dollars per month; one process server, whose salary is hereby fixed at the sum of one hundred dollars per month; three stenographers, whose salaries are hereby fixed at the sum of seventy-five dollars per month each; one detective, who shall assist the district attorney in the detec-

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tion of crime and prosecution of criminal cases, whose salary is hereby fixed at the sum of one hundred and seventy-five dollars per month; and provided, further, that nothing herein contained shall be construed to prevent the boards of supervisors of counties of this class from employing special counsel when in the judgment of said boards the interests of said county require it. The salaries of said assistants, deputies, clerk, detective, process server, stenographers and special counsel in this subdivision provided for shall be payable by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid.

10. The coroner, four thousand dollars per annum; and his actual and necessary expenses in traveling outside the county seat, which shall be in full compensation for all services rendered by him; provided, further, that in counties of this class there shall be and there is hereby allowed to the coroner one deputy, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, and one stenographer, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum, and who shall be paid, in addition thereto, for transcribing all the testimony and proceedings taken by him at any inquest the sum of fifteen cents per one hundred words for one copy, and ten cents per one hundred words for two copies made at one time; and in every case where the death of any person shall have been caused by the criminal act of another, such stenographer shall make a copy of transcript of the testimony and proceedings taken at such inquest for the use of the district attorney of such county; in all inquests so reported the fees for transcribing, as provided herein, shall be paid out of the county treasury upon the order of the coroner. When such testimony is taken down by such stenographer, as herein set forth, his transcription thereof duly certified by him shall constitute the deposition of the witnesses testifying at such inquest so reported by such stenographer. The deputy and stenographer herein provided for shall be appointed by the coroner and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of county officers in counties of this class. The coroner must hold inquests as prescribed by chapter two, title twelve, part two of the Penal Code, and he, or any other officer holding the inquest upon the body of a deceased person, may subpoena a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or a physician or surgeon to inspect the body or hold a post-mortem examination of the body of the deceased and give a professional opinion as to the cause of death of such deceased, or he may subpoena a physician and surgeon and chemist for the purposes aforesaid.

11. The public administrator, such fees as are now or may be hereafter allowed by law.

12. The superintendent of schools, four thousand dollars per annum; provided, that in counties of this class there shall be and hereby is allowed to the superintendent of schools, one assistant superintendent of schools, one chief deputy superintendent of schools and one deputy superintendent of schools, all of whom shall be appointed by the superintendent of schools of said county, and whose salaries shall be as follows: The salary of the assistant superintendent of schools shall be two hundred dollars per month; the salary of the chief deputy superintendent of schools shall be one hundred and fifty dollars per month; and that of the deputy superintendent of schools shall be one hundred and twenty-five dollars per month. The salaries shall be paid out of the same fund and in the same manner as the salary of the superintendent of schools is paid.

13. The surveyor shall receive a salary of four thousand dollars per annum and may appoint one deputy, which office is hereby created, at a salary of two thousand seven hundred dollars per annum; the salary of such surveyor and such deputy shall be paid by such county in equal monthly installments at the same time and in the same manner and out of the same funds as the salaries of other county officers are paid. All work which the surveyor is directed or charged to perform by law or by order of the board of supervisors of such county shall be performed by said surveyor at actual cost; provided, however, that on all such work, other than block book work hereafter provided for, transit men and office men, when actually engaged on such county work, shall receive a per diem of not to exceed six dollars, and chainmen when actually engaged on such county work, shall receive a per diem of not to exceed three dollars; and provided, further, that whenever the surveyor is charged or directed to make, plat, trace, or otherwise to prepare maps, plat, or block books for the use of a county, city and county, or any municipality within such county, the surveyor may employ one chief draughtsman on such block book work who shall receive a per diem of not to exceed six dollars, and all other employees on such block book work at a per diem not to exceed four dollars; and provided, further, that the surveyor shall be allowed all necessary expenses for work performed for the county by virtue of his office and all necessary expenses and transportation for work performed in the field. The said surveyor shall render to the auditor of said county a monthly sworn statement showing therein the time or nature of work performed, the dates, amount paid to assistants, and paid for expenses. The salary herein fixed for said surveyor shall be in lieu of all other fees, commissions or compensations of whatsoever kind or nature for services performed by said surveyor for said county; provided, however, that the board of supervisors of such county shall have no power to direct the making, platting, tracing or otherwise preparing block books for the county except such as may be necessary to be so prepared to replace

such as are worn out by usage or as shall be necessary to be made because of the subdivision of tracts of land contained in such block books.

14. Justices of the peace shall receive the following monthly salaries, to be paid each month and in the manner and out of the same fund as other county officers are paid, which shall be in full for all services rendered by them in criminal cases:

In townships having a population of more than fifty thousand, two hundred and twenty-five dollars; in townships having a population of twenty-five thousand and less than fifty thousand, two hundred dollars; in townships having a population of fifteen thousand and less than twenty-five thousand, one hundred and fifty dollars; in townships having a population of less than fifteen thousand, seventy-five dollars. In addition to the compensation received in criminal cases, each justice of the peace may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions. Each justice of the peace must keep a book open for the inspection of the public during office hours in which must be entered at once and in detail the amount of all fines collected by him in criminal cases, and on the first Monday of each and every month he must pay such fines so collected into the county treasury or city treasury, as provided by law.

For the purpose of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1910.

15. Constables shall receive the following monthly salaries, to be paid each month and in the same manner and out of the same fund as other county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than fifty thousand, one hundred and fifty dollars; in townships having a population of fifteen thousand and less than fifty thousand, one hundred and twenty-five dollars; in townships having a population of less than fifteen thousand, eighty-five dollars. In addition to the compensation received in criminal cases, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases; provided, that in counties of this class constables shall be and they are hereby allowed such expenses as are actually and necessarily incurred by them in conveying prisoners to and from the county jail; such expenses to be itemized and presented as a claim against the county and to be audited and allowed by the board of supervisors and paid out of the county treasury in the manner as are other claims.

For the purpose of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by

the federal census taken in the year A. D. 1910.

16. Each supervisor, two hundred and twenty-five dollars per month; provided, however, that no mileage of whatever kind or nature shall be charged against the county.

17. The fees of grand jurors and trial jurors in the superior courts of counties of the third class, in civil and criminal cases, shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only.

18. The registrar of voters, three thousand dollars per annum; provided, that in counties of this class there shall be, and there hereby is, allowed to the registrar of voters one deputy, whose salary is hereby fixed at eighteen hundred dollars per annum; provided, further, that in such years as the compilation of a great register of voters is required by law to be made, the registrar of voters, in counties of this class, shall be, and he is hereby, allowed the following additional help: ten clerks, for a period of, and not exceeding, six months, whose salaries are hereby fixed at one hundred dollars per month each; ten clerks, for a

period of, and not exceeding, three months, whose salaries are hereby fixed at one hundred dollars per month each; and provided, further, that when special state or county elections are held the registrar of voters, in counties of this class, shall be, and he is hereby, allowed the following additional help: ten clerks, for a period of, and not exceeding, one month, preceding such election, whose salaries are hereby fixed at one hundred dollars per month each; and provided, further, that if no help is allowed to the registrar of voters under the direct primary law, the registrar of voters, in counties of this class, in such years as a general state direct primary election is held, shall be, and he is hereby, allowed the following additional help: ten clerks, for a period of, and not exceeding, two months immediately next preceding the direct primary election day, whose salaries are hereby fixed at one hundred dollars per month each; such deputy and such clerks shall be appointed by the registrar of voters of said county, and during their respective periods of employment, their salaries shall be paid by such county in equal monthly installments, at the same time and in the same manner, and out of the same fund as is the salary of the registrar of voters of such county.

AND WHEREAS, said extraordinary session of the said legislature finally adjourned December 24, 1911, and ninety days having not expired since said final adjournment,

Now, therefore, sufficient qualified electors of the State of California, have presented to the secretary of state their petition asking that said law and act hereinbefore set forth, so passed by the legislature and approved by the governor, as hereinbefore stated, be submitted to the electors of the State of California for their approval or rejection.

Section 4232, proposed to be amended, now reads as follows:

EXISTING LAW.

4232. In counties of the third class, the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries:

1. The county clerk, four thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the county clerk one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one judgment clerk, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one assistant judgment clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; six court room deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one index clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one document clerk, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one clerk to the board of supervisors, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one registration clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one deputy, who shall also act as court room clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; four deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; four copyists, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and two stenographers, whose salaries are hereby fixed at the sum of nine hundred dollars

Sixteen

per annum each; all the foregoing deputies, clerks, copyists and stenographers, herein provided for, shall be appointed by the clerk of said county, and their salaries shall be paid by the county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the county clerk; provided, further, that in such years as the compilation of a great register of voters is required by law to be made, the county clerk in counties of this class shall be, and he is hereby, allowed the following additional help: Ten clerks for a period of and not exceeding six months, whose salaries are hereby fixed at one hundred dollars per month each; ten clerks for a period of and not exceeding one month, whose salaries are hereby fixed at one hundred dollars per month each; and provided, further, that if no help is allowed to county clerks under the direct primary law, the county clerk in counties of this class, in such years as a general state direct primary election is held, shall be and he is hereby allowed the following additional help: Ten clerks for a period of and not exceeding two months immediately next preceding the direct primary election day, whose salaries are hereby fixed at one hundred dollars per month each; such clerks shall be appointed by the county clerk of said county, and during their respective periods of employment their salaries shall be paid by such county in equal monthly installments, at the same time and in the same manner and out of the same fund as is the salary of the county clerk of such county.

2. The sheriff, four thousand dollars per annum; provided, that in counties of this class there shall be, and there hereby is, allowed to the sheriff one under-sheriff, whose salary is hereby fixed at the sum of twenty-four hundred dollars per an-

num; one deputy, who shall be bookkeeper for the sheriff's office, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one deputy, who shall be assistant bookkeeper for the sheriff's office, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one deputy for office, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two deputies, who shall be detectives for the sheriff, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two deputies who shall be transportation men, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; six deputies, who shall be bailiffs, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; one deputy, who shall also act as bailiff, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one stenographer, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one deputy, who shall be chief jailer, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two deputies, who shall be assistant jailers, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; six deputies, who shall be turnkeys at the jail, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; one matron for the jail, whose salary is hereby fixed at the sum of nine hundred dollars per annum; one engineer for the jail, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one assistant engineer for the jail, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; provided, further, that the under-sheriff, all deputies, bookkeepers, office deputy, detectives, transportation-men, bailiffs, stenographer, chief jailer, assistant jailers, turnkeys, matron for the jail, engineer and assistant engineer herein provided for shall be appointed by the sheriff and their salaries shall be paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the sheriff; the sheriff shall also receive the amount of money necessarily expended by him in serving all process and notices, and all expenses necessarily incurred by him in the pursuit of criminals, and the same shall be a charge against the county, and allowed as such by the board of supervisors, and paid as other county charges are paid.

3. The recorder, four thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the recorder the following deputies and copyists, who shall be appointed by the recorder of such county, and shall be paid salaries and compensations as follows: One chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; three deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each, and five deputies whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; two deputies, who shall be comparers, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; two deputies, who shall be comparers, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; provided, further, that the salary of the chief deputy, and the salaries of the deputies and comparers herein provided for shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the recorder; provided, further, that in counties of this

class the recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents and records in his office at the rate of six and three fourths cents per folio for each paper or document so recorded; and provided, further, that said recorder shall file monthly with the county auditor a verified statement showing in detail the persons and the amount paid to each for such recording.

4. The auditor, thirty-six hundred dollars per annum; provided, that in counties of this class there shall be and hereby is allowed to the auditor one chief deputy, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one redemption deputy, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one deputy, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two deputies, who shall be appointed by the auditor of said county, and whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each; and one stenographer, who shall be appointed by the auditor of said county, and whose salary is hereby fixed at the sum of nine hundred dollars per annum; and such additional assistants as the auditor may appoint, and whose compensation shall not in the aggregate exceed the sum of two thousand dollars per annum; and provided, that the auditor shall file with the county clerk a verified statement showing in detail the amounts paid, and the person to whom said compensation is paid for such extra assistance as aforesaid. The salaries herein provided for shall be paid by the said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the auditor.

5. The treasurer, four thousand dollars per annum; provided, that in counties of this class there shall be, and there hereby is, allowed to the treasurer one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one deputy, whose salary is hereby fixed at the sum of twenty-one hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of eighteen hundred dollars per annum each, which sums shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the treasurer; provided, that the chief deputy and the three deputies herein provided for shall be appointed by the treasurer of said county.

6. The tax collector, four thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the tax collector one chief deputy, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum; one cashier, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two assistant cashiers, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one chief clerk, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; two correspondence clerks, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; one bookkeeper, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one state lands clerk, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one stenographer, whose salary is hereby fixed at the sum of nine hundred dollars per annum; provided, further, that

there shall be and there hereby is allowed to the tax collector three extra deputies for a period not to exceed eight months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed five months in any one year, at a salary of one hundred dollars per month each; six extra deputies for a period not to exceed four months in any one year, at a salary of one hundred dollars per month each; provided, further, that in counties of this class the tax collector shall appoint six persons to be known as indexers, which office is hereby created, and whose duties it shall be under the supervision and direction of the tax collector to compile, make out, and complete an index of the assessment rolls of the county, and of the sanitary assessment rolls for each sanitary district in the county of Alameda, yearly, commencing with the year nineteen hundred and nine, as soon as said rolls are completed by the assessor of the county and each assessor of said sanitary districts and for each year thereafter. The said indexes to be a public record for use of the tax collector and the general public and to be kept in the office of the tax collector during the collection of taxes and to be turned over to the auditor at the same time as the assessment rolls are turned over in the final settlement of the tax collector with the county auditor. Such indexers shall be paid a salary of one hundred dollars per month each, payable at the same time and in the same manner as other county officers are paid, but such indexers shall not be employed to exceed four months in any one year; provided, further, that the chief deputy, the stenographer and all other deputies herein provided for shall be appointed by the tax collector of said county, and the salaries of said chief deputy, stenographer, and all deputies herein provided for shall be paid by said county during the time which they shall hold office as herein provided at the same time and in the same manner and out of the same fund as the salary of the tax collector.

7. The license collector shall receive fifteen per cent of all licenses collected by him.

8. The assessor, seven thousand dollars per annum; provided, that in counties of this class there shall be and there hereby is allowed to the assessor the following deputies, who shall be appointed by the assessor and shall be paid salaries as follows: One chief deputy, whose salary is hereby fixed at the sum of three thousand dollars per annum; one head deputy assessor, city department, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one head deputy assessor, country department, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one record deputy assessor, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; one mortgage deputy assessor, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one transfer deputy assessor, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; one cashier, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum; one bookkeeper, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; four outside field deputies, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and fifty dollars per month each; three outside field deputies, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and twenty-five dollars per month each; six field deputies, for a period not to exceed

Eighteen

six months in any one year, whose salaries are hereby fixed at the sum of one hundred dollars per month each; two building inspectors, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each; six building inspectors, for a period not to exceed six months in any one year, whose salaries are hereby fixed at the sum of one hundred and twenty-five dollars per month each; five extra deputies, for a period not to exceed six months in any one year, at a salary of one hundred dollars per month each; ten copyists, for a period not to exceed six months in any one year, at a salary of one hundred dollars per month each; two stenographers, whose salaries are hereby fixed at the sum of nine hundred dollars per annum each; and such additional deputies as the assessor may appoint, and whose compensation shall not, in the aggregate, exceed the sum of forty-five hundred dollars per annum; and provided, that the assessor shall file with the county auditor a verified statement showing, in detail, the amounts paid and the persons to whom such compensation is paid for such extra assistance as aforesaid. The salaries herein provided for shall be paid by the said county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the assessor is paid; provided, however, that should the assessor be directed by any law, or by any order of the board of supervisors, or by any municipality within said counties of the third class to prepare maps, plats, or block books for the use of the county, or assessment rolls for the use of any municipality, then said assessor shall make such maps, plats, or block books, or assessment rolls for the use of any municipality, but shall only receive the actual cost by him incurred in making or preparing said maps, plats or block books, and provided, further, that he shall file with the county auditor a sworn statement showing the persons to whom, and the amounts paid to each for such maps, plats or block books, and he shall account forthwith and pay over to the county any difference between such costs and the amount allowed him for such work; and provided, further, that the salaries herein named shall be in full compensation for all services of every kind and description rendered by the assessor, his deputies and assistants; and it is further provided that in counties of this class the assessor shall receive no commission for his collection of taxes on personal property, nor shall such assessor receive any compensation or commission for the collection of poll taxes or road poll taxes, nor shall the said assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section one thousand nine hundred and one of the Political Code; provided, however, that fifteen per cent of all moneys collected by him for poll taxes, and road poll taxes shall be allowed to such counties on their settlement with the state, and be and remain the property of such counties.

9. The district attorney, four thousand dollars per annum; provided, that in counties of this class there shall be and there is hereby allowed to the district attorney the following assistant, deputies and employees, who shall be appointed by the district attorney of said county, and who shall be paid salaries as follows: One assistant district attorney, whose salary is hereby fixed at the sum of two hundred and seventy-five dollars per month; one chief deputy district attorney, whose salary is hereby fixed at the sum of two hundred and fifty dollars per month; two deputy district attorneys, whose salaries are hereby fixed at the

sum of two hundred and twenty-five dollars per month each; two deputy district attorneys, whose salaries are hereby fixed at the sum of two hundred dollars per month each; two deputy district attorneys, whose salaries are hereby fixed at the sum of one hundred and seventy-five dollars per month each; two deputy district attorneys, whose salaries are hereby fixed at the sum of two hundred dollars per month each, whose duty it shall be, in addition to performing services as deputy district attorneys, to attend the sessions of the police courts in cities of the second class, and conduct, on behalf of the people, all prosecutions for public offenses of which said police courts shall have jurisdiction; one clerk, whose salary is hereby fixed at the sum of one hundred and twenty-five dollars per month; one process server, whose salary is hereby fixed at the sum of one hundred dollars per month; three stenographers, whose salaries are hereby fixed at the sum of seventy-five dollars per month each; one detective, who shall assist the district attorney in the detection of crime and prosecution of criminal cases, whose salary is hereby fixed at the sum of one hundred and seventy-five dollars per month; and provided, further, that nothing herein contained shall be construed to prevent the boards of supervisors of counties of this class from employing special counsel when in the judgment of said boards the interests of said county require it. The salaries of said assistants, deputies, clerk, detective, process server, stenographers and special counsel in this subdivision provided for shall be payable by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid.

10. The coroner, four thousand dollars per annum; and his actual and necessary expenses in traveling outside the county seat, which shall be in full compensation for all services rendered by him; provided, further, that in counties of this class there shall be and there is hereby allowed to the coroner one deputy, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, and one stenographer, whose salary is hereby fixed at the sum of twenty-four hundred dollars per annum, and who shall be paid, in addition thereto, for transcribing all the testimony and proceedings taken by him at any inquest the sum of fifteen cents per one hundred words for one copy, and ten cents per one hundred words for two copies made at one time; and in every case where the death of any person shall have been caused by the criminal act of another, such stenographer shall make a copy of transcript of the testimony and proceedings taken at such inquest for the use of the district attorney of such county; in all inquests so reported the fees for transcribing, as provided herein, shall be paid out of the county treasury upon the order of the coroner. When such testimony is taken down by such stenographer, as herein set forth, his transcription thereof duly certified by him shall constitute the deposition of the witnesses testifying at such inquest so reported by such stenographer. The deputy and stenographer herein provided for shall be appointed by the coroner and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of county officers in counties of this class. The coroner must hold inquests as prescribed by chapter two, title twelve, part two of the Penal Code, and he, or any other

officer holding the inquest upon the body of a deceased person, may subpoena a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or a physician or surgeon to inspect the body or hold a post-mortem examination of the body of the deceased and give a professional opinion as to the cause of death of such deceased, or he may subpoena a physician and surgeon and chemist for the purposes aforesaid.

11. The public administrator, such fees as are now or may be hereafter allowed by law.

12. The superintendent of schools, four thousand dollars per annum; provided, that in counties of this class there shall be and hereby is allowed to the superintendent of schools, one assistant superintendent of schools, one chief deputy superintendent of schools and one deputy superintendent of schools, all of whom shall be appointed by the superintendent of schools of said county, and whose salaries shall be as follows: The salary of the assistant superintendent of schools shall be two hundred dollars per month; the salary of the chief deputy superintendent of schools shall be one hundred and fifty dollars per month; and that of the deputy superintendent of schools shall be one hundred and twenty-five dollars per month. The salaries shall be paid out of the same fund and in the same manner as the salary of the superintendent of schools is paid.

13. The surveyor shall receive a salary of four thousand dollars per annum and may appoint one deputy, which office is hereby created, at a salary of two thousand seven hundred dollars per annum, the salary of such surveyor and such deputy shall be paid by such county in equal monthly installments at the same time and in the same manner and out of the same funds as the salaries of other county officers are paid. All work which the surveyor is directed or charged to perform by law or by order of the board of supervisors of such county shall be performed by said surveyor at actual cost; provided, however, that on all such work, other than block book work hereafter provided for, transit men and office men, when actually engaged on such county work, shall receive a per diem of not to exceed six dollars, and chainmen when actually engaged on such county work, shall receive a per diem of not to exceed three dollars; and provided, further, that whenever the surveyor is charged or directed to make, plat, trace, or otherwise to prepare maps, plat, or block books for the use of a county, city and county, or any municipality within such county, the surveyor may employ one chief draughtsman on such block book work who shall receive a per diem of not to exceed six dollars, and all other employees on such block book work at a per diem not to exceed four dollars; and provided, further, that the surveyor shall be allowed all necessary expenses for work performed for the county by virtue of his office and all necessary expenses and transportation for work performed in the field. The said surveyor shall render to the auditor of said county a monthly sworn statement showing therein the time or nature of work performed, the dates, amount paid to assistants, and paid for expenses. The salary herein fixed for said surveyor shall be in lieu of all other fees, commissions or compensations of whatsoever kind or nature for services performed by said surveyor for said county; provided, however, that the board of supervisors of such county shall have no power to direct the making, platting, tracing or otherwise preparing block books for the county except such as may be necessary to be so prepared to

replace such as are worn out by usage or as shall be necessary to be made because of the subdivision of tracts of land contained in such block books.

14. Justices of the peace shall receive the following monthly salaries, to be paid each month and in the manner and out of the same fund as other county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than fifty thousand, two hundred and twenty-five dollars; in townships having a population of twenty-five thousand and less than fifty thousand, two hundred dollars; in townships having a population of fifteen thousand and less than twenty-five thousand, one hundred and fifty dollars; in townships having a population of less than fifteen thousand, seventy-five dollars. In addition to the compensation received in criminal cases, each justice of the peace may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil actions. Each justice of the peace must keep a book open for the inspection of the public during office hours in which must be entered at once and in detail the amount of all fines collected by him in criminal cases, and on the first Monday of each and every month he must pay such fines so collected into the county treasury or city treasury, as provided by law.

For the purpose of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1910.

15. Constables shall receive the following monthly salaries, to be paid each month and in the same manner and out of the same fund as other county officers

are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than fifty thousand, one hundred and fifty dollars; in townships having a population of fifteen thousand and less than fifty thousand, one hundred and twenty-five dollars; in townships having a population of less than fifteen thousand, eighty-five dollars. In addition to the compensation received in criminal cases, each constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases; provided, that in counties of this class constables shall be and they are hereby allowed such expenses as are actually and necessarily incurred by them in conveying prisoners to and from the county jail; such expenses to be itemized and presented as a claim against the county and to be audited and allowed by the board of supervisors and paid out of the county treasury in the manner as are other claims.

For the purpose of this section, the population of townships in counties of this class is hereby determined to be the population of such townships as shown by the federal census taken in the year A. D. 1910.

16. Each supervisor, two hundred and twenty-five dollars per month; provided, however, that no mileage of whatever kind or nature shall be charged against the county.

17. The fees of grand jurors and trial jurors in the superior courts of counties of the third class, in civil and criminal cases, shall be three dollars, in lawful money of the United States, for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only.

ARGUMENT IN FAVOR OF STATUTE CREATING THE OFFICE OF REGISTRAR OF VOTERS IN COUNTIES.

This is an attempt to invoke the referendum for a purpose never intended. A more flagrant abuse of the referendum would be hard to imagine. The law which the electors of the state are asked to nullify, while general in its terms in order to comply with constitutional requirements, applies practically to Alameda county alone, and concerns the people of this county alone, as by amending section 4017 of the Political Code we have provided a means whereby the board of supervisors of any county in the state may consolidate the office of registrar with that of either county clerk, auditor or recorder in case they decide a registrar of voters is not needed in their county on account of the small registration.

It was approved by the entire legislative delegation of Alameda county, and was deemed necessary in order to put an end to the use of the registration machinery in Alameda county to further personal political ends.

It was to prevent abuses of this character that the act to create a registrar of voters was passed. The registration in

Alameda county is now a valuable adjunct of a private political bureau and is conducted in many instances to further the ends of a machine which seeks to control the county government of Alameda county. The registration of voters should be clean and honest, whatever the cost, since clean and honest registration is the basis of good government by and for the people. Separating the registration from the business of the county clerk's office will add very little, if any, to the cost of government, and need not affect the taxpayers of any other county. The people of Alameda county claim the right to manage their own affairs, and the passage of this law was an attempt to place it in charge of an officer specially qualified to properly perform the duty.

The necessity for this legislation, particularly as regards Alameda county, was considered so urgent by the governor of the state that he included it in his call for the extra session of the legislature as one of the questions to be acted upon by the legislature.

EDWARD J. TYBRELL,
State Senator, Oakland, California.

ARGUMENT AGAINST STATUTE CREATING THE OFFICE OF REGISTRAR OF VOTERS IN COUNTIES.

1. Amending section 4013 of the Political Code by creating the additional office of Registrar of Voters in all counties.
2. Adding sections 4149e and 4149f, to Political Code by providing for the salaries and compensation of the Registrar of Voters in all counties.
3. Amending section 4232, Political Code, by providing for the salary and assistants of the Registrar of Voters for Alameda County.

The foregoing bills are three of a series of five bills passed at the last extra session of the legislature in an effort to create the office of registrar of voters in all counties of the state, the said registrar to be appointed by the board of supervisors, not to be elected by the people. The first bill creates the office of registrar and designates it as a county office; the second fixes the salary of the officer in each county of the state, while the third fixes the salary of the office in the county of Alameda. All three bills are referred to the people for their approval or disapproval.

These bills were all fathered by the Alameda county delegation in the legislature, and were originally intended to apply only to Alameda county. In order to comply with the provisions of the constitution, however, it became necessary to make the legislation general, and in the final bill all counties of the state are included. I make the statement without fear of contradiction that the legislation was effected simply in a desire to obtain control of the machinery and patronage of the office of county clerk of Alameda county, the incumbent of that office, John P. Cook, being distasteful to the leaders of the Alameda county legislative delegation.

A perusal of the bill applying to the various counties of the state will demonstrate the limits to which a legislative body will go in an effort to strike at the patronage of an individual elective office holder.

The real purpose of these measures being to take the registration of voters out of the hands of the clerk of Alameda county, and the bills chiefly and primarily affecting said county, and being of little or no interest to the other counties of the state, the attitude and wishes of the citizens of Alameda county should have much weight in determining the course of the voters throughout the state with reference to these measures.

That the people of Alameda county

are satisfied with John P. Cook's management of registration affairs is best evidenced by the fact that they have three times elected him their county clerk, each time with an increased majority. At the last election his majority was 13,000, while at the same election Governor Johnson carried the county by slightly over 5,000 votes. That they desire the clerk's office to continue in charge of registration affairs is further evidenced by the fact that out of a then total of 27,000 registrations at the time these referendum petitions were circulated over 22,000 Alamedans signed all three of such petitions.

The salary of the registrar in the county of Alameda is fixed at \$3,000 per year, while in the county of Los Angeles, with at least twice the volume of work to be done, the salary is fixed at the ridiculous amount of \$24 per year or \$2 per month. Santa Clara county fixed at \$24 a year, Fresno county at \$24 per year.

An analysis of the bill shows that of the fifty-seven counties of the state, exclusive of San Francisco, the salary of the registrar is fixed as follows:

In thirty-six counties each \$24 per year.
In one county \$75 per year.
In six counties each \$100 per year.
In two counties each \$250 per year.
In two counties each \$300 per year.
In one county \$360 per year.
In one county \$400 per year.
In two counties \$500 per year.
In two counties \$600 per year.
In one county \$700 per year.
In one county \$840 per year.
In one county \$1,200 per year.
In Alameda county \$3,000 per year.

Such glaring inconsistencies are clearly in open violation of the requirements of the state constitution that the "state legislature must regulate the salaries of all county officers in proportion to their duties," and it seems inconceivable that a legislator, whatever his personal malice or grudge, would dare to face the people as the author of such an abortive measure. It would be impossible for him to justify it.

The voters should show their disapproval of such legislation by voting "No" on these three propositions.

A. L. FRICK.

CONSOLIDATED CITY AND COUNTY GOVERNMENTS.

Initiative Measure Submitted Directly to the Electors.

Proposition to amend Section 7 of Article XI of the Constitution of the State of California, relating to the formation of consolidated city and county governments.

Electors of the State of California, hereby propose to the people of the State of California that Section 7 of Article XI of the Constitution of the State of California,

Twenty-one

relating to the formation of consolidated city and county governments, be amended so as to read as follows:

PROPOSED LAW.

Section 7. General laws may provide for the merging and consolidating of contiguous territory of two or more cities, or cities and counties, or counties or any part of any county or counties, containing in the aggregate in the proposed merged or consolidated territory a population of at least 350,000, into one consolidated city and county government. No city or town shall become a part of such city and county unless a majority of the qualified voters of such city or town, voting thereon at a general or special election, shall approve such consolidation and at a subsequent general or special election shall also adopt a proposed freeholders' charter for such new consolidated city and county, nor shall any city or town be divided by such consolidation, nor shall any county be included in or divided by such consolidation, unless a majority of the qualified voters of such entire county voting thereon at a general or special election shall vote in favor thereof. The charter so adopted may provide for a borough system of government, by which the different municipalities so uniting for general municipal purposes shall nevertheless retain and exercise such special municipal powers as the charter may provide. The provisions of this constitution, applicable to cities, and also those applicable to counties, so far as not inconsistent or prohibited to cities, shall be applicable to such consolidated governments. The provisions of this article as to the removal of county seats and the formation of new counties shall not apply to the formation of such consolidated city and county governments, and general laws may provide for the removal of county seats made necessary by the formation of such consolidated city and county government, and for the change of county boundaries in case the electors of the portion of the territory of any county not included in such consolidated city and county desire to organize as a new county or become a part of an adjoining county. Such new consolidated city and county shall be liable for a just proportion of the existing debts and liabilities of the county or counties included in whole or in part in such new consolidated city and county, and shall be entitled to a just proportion of the property of such county or counties, and

until such proportion is determined by law such new consolidated city and county shall be entitled to the use of any property of such county or counties situated within the limits of such new consolidated city and county, and such county or counties shall be entitled to the use of any property of such county or counties situated without the limits of such new consolidated city and county. Such new consolidated government shall also be liable for all the existing debts and liabilities of any municipal corporation merged therein, but provision shall be made for the payment of all outstanding bonds of such municipalities respectively by taxes levied only upon property assessable therefor, and situate at the time of such levy within the territory of such municipalities respectively as such territory existed at the time of such consolidation. General laws may provide for the organization of county governments and for the holding and territorial jurisdiction of superior courts in the remainder of any county whenever territory consolidated into a city and county government under the provisions hereof shall include the county seat of any county, such organization of county governments, and such holding and jurisdiction of superior courts to continue until such time as the same is otherwise provided for by law. The charter of such new consolidated city and county government shall provide for the places of holding sessions of the superior courts and of all inferior courts exercising jurisdiction therein.

Section 7 of article XI proposed to be amended as above now reads as follows:

EXISTING LAW.

SEC. 7. *City and county governments may be merged and consolidated into one municipal government, with one set of officers, and may be incorporated under general laws providing for the incorporation and organization of corporations for municipal purposes.* The provisions of this constitution applicable to cities, and also those applicable to counties, so far as not inconsistent or prohibited to cities, shall be applicable to such consolidated government. [Amendment adopted November 6, 1894.]

ARGUMENT IN SUPPORT OF CONSTITUTIONAL AMENDMENT FOR THE FORMATION OF CONSOLIDATED CITY AND COUNTY GOVERNMENTS.

This amendment has been prepared by representatives of Los Angeles and the communities around San Francisco bay to permit the formation of consolidated city and county governments. That is the present form of government of San Francisco, Chicago, New York and other metropolitan communities, and is the recognized type of government for large cities. Duplication of officials and con-

sequent expense, division of responsibility and consequent neglect of duties, is thus avoided. Home rule is established and legislative interference in local affairs avoided.

Under the present law, any city or town may annex outlying territory or consolidate with neighboring cities or towns, but San Francisco, being a consolidated city and county, can not under

the present laws extend its territory or consolidate with other communities. While Los Angeles, Oakland, San José, Fresno, Richmond, Sacramento, and almost all other cities in the state have extended their territory, the boundaries of San Francisco have not been changed since 1856. If adjoining communities desire to consolidate with San Francisco, they should be permitted to do so, and this amendment will enable the legislature to pass laws under which this can be done. This disability under which San Francisco is laboring, and under which Los Angeles will labor if it desires to become a consolidated city and county, should be removed by the adoption of this amendment.

The adoption of this amendment does not involve your approval of the idea of a Greater San Francisco, a Greater Los Angeles, or any other definite plan of consolidation. It does, however, make such plan possible if desired by the communities proposed to be included therein.

It is, unfortunately, necessary in view of the announced opposition to the amendment in certain quarters, to say that the claim that the amendment will permit San Francisco to "gobble up" other cities is a wilful misstatement of the language and effect of the proposed amendment. No city, however large, can consolidate with any other city, however small, under this amendment without its consent, and even after it has consented by a vote of its people the consolidation is not effective until such city has approved the charter of the consolidated city and county at a separate election called for that purpose. No city can be divided by the consolidation and no county can be divided without the consent of the entire county. The fact is that opponents of the amendment are unwilling to permit the people of their cities to express their own wishes as to such consolidation. Reading the amendment will show conclusively that it gives every city a fair opportunity to determine for itself whether it desires to consolidate with another, at two separate elections. The people are best able to decide such questions for themselves, and we need have no fear but that they will

decide wisely, especially in governmental matters.

Another equally unfounded suggestion is that San Francisco desires to consolidate with other cities so as to compel such cities to help pay its bonded indebtedness. On the contrary, the amendment expressly provides that each city after the consolidation shall pay its own bonds.

It is also asserted that by this amendment San Francisco can "dismember" adjoining counties. In reply to this it is sufficient to say that the amendment expressly provides that no county shall be divided without a vote of the people of the entire county in favor thereof, and it is confidently believed that the people of a county are the best judges of the propriety of dividing the county.

If Los Angeles and her neighboring cities desire to join forces as a consolidated city and county, they can safely be trusted to frame a charter for their government. If the cities around San Francisco bay decide to join forces, likewise, they can be relied upon to frame a charter which will give due protection to every community, and to contend that the people of any city included in such consolidation can not be relied upon to insist upon a charter which will give that city or borough control of its own water front and other local matters is to impeach the intelligence of her people.

The metropolitan areas of San Francisco and Los Angeles are important factors to the State of California. Their prosperity and growth represent the prosperity and growth of the state at large. According to the United States census, they represented in 1910 a combined population of over one million. They should be permitted if they so desire to govern themselves under the most approved form of government and such as has been found so effective and economical in other great metropolitan centers. They should be permitted likewise to save the expenses of numerous smaller governments which can readily be consolidated into one.

Dated, Los Angeles, Cal., August 24, 1912.

LESLIE R. HEWITT.
State Senator, Thirty-eighth District,
Los Angeles County.

ARGUMENT AGAINST CITY AND COUNTY CONSOLIDATION.

The amendment to section 7, article XI of the constitution of the State of California, placed on the ballot by initiative petition, the signatures to which were obtained by the "Greater San Francisco Consolidation Association," through paid canvassers and the employment of agencies making a business of getting signers at a given rate per name, should be defeated, because:

First—It is special legislation of the most vicious sort, repugnant to the intent of the constitution, for the reason that San Francisco is the only city that could avail itself of the privilege of crossing county lines, to annex new areas, while Los Angeles is the only other city that could annex or consolidate "contiguous territory" under the new conditions imposed.

Second—This amendment breaks down the present constitutional defense of the territorial integrity of counties, as the local administrative units of the state government, and facilitates their division and dismemberment. By superseding provisions of the present constitution relating to division of counties, the formation of new counties, and the boundaries of the same, it leads to endless confusion, because, instead of a two-thirds vote, the division of a county may be brought about by a majority of the votes cast.

Third—It is a measure that would contribute to increase the political power and prestige of the San Francisco machine to such an extent that that city would be able to dominate the political situation in the State of California as completely and effectively as does Tammany Hall and Greater New York the entire State of New York.

Fourth—This amendment, if adopted, will make it possible for San Francisco and Los Angeles to acquire political predominance and control nineteen out of forty votes in the senate, and thirty-eight out of eighty votes in the assembly, requiring a trade for but two senators and three assemblymen, in addition to their combined vote, to control absolutely the legislature of the State of California.

Fifth—If the present constitution is changed, as proposed, it will confront progressive and self-governing cities with the menace of the constant agitation of annexation, thus disturbing confidence and interfering with investment and enterprise.

Sixth—It would open the way for San Francisco to secure absolute monopoly and control of one hundred and twenty-seven miles of water front—practically all of the commercial water front of both sides of the bay—retarding harbor improvements in Oakland, Alameda, Berkeley, and Richmond, and defeat or delay the construction of modern docks and wharves, while making it possible for adverse interests to throttle competition in ocean commerce, to the serious financial disadvantage of consumers and producers in a large part of the State of California, and to practically nullify the advantages to the people, of the completion of the Panama Canal.

Seventh—There is in the past history of San Francisco no guaranty of honesty and efficiency in the administration of its own affairs, that would justify the voters of California in removing the present constitutional barrier against annexation across county lines and permit it to invade four counties, subvert the government of more than thirty independent and progressive cities, deprive them of their local initiative, paralyze their growth and dwarf their civic development, by turning over to that city the deep water terminals in the intelligent management of which all California is interested.

Eighth—Through the adoption of this amendment, San Francisco seeks the assistance of the voters of the entire State of California in its effort to strike at the prosperity of cities situated on the east shore of the bay of San Francisco, which it regards as rivals and competitors. It sets up the false pretense of a sham "consolidation by consent," while it makes possible a campaign of coercion, colonization, intimidation, and misrepresentation.

Ninth—The motive and inspiration for this measure is to be found in the fact that it would enable San Francisco by a simple majority of the votes cast, to annex Oakland, Alameda, Berkeley, Richmond, Redwood City, San Rafael, and a score of other cities in the four counties of Alameda, Contra Costa, Marin, and San Mateo, and appropriate their taxable resources and surplus bonding capacity; also to saddle upon them the staggering burden of a bonded indebtedness, from the expenditure of which they would derive no direct benefit. San Francisco has already voted bonds in the sum of \$4,981,000, or more than \$8,300,000 beyond its legal capacity, exclusive of the proposed purchase of the Spring Valley Water Company's plant for \$38,500,000. Participation in liability for this debt would arrest the progress and prosperity of cities through whose independent commercial development and competition the state at large is greatly benefited. To authorize San Francisco to appropriate the natural, financial, assessable and commercial resources of such communities, by the adoption of this amendment, would be a state-wide calamity.

W. E. GIBSON,
President, Oakland Chamber of Commerce.

RACING COMMISSION AND HORSE RACING.

Initiative Measure Submitted Directly to the Electors.

WHEREAS, it is the desire of all racing and breeding associations of horses in the State of California to prohibit bookmaking upon horse races, or any other event, and to prevent the conducting or maintaining of pool rooms in the State of California; and

WHEREAS, it is also the desire of many persons engaged in the breeding of blooded stock, and the owners of breeding farms in the State of California, to foster and encourage the enterprise and business of breeding and racing blooded horses, and to encourage capital in the investment in such enterprises in the State of California: and

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WHEREAS, to that end an amendment to the existing laws of the State of California is deemed desirable:

Duly registered and qualified electors of the State of California, by their petition did petition and propose the adoption of the following law, under the initiative provisions of the constitution of the State of California:

PROPOSED LAW.

An act to prohibit bookmaking and pool-selling, and to provide for the appointment of a state racing commission to grant licenses for horse racing in the State of California, for a limited period, and the permitting of wagering upon such races by the Paris mutual and auction pool systems only.

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

Section 1. Any association or corporation formed for the purpose of racing and breeding or improving or encouraging the breed of horses and conducting races and contests of speed between horses, shall have the right and power, subject to the provisions of this act, to hold one or more race meetings in each year, and to hold, maintain and conduct horse races at such meetings. At such meetings the corporation or association or the owners of the horses engaged in such races, or others who are not participants in the racing, may contribute purses, prizes, premiums or stakes to be contested for, but no person or persons other than the owners of a horse or horses contesting in a race shall have any pecuniary interest in a purse, prize, premium or stakes contested for in such races or be entitled to or receive any portion thereof after such races shall have been finished.

Sec. 2. A state racing commission is hereby established to consist of five persons to be appointed by the governor within twenty days after this law shall be in force, all of whom shall have been breeders and raisers of horses for five years preceding their appointment, none of whom shall be an officer in any corporation or association or race track engaged in giving race meetings. The members of said commission shall hold their offices for four years.

Sec. 3. Such commission shall appoint a secretary, who shall hold such office during the pleasure of the commission. The duty of such secretary shall be to keep a full and faithful record of the proceedings of the commission and preserve at its general office all books, maps, documents and papers entrusted to its care, and perform such other duties as the commission shall prescribe. He shall be paid a salary to be fixed by the commission at a rate not exceeding eighteen hundred dollars per annum, which shall be paid by such racing corporations or associations who shall obtain licenses from said commission, the amounts to be paid by each to be apportioned by the commission, which shall on or before the first day of January of each year assess upon each of said corporations or associations its proportion of such salary. The commission shall biennially make a full report to the governor of its proceedings for the two-year period ending with the first day of January preceding the meeting of the legislature. All other expenses

of the said racing commission shall be paid by the racing corporations or associations obtaining licenses under this act, and shall be pro-rated in the same manner. Said commission shall have the power to make rules, regulations and conditions which shall govern the actual trotting, pacing and running races held upon the track of any corporation or association who shall obtain a license under the provisions of this act.

Sec. 4. Any association or corporation formed for the purpose of raising and breeding or improving or encouraging the breed of horses and conducting races and contests of speed, shall have the power and right, subject to the provisions of this act, to hold one or more race meetings in each year, and to hold, maintain and conduct pacing, trotting and running races at such meetings. No races are authorized or shall be permitted between sunset and sunrise, or on Sundays.

Sec. 5. No such races shall be conducted except by a corporation or association duly licensed by said commission as herein provided. Licenses shall be granted by said commission to such corporations and associations to hold races or race meetings for such period of time as such corporations and associations shall desire, but not to exceed one hundred days in any calendar year in any one county in this state. No one corporation or association shall hold race meetings to exceed in the aggregate one hundred days within the boundaries of this state during any calendar year. The commission shall not issue licenses permitting running races between horses to be conducted in any one county in this state for a period exceeding one hundred days per calendar year.

In the event that the said commission should refuse any such license, the said commission shall publicly state its reasons for so doing, and said reasons shall be written in full in the minute book of said commission, which shall at all times be subject to inspection upon application by any one desiring so to do, and said finding of said commission shall be subject to review by courts of general jurisdiction of this state, and the revocation of any license by said commission shall likewise be subject to the review of the courts of this state. No association or corporation shall be entitled to a license who shall violate any of the provisions of this act, and the said commission may, by a majority vote, rescind and revoke any license granted to any association or corporation who shall violate the provisions of this act, after a fair and impartial hearing.

Sec. 6. Every race meeting held or conducted, except as allowed by this act, is hereby declared to be a public nuisance, and every person acting or aiding therein is punishable by imprisonment in the county jail or in the state prison for a period of not less than thirty days, and

not exceeding one year, and in addition thereto in a suit brought for that purpose by the said racing commission in the superior court of the county where it may be proposed to conduct such unauthorized racing, an injunction may be obtained against the same.

Sec. 7. The provisions of this act relative to the payment to the said racing commission of proportionate moneys to pay the entire expenses of conducting said commission shall not apply to race meetings conducted by any state fair association, or agricultural society, or county fair, or any association to which state aid is given, who shall hold a meeting for a period of not exceeding ten days.

Sec. 8. Every person,

1. Who engages in pool-selling or book-making, with or without writing, at any time or place; or

2. Who, whether for gain, hire, reward, or gratuitously, or otherwise, keeps or occupies, for any period of time whatsoever, any room, shed, tenement, tent, booth, building, float, vessel, place, stand or enclosure, of any kind, or any part thereof, with a book or books, paper or papers, apparatus, device or paraphernalia, for the purpose of recording or registering any bet or bets, or any purported bet or bets, or wager or wagers, or any purported wager or wagers, or of selling pools, or purported pools, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

3. Who, whether for gain, hire, reward, or gratuitously, or otherwise, receives, holds, or forwards, or purports or pretends to receive, hold, or forward, in any manner whatsoever, any money, thing or consideration of value, or the equivalent or memorandum thereof, staked, pledged, bet or wagered, or to be staked, pledged, bet or wagered, or offered for the purpose of being staked, pledged, bet or wagered, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

4. Who, whether for gain, hire, reward, or gratuitously, or otherwise, at any time or place, records, or registers any bet or bets, wager or wagers, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

5. Who, being the owner, lessee or occupant of any room, shed, tenement, tent, booth, building, float, vessel, place, stand, enclosure or grounds, or any part

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thereof, whether for gain, hire, reward, or gratuitously, or otherwise, permits the same to be used or occupied for any purpose, or in any manner prohibited by subdivisions one, two, three or four of this section; or

6. Who lays, makes, offers or accepts any bet or bets, or wager or wagers, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, is punishable by imprisonment in a county jail or state prison for a period of not less than thirty days and not exceeding one year.

This section shall apply, not only to persons who may commit any of the acts designated in subdivisions one to six inclusive of this section, as a business or occupation, but shall also apply to every person or persons who may do in a single instance any one of the acts specified in said subdivisions one to six, inclusive, save and except that any and all racing associations and corporations which shall obtain licenses to conduct race meetings in the State of California pursuant to and under this act, may conduct and carry on and permit within the enclosure where horse racing is held betting upon the races conducted within said enclosure by and through the Paris mutual and auction pool systems of betting.

Sec. 9. All acts and parts of acts in conflict with this act are hereby repealed.

Section 337a, Penal Code, proposed to be repealed, reads as follows:

EXISTING LAW.

337a. Every person,

1. Who engages in pool-selling or book-making, with or without writing, at any time or place; or

2. Who, whether for gain, hire, reward, or gratuitously, or otherwise, keeps or occupies, for any period of time whatsoever, any room, shed, tenement, tent, booth, building, float, vessel, place, stand or enclosure, of any kind, or any part thereof, with a book or books, paper or papers, apparatus, device or paraphernalia, for the purpose of recording or registering any bet or bets, or any purported bet or bets, or wager or wagers, or any purported wager or wagers, or of selling pools, or purported pools, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

3. Who, whether for gain, hire, reward, or gratuitously, or otherwise, receives, holds, or forwards, or purports or pretends to receive, hold, or forward, in any manner whatsoever, any money, thing or consideration of value, or the equivalent or memorandum thereof, staked, pledged, bet or wagered, or to be staked, pledged, bet or wagered, or offered for the purpose of being staked, pledged, bet or wagered, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

4. Who, whether for gain, hire, reward, or gratuitously, or otherwise, at any time or place, records, or registers any bet or bets, wager or wagers, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, or upon the result, or purported result, of any lot, chance, casualty, unknown or contingent event whatsoever; or

5. Who, being the owner, lessee or occupant of any room, shed, tenement, tent, booth, building, float, vessel, place, stand, enclosure or grounds, or any part thereof, whether for gain, hire, reward, or gratuitously, or otherwise, permits the same to be used or occupied for any purpose, or in any

manner prohibited by subdivisions one, two, three or four of this section; or

6. Who lays, makes, offers or accepts any bet or bets, or wager or wagers, upon the result, or purported result, of any trial, or purported trial, or contest, or purported contest, of skill, speed or power of endurance of man or beast, or between men, beasts, or mechanical apparatus, is punishable by imprisonment in the county jail or state prison for a period of not less than thirty days and not exceeding one year.

This section shall apply not only to persons who may commit any of the acts designated in subdivisions one to six inclusive of this section, as a business or occupation, but shall also apply to every person or persons who may do in a single instance any one of the acts specified in said subdivisions one to six inclusive.

ARGUMENT IN FAVOR OF THE PROPOSED ACT PROHIBITING BOOKMAKING, POOL-SELLING, ETC., AND APPOINTING A STATE RACING COMMISSION, ETC.

As chairman of the Associated Horse Breeders of California, which held its convention on Saturday, May 25, 1912, at the Palace Hotel, San Francisco, I have been appointed by Lieutenant Governor Wallace to present to the electors of this state the argument in favor of the initiative measure to be voted on at the coming election, November 5th, entitled "An act to prohibit bookmaking and pool-selling, and to provide for the appointment of a state racing commission to grant licenses for horse racing in the State of California, for a limited period, and the permitting of wagering upon such races by the Paris Mutual and Auction Pool systems only."

The present law of the State of California forbidding betting on races has not produced the good result expected by its proponents. Betting in pool rooms on races held outside of California has increased to a great extent while all the actual benefits from racing affecting real estate, railroads, hotels, shopkeepers, farmers and laborers have been taken from us. We have kept the evil and lost the good. We have stopped the breeding of good horses in this state, not horses solely for racing, but horses improved by the thoroughbred strain, both running and trotting, thereby nullifying the effect of a law of last winter providing that every breeding stallion must be licensed by a commission provided for in the law, and that to be so registered he must be shown to have a registered pedigree himself for generations back. In other words, we have a law providing that no horses, except those bred in a certain way, shall be entitled to a standard license, and by another law take away the incentive to breed and the opportunity to develop the horse called for by the law. We have not only done this, but we have taken away from the small farmer, to whom we look for the prosperity of our state, the opportunity to raise two or three standard bred colts each year, with the very reasonable prospect that at any time he may get one which will sell for more than the entire year's product of his farm.

We invest millions of dollars in reclamation and irrigation works; we expend enormous sums in advertising these facts to bring the small farmer here, and then deprive him of one of his easiest and best lines of profit. Not to resort to wearying

reiteration, the loss to all the classes of industry mentioned is enormous in the aggregate and will increase as our horses deteriorate.

Major General Wood, the commanding general of the United States Army, has published and repeatedly stated in the past two years that the efficiency of the United States cavalry is fast being impaired by the wiping out of the breeding establishments, and states plainly that this has been caused by the drastic laws against racing.

General Thomas McGregor, the famous United States cavalry officer, says: "As to the effectiveness of horses possessing thoroughbred strains compared with those bred without, there can be no question. The cold-blooded animal has no chance with a blooded horse at any stage of the game; he is outclassed and outmatched in every way—for speed, courage, intelligence, endurance and weight-carrying ability. Almost ever since I can remember, efforts have been made to secure relief through congress along the advanced lines which obtain in France, Austria, Germany, Russia, Italy and England. I have been told that Lord Kitchener, or some other eminent foreign officer, remarked after witnessing a cavalry maneuver in this country, that we had 'everything from a Shetland pony to a Clydesdale' engaged."

Some of the members of this convention were:

A. B. Spreckels, San Francisco; Richard M. Tobin, San Francisco; Rod J. Mackenzie, Pleasanton; Frank Ruhstaller, Sacramento; Thos. H. Williams, San Francisco; W. O. B. McDonough, San Mateo; E. J. Carragher, Sacramento; Alexander Hamilton, San Francisco; Dr. W. J. Smyth, Oakland; Dr. Ray Felt, Eureka; Col. J. C. Kirkpatrick, San Francisco; Geo. L. Warlow, Fresno; Louis Pierce, Suisun; Asa V. Mendenhall, Oakland; James Woods, San Francisco; Chas. W. Clark, San Mateo; Dick Adams, Oakland; Lou Crellin, Pleasanton; D. W. Wallis, Los Banos; Eugene Lent, San Francisco; Warren R. Porter, Berkeley; J. V. Galindo, Oakland; A. B. Rodman, Woodland; Wm. F. Humphrey, San Francisco; Geo. B. Magruder, Yuba City; Harry T. Creswell, San Francisco; Thos. Fox, Sacramento; James B. Bishop, San Francisco; T. I. Sexton, Oakland; A. E. Sherwood, Stockton; Daniel T. Murphy, San Francisco; Sam Hoy, Winters; Clarence P. Waterhouse, San

Francisco; Lon Daniels, Chico; S. Christenson, San Francisco; J. N. Jones, Stockton; Henry Rohner, Eureka; Joe McKiernan, San Jose; J. B. Iverson, Salinas; Thomas Smith, Vallejo; John Nowlan, San Francisco; F. W. Wright, Sacramento; Robert Johnston, Fortuna, Humboldt county; Chas. E. Silva, Sacramento; Chas. De Ryder, Pleasanton; Thos. Coulter, Sacramento; Wm. M. Bryant, Alton, Humboldt county; C. W. Rice, Larkspur, Marin county; S. H. Burns, Santa Rosa; Fred J. Steer, Emeryville; Hy Hogboom, Woodland; Charles Johnson, Woodland; W. T. Kelly, Vallejo; Wm. MacDonald, Livermore; D. McNally, Livermore; C. H. Wideman, Gonzales, Monterey county; S. M. Brice, Ferndale; J. J. Summerfield, Santa Rosa; Frank Leigenger, Stockton; W. J. East, Rohnerville, Humboldt county; J. E. Maher, Santa Cruz; Ray Mead, San Jose; Herman Berg, Marysville; T. C. Horrigan, Dixon; Del Dudley, Dixon; Peter Delaney, Eureka; Dr. Harvey, Eureka; W. J. Kenney, San Francisco; Col. W. J. Hogan, Pasadena; J. A. Chansior, Los Angeles; Milo M. Potter, Santa Barbara; M. F. Tarpey, Fresno; Robert W. Roberts, Ferndale, Humboldt county; Clarence Berry, Los Angeles; Judge Tam, Bakersfield; P. W. Bellingall, Oakland; E. J. Delory, Los Angeles; E. S. Wangenheim, Newman, Stanislaus county; Dr. O. C. Higgins, Porterville; Walter Mabin, Los Angeles; D. L. Bechant, Fresno; Dr. Wm. Dodge, Los Angeles; Geo. P. Anderson, Ukiah; Walter K. Bowker, Calexico, Imperial county; Judge C. L. Claffin, Bakersfield; R. W. Duncan, Los Angeles; Budd Dobie, Hemet; Frank Malcolm, Fresno; Dr. W. E. Phelps, Redlands; J. E. Connell, San Diego; Geo. Gianinni, San Francisco; Geo. W. Ford, Santa Ana; Cornell Bros., Porterville; Thos. Ezray, Hanford; Harry Rudder, San Diego; Al McRae, San Bernardino; Charles Younglove, San Luis Obispo; Garret Blosser, Santa Maria; J. Charlton, Ukiah; Fred W. Swanton, Santa Cruz; W. F. Ingwerson, Visalia; Harry Whaley, Tulare; J. C. Wallace, San Diego; Bert Irwin, El Centro, Imperial county; G. D. Armstead, El Centro, Imperial county; C. A. Schweitzer, Fresno; Ray Creswald, Brawley, Imperial county; Fred Tegeler, Bakersfield; Frank Williams, Pasadena; Dr. H. T. Spence, Santa Barbara; William Rourke, San Bernardino; W. L. Scott, Riverside; Gus Lindauer, San Francisco; Cnas. Donlon, Oxnard, Ventura county; J. Miller, Arrowhead, San Bernardino county; P. R. Palomeris, Saticoy, Ventura county; Julius Ebell, Santa Maria; Gus Gandrau, Sanger; J. J. Bernstine, Lakeside, San Diego county; E. Gravatt, Hanford; W. W. Gallup, Hanford; Clarence A. Spencer, National City, San Diego county; L. Dobrzensky, Newman, Stanislaus county; Fred Wadham, Nestor, San Diego county; Fred Linberg, Bakersfield; Henry Struve, Watsonville; J. H. Dirst, Modesto; J. N. Anderson, Salinas; C. Z. Herbert, Salinas; James Mack, Ventura; S. E. Bragg, Calexico, Imperial county; Sam Watkins, Los Angeles; W. B. Alford, Ferndale; M. Cavanaugh, Niles; Geo.

Gray, Hayward; Dr. J. M. Ferguson, Santa Cruz.

These are in themselves evidence of the fact that the convention was thoroughly representative of all interests and from all parts of the state.

A glance at this proposed change in the law will demonstrate immediately the wisdom of the proposed change. It provides for a racing commission, appointed by the governor of the state, with authority to grant permits for the conducting of a race meeting—to limit the time of such meeting, and to have general supervision thereof within the terms of the proposed law. It permits wagering on races under what is known as the Paris Mutual and Auction Pool systems, wherein the public make their own odds, but only within the enclosure of a racetrack where the trial or contest of speed actually takes place. The Paris Mutual system is in vogue at the present time on Eastern and Canadian racetracks, and is entirely used in many large centers of Europe, such as Paris, Berlin, and other large cities.

It is expected as a result of the completion of the Panama Canal that there will be a great influx of population into California. These people are used to racing under the conditions just referred to, that is, the Paris Mutual system, and it is the natural desire to make of California as attractive a place within which to live as any of the communities which they have left behind. In all of the large cities of Europe and in Canada where the Paris Mutual system is permitted, race meetings are a place where men go with their families for recreation, and if permitted in our state it would have the same result, not only at race meetings but at our state and agricultural district fairs, which are at present recognized and aided by our state laws.

With these ideas in mind, the proposed change in our law was submitted to the citizens of this state, and while it required less than thirty-one thousand signatures to get it upon the ballot, between ninety and a hundred thousand of our people have signed in favor of the proposed change, of which number seventy-four thousand five hundred seventy-eight were signatures of citizens qualified in every way and registered since the first day of January, 1912.

I, therefore, respectfully submit these views to the electors of this state, and urge upon them to cast their vote in favor of this amendment on election day in November. We feel quite certain that there will never be any cause to regret it.

Very respectfully,

JOHN C. KIRKPATRICK,
Chairman.

ANTI RACETRACK ARGUMENT.

There should be no argument necessary against this measure. It is vicious in every way. It is only necessary for its overwhelming defeat that the voters of the state know its intent. The design of this measure is to revive racetrack gambling in the State of California. Before the people of southern California vote to do this, they should recall Ascot. Before the citizens north of Tehachapi give their approval they should remember Emeryville. When a member of the legislature

Twenty-eight

some years ago I introduced a bill to do away with racetrack gambling. In preparation of an argument, I asked the leading bankers of the state the following question:

"What action would you take if you found one of your employees was a frequenter of the racetracks?" Without exception the answer was, in substance: "We would discharge such employee at once."

Every one knows the reason for this action on the part of the bankers. As a

class, men who gamble are not to be trusted to handle other people's money.

I have said the intent of this measure is to revive racetrack gambling. I desire to repeat that assertion in the face of the denials of its proponents. Their very denials are affirmations of my statement. They say: "This is Paris Mutual gambling. In this the gambler has a chance and the bookmaker does not get it all."

So be it. For this very reason this form of gambling is worse than the formerly approved method. Formerly the men who bet on the horses, as a practice, always lost, and lost to the men who are behind this measure. I wonder why these men who formerly trimmed suckers at the racetracks are now putting up money to back a measure which they claim will give the sucker a chance. Wherein lies their interest?

I do not make the assertion that all those behind this measure are professional gamblers. I do assert, however, that all professional gamblers are supporting it.

In justice to the measure it must be said that in addition to the gamblers, those who consider horses of more importance than men are also behind it. These urge that horses will not be developed without racing and that racing can not be carried on without gambling. There is no logic

in this position. If it were a fact that horses would not develop without racing and that they could not race without being fed on our children, the logic of the supporters of horseflesh against men would require the sacrifice of our children.

The final argument always made in favor of measures designed to keep men from temptation is that mankind can not be reformed by legislation. Even though we concede force to this argument, the most superficial can see that the same argument, followed to its logical conclusion, justifies absolute freedom from all restraint for each individual, and the total abolition of all law. But granting that a man should have the right to ruin himself at the racetrack and not be prevented, even though prevention be possible, a position which, of course, is untenable, still we do have the right to make him support his wife and children, and the right of the state to require that he care for those dependent upon him is absolute, even though the exercise of such right by the state may interfere with his asserted right to go to hell by the racetrack route.

This measure, I repeat, is vicious. It will serve to revive racetrack gambling. It should be defeated.

JOHN M. ESHLEMAN.

HOME RULE TAXATION.

Initiative Measure Submitted Directly to the Electors.

Electors of the State of California presented to the secretary of state this petition, asking that the proposed constitutional amendment hereinafter set forth be submitted to the electors of the State of California for their approval or rejection:

Proposition to amend article XIII of the constitution of the State of California, by the addition of a new section to said article, to be designated and numbered as section 8½ of said article, relating to taxation by counties, cities and counties, cities, towns, districts and townships.

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

Article XIII of the constitution of the State of California is hereby amended by inserting therein a new section, to be designated and numbered as section 8½ of said article, to read as follows:

PROPOSED LAW.

Section 8½. Any county, city and county, city, town, district or township in this state is hereby empowered to raise revenues for its local purposes and to provide for the time or times of collecting taxes for such purposes in such manner as it may determine, by ordinance or resolution, adopted by a majority vote of the qualified electors thereof, voting thereon at an election held on the ques-

tion of establishing a new revenue system, or of altering or amending any system of taxation now or hereafter existing for raising such local revenue. Such proposed system or amendment thereof may be submitted at any general or special election held in such county, city and county, city, town, district or township, by initiative petition as provided by law or by resolution of the legislative body of such county or other political subdivision above enumerated.

Property may be classified for the purposes of taxation or exemption from taxes; and taxes or exemption therefrom shall be uniform for all property of each of such classes; provided, that no tax for any local purpose, except for payment of the principal and interest of any bonded indebtedness created and outstanding by any such county, city and county, city, town, township or district, prior to the 8th day of November, 1910, shall be levied on any property set aside for purposes of taxation for state revenue, nor shall any such tax be levied upon any property exempt from local taxation by this constitution or by the constitution or laws of the United States.

**ARGUMENT FOR HOME RULE IN TAXATION—REASONS WHY
CONSTITUTIONAL AMENDMENT RELATING TO TAXATION
(KNOWN AS THE HOME RULE IN TAXATION AMENDMENT),
SHOULD BE ADOPTED.**

This amendment is an enabling act, by which any city or county may change the present unsatisfactory mode of taxation and inaugurate a better system; but this cannot be done even locally without education, and a final affirmative vote of the people of the city or county. There is no interference with the operation of the state system of revenue, nor with the present system locally, except as the locality shall determine.

At the present time most of the state revenue is derived from a gross income tax on corporations; the revenues of the counties, cities, towns and districts are mainly derived from a tax on the value of land, improvements and personal property.

Formerly state revenue was derived mainly from a "general property tax," but in 1910 that system was discarded as a means of raising state revenue, except when other sources of income prove insufficient.

Some of the reasons for this change are stated in the report of the tax commission for 1906, page 9:

"The present system of taxation does not meet the demands made upon it. It is antiquated, having been adopted fifty years ago, and has not been revised to keep pace with modern conditions.

"It is full of inequalities, which impose a handicap, which only the vigor and inexhaustible energy of our people can carry.

"It is a 'school for perjury,' puts a penalty on honesty, and pays high premiums for dishonesty."

Injustice of Present System.

Professor Seligman of Columbia University says: "The general property tax as actually administered in this country is beyond doubt one of the worst taxes known in the civilized world. It is flagrantly inequitable and its retention can be explained only through ignorance and inertia."

F. A. Derthick, master of the State Grange, Mantua, Ohio, at a meeting of the National Tax Reform Association, said: "For two generations the farmers of the United States have in a large majority cherished the belief that a uniform rate upon all property at its true value in money was the highest conception of fairness and justice between man and man. It sounds fair, but all experience and history prove that its fairness begins and ends in sound. It is false economically, for it attempts to tax representative property at the same rate as the things for which it stands. This results in gross injustice to the owners of visible property, who, not being able to conceal their wealth, must pay any legal tax laid upon it."

It must necessarily follow that if the "general property tax" as a source of state revenue is unjust, inequitable, conducive to fraud and perjury, it is likewise unjust as a source of revenue for cities, counties and districts.

Seeking a Remedy.

A great many people feel the injustice of the present system of taxation without being able to locate the exact point of injustice. Many taxpayers, particularly those of small means, instinctively feel that they are bearing more than their just burdens of taxation, and that others, particularly those fortunately possessed of lands and goods of large value, are not paying their just proportion of the public expenses.

This feeling has a real foundation in fact. It must be apparent that the value of property in small parcels can be readily ascertained, while the value of property in large units cannot be so readily ascertained. A system of taxation should be just—this must be so, otherwise government itself would rest on a foundation of injustice. We have not yet found the just system, but we should be privileged to search for it. To make such search possible is the precise purpose of this constitutional amendment.

With the constitution as it now reads, the cities, counties and districts of the state are powerless to make any change whatsoever, but the amendment provides that, by a vote of the electors, any new system may be adopted by the several political subdivisions of the state for raising their revenue for local purposes, provided it does not conflict with the state's revenue system.

Is not that fair?

Objections Considered.

The main objection to this proposal seems to be that under the power thus granted, each county and city may adopt a different system and that confusion might result. This objection is not serious.

It does not concern the state at large how any city or county may raise its revenue for local purposes; it is the concern of the people of each locality. Even now there are different rates of license taxes in every city and county; in some there are no license taxes. There are different police regulations in different cities and counties, and yet there is no confusion. We confess that perhaps some large corporations, or perhaps a few individuals having property scattered in various cities and counties of the state, might have to pay a little more attention to the local tax system, but that very circumstance might be beneficial both to themselves and to the local communities. Moreover, any disadvantage arising from diversity is more than balanced by the opportunities given to try out new plans of taxation, that we may select that which is the best.

It is a rule of nature that through variety improved types are developed. The just system of taxation can only be arrived at through the experiences of various taxing bodies. By giving to each city and county the right to change systems, we

will more quickly arrive at what is best. Some county or some city will develop a system that is to its advantage, and then others will copy.

Some objectors may say that the tax system of the counties and cities should be established by the legislature and not by themselves. This is in violation of the principle of home rule for cities and counties now engrafted in the constitution. That principle, as stated by our supreme court, is substantial; that the people of a given locality know their own needs and wishes better than does the state at large. A system adopted by the legislature might work to the benefit of the cities and to the injury of the country district or *vice versa*.

Dr. Washington Dodge, assessor of San Francisco, in an address before the State Assessors' Association on this subject, says: "The state legislature must make laws that will be uniform in their operation throughout the state. No uniform legislation could ever be satisfactory to the various communities, or meet their requirements. Various counties have different problems to solve, different classes of property to assess. A financial center and a seaport city, like San Francisco, would not be in a class with an agricultural county like Glenn, or a mining county like Placer, or a county like Mendocino or Humboldt with great timber interests."

To Stimulate Industry.

A suggestion, hardly amounting to an objection, has been made that possibly some community might seek to stimulate business and industry by exempting cer-

tain classes of property from taxation, and that this might operate to compel other communities to follow the example thus set or lose commercial prestige. It is said that this might produce internecine warfare. But this is not warfare, it is business. If one community can stimulate business and industry by this means, it would furnish a good example for others, and soon we would see the whole state adopting the same means of "stimulating business and industry." This is really the chief virtue of the amendment. *It makes it possible to stimulate business and industry.*

Too long has our tax system operated to repress business and industry by placing burdens thereon which benefit speculation and idleness.

The world movements in taxation are in the direction of relieving the burdens placed upon industry and thereby stimulate it, and transfer the burden to those who live and profit from the industry of others.

And in line with this world progress is the amendment proposed with the hope that the voters will give it their unqualified approval. The state of Oregon has adopted a similar amendment; the cities of the province of British Columbia have the power of home rule, and beneficial results have been achieved under it.

It should be particularly noted that the amendment is conservatively framed, and that no change can be made without a vote of the electors.

H. A. MASON,

Secretary League of California Municipalities.

ARGUMENT AGAINST HOME RULE IN TAXATION.

The proposed amendment of section 8½ of article XIII, will admittedly work an injustice unless complete separation of state and local taxation is effected. Such complete separation has not been attained under present laws. The increase in revenue under the plan adopted under Amendment No. 1 is not equal in percentage to the increase of the state's expenditures, and it may be said with certainty that for the year 1913, and thereafter until the law is changed, a deficiency tax must be levied upon all classes of property, thus destroying in large measure such separation of taxes. The proposed amendment, therefore, is based largely upon the uncertain effect of a law yet only partially tried, and even now subject to much litigation.

The proposed amendment lacks the first essential requisite for legislation, in that it is neither clear nor concise in its terms. While providing that taxes or exemption shall be uniform for classes of property, it does not provide how or by what authority property shall be so classified, and under its provisions local taxing bodies could make such exemption as they chose for each locality, thus absolutely destroying uniformity either in taxation or exemption. The proposed plan is not the one favored in those states which have made the most advance in reform of taxation because it seeks to localize those functions which should be centralized so as to secure uniformity both in method of assessment and date of payment, to the end that all property in all localities shall contribute its just share to the public revenue. It may

be admitted that the property tax, as formerly collected, is obnoxious and inequitable. Granting this, it must be conceded that the results following the adoption of Amendment No. 1 have not fulfilled the claims of its advocates. This proposed amendment would, apparently, give any local community the absolute right to enforce such taxes or exemptions as its fancy might dictate, without regard to the effect of such action upon the broader question of uniformity of taxation, or the rights of other localities. It is said by the advocates of the amendment that the state is not interested in local taxation. The state and every citizen are vitally interested in the establishment of a just and equitable tax system. If this proposed plan be meritorious, why should it not be made mandatory, in order that all citizens and all communities may receive its beneficent results? California is, at this time, attempting to fit a new system of taxation into her revenue system, and there yet is much confusion and doubt as to its effect. The proposed amendment will add to this confusion, and even if it be all that its friends claim, it must, at this time, make confusion worse confounded. Because of the objections above enumerated, and others equally forceful, the proposed amendment, it will be seen, will produce confusion, inequality, local jealousies and tend to results the very opposite of those sought by its proponents.

N. W. THOMPSON,

State Senator, Thirty-fifth District.

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This is the way the Amendments and Propositions will appear on the Ballot

CONSTITUTIONAL AMENDMENTS, INITIATIVE AND REFERENDUM PROPOSITIONS.		
Senate Constitutional Amendment No. 3.	Yes	
A resolution to propose to the people of the State of California an amendment to section 16½, of article XI, of the constitution, relating to the deposits of moneys belonging to the state, or to any county or municipality within the state; and authorizing the depository to furnish as security for such deposits bonds of any irrigation district within this state.	No	
Assembly Constitutional Amendment No. 3.	Yes	
A resolution to propose to the people of the State of California an amendment to the constitution of the state by amending section 7 of article IX thereof, relating to boards of education, free text-books, and minimum use of such text-books; requiring the legislature to provide for the appointment or election of a state board of education, directing that said board shall provide a uniform series of text-books for use in the elementary schools throughout the state, and directing that such text-books shall be furnished and distributed by the state, under such conditions as the legislature shall prescribe, free of cost to all children attending such schools.	No	
Referred to Electors of the State by Referendum Petition.	Yes	
An act to amend the Political Code of the State of California by adding two new sections thereto, to be numbered 4149e and 4149f, providing for the appointment of a registrar of voters, prescribing his duties and fixing his term of office and the compensation to be paid such registrar in the various classes of counties.	No	
Referred to Electors of the State by Referendum Petition.	Yes	
An act to amend section 4232 of the Political Code of California relating to the salaries and fees of officers in counties of the third class, by adding a new subdivision thereto fixing the compensation of the registrar of voters in such counties and providing for deputies and clerks for such registrar.	No	
Referred to Electors of the State by Referendum Petition.	Yes	
An act to amend section 4013 of the Political Code of California, relative to the officers of a county, by adding two subdivisions thereto designating as additional county officers a registrar of voters and a sealer of weights and measures.	No	
Initiative Measure to be Submitted Directly to the Electors.	Yes	
Proposing to amend section 7 of article XI of the constitution of the State of California, relating to the formation of consolidated city and county governments, and authorizing the merging and consolidating by general laws into one consolidated city and county government of contiguous territory of two or more cities, or cities and counties, or counties or parts of counties containing in the aggregate within the proposed merged or consolidated territory a population of at least three hundred and fifty thousand.	No	
Initiative Measure to be Submitted Directly to the Electors.	Yes	
An act to prohibit bookmaking and pool-selling, and to provide for the appointment of a state racing commission to grant licenses for horse racing in the State of California, for a limited period, and the permitting of wagering upon such races by the Paris Mutual and Auction Pool systems only, and repealing all acts and parts of acts in conflict with this act.	No	
Initiative Measure to be Submitted Directly to the Electors.	Yes	
Proposition to amend article XIII of the constitution of the State of California by the addition of a new section to said article, to be designated and numbered as section 8½ of said article, relating to taxation by counties, cities and counties, cities, towns, districts and townships, and empowering any such political subdivision to raise revenue for its local purposes and to provide for collecting taxes for such purposes by ordinance or resolution adopted by a majority vote of the qualified electors thereof at an election held on the question of establishing such revenue system, authorizing such system to be submitted at any general or special election held therein by initiative petition as provided by law or by resolution of the legislative body of such political subdivision, and authorizing the classification of property for purposes of taxation or exemption from taxes, directing that no tax for any local purpose, except for payment of bonded indebtedness of such political subdivision prior to November 8, 1910, shall be levied on any property set aside for taxation for state revenue, and that no such tax shall be levied upon any property exempt from taxation under the constitution of this state or of the United States.	No	