

PROPOSED JUDICIAL CONSTITUTIONAL AMENDMENT, 1879

Proposed by joint resolution of the General Assembly, April
10, 1879. Submitted to electors, October 14, 1879.

Total vote cast	.	.	.	.	.	670,711
For amendment	.	.	.	.	.	159,630
Against amendment	.	.	.	.	.	163,639

Not adopted.

Be it resolved by the General Assembly of the state of Ohio (three-fifths of all members elected concurring therein), that a proposition to amend the Constitution of the state of Ohio be submitted to the electors of the state, on the second Tuesday of October, A.D. 1879, as follows, to wit: that sections three and five of article four, entitled "Judicial," be amended so as to be and read as follows:

SEC. 3. The state shall be divided into nine common pleas districts, of which the county of Hamilton shall constitute one, which districts shall be of compact territory, bounded by county lines, and said districts, other than said county of Hamilton, shall, without division of counties, be further divided into subdivisions, in each of which, and in said county of Hamilton, there shall be elected by the electors thereof, respectively, at least one judge of the court of common pleas for the district and residing therein. Courts of common pleas shall be held by one or more judges in every county of the district, as often as may be provided by law, and more than

one court or sitting thereof may be held at the same time in each district.

SEC. 5. In each district there shall be elected by the electors at large, by the electors of such district, one judge of the district court, by whom the district courts in such district shall be held, and he shall receive such compensation as may be provided by law. District courts shall be held in each county at least once in every year. The general assembly may increase the number of districts, and may provide for having a judge *pro tempore*, to hold any court whenever necessary by reason of the failure, disqualification, absence, or sickness of any judge, and the amount of pay allowed a judge *pro tempore* may be deducted from the salary of any judge whose default causes the necessity of having a *pro tempore* judge. The times of holding common pleas and district courts shall be fixed by law, but the general assembly may authorize the judges of said courts, respectively, to fix the times of the holding of said courts.

At said election the voters desiring to vote in favor of this amendment shall have placed upon their ballots the words, "Judicial constitutional amendment - Yes;" and the voters who do not favor the adoption of said amendment may have placed upon their ballots the words, "Judicial constitutional amendment - No;" and if a majority of all the votes cast at said election be in favor of said amendment, then said sections three and five herein specified, shall be and constitute the sections so numbered in the said "Judicial" article of the Constitution of the state of Ohio; and said original sections three and five shall be repealed.⁴⁸

⁴⁸ *Laws of Ohio*, vol. lxxvi, 315. - ED.