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~~From Committee on Schedule by leave to  
submit the following.~~

## Schedule.

That no inconvenience may arise from the alterations and amendments in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared

Section 1. That all laws in force at the adoption of this Constitution not inconsistent therewith shall remain in full force and effect until altered or repealed by the Legislature and all rights, actions, prosecutions, claims and Contracts of the State, Counties, individuals or bodies Corporate, not inconsistent therewith, shall continue to be as valid as if this Constitution had not been adopted.

The provisions of all laws which are inconsistent with this Constitution shall cease upon the adoption thereof, except that all laws, which are inconsistent with such provisions of this Constitution, as require legislation to enforce them, shall remain in full force until the first day of July, Eighteen hundred and eighty, unless sooner altered or repealed by the Legislature.

Section 2. That all recognizances, obligations and all other instruments entered into or executed before

the adoption of this Constitution, to this State or to any subdivision thereof or any municipality therein, and all fines, taxes penalties and forfeitures due or owing to this State or any such subdivision or municipality and all writs, prosecutions, actions and causes of actions, except as hereinafter otherwise provided, shall continue and remain unaffected by the adoption of this Constitution. All indictments or informations which shall have been found or may hereafter be found for any crime or offense committed before this Constitution takes effect may be proceeded upon as if no change had taken place, except as otherwise provided in this Constitution.

### Section III

The legislature at its first session after the adoption of this Constitution, shall provide for the transfer of all records, books, papers and proceedings, from such Courts as are abolished by this Constitution, to the Courts provided herein and the Courts to which the same are thus transferred shall have the same power and jurisdiction over them, as if they had been in the first instance commenced, filed or lodged therein.

No officer elected at the first election after the adoption of this Constitution, shall be entitled to draw any salary, until he shall have been duly installed as such either by provisions herein or by act of the legislature.

Section ~~III~~ IIII. The Secretary of State shall cause this Constitution to be published, once a week for at least four consecutive weeks next before the first Wednesday in May Eighteen hundred and seventy nine, in not more than six newspapers published in this state, One of which newspapers shall be published in the City and County of San Francisco - One in the County of Sacramento - One in the County of Los Angeles - one in the County of Nevada - One in the County of Santa Clara and One in the County of Sonoma. The Governor shall issue his proclamation giving notice of the election for the adoption or rejection of this Constitution at least one month before the said first Wednesday in May Eighteen hundred and seventy nine, and the Boards of Supervisors of the several Counties shall cause said proclamation to be made public in their respective Counties and general notice of said election to be given at least fifteen days next before said election.

Section V

The Superintendent of Printing of the State of California shall at least twenty days before said election, cause to be printed and delivered to the Clerk of each County in this State, five times the number of properly prepared ballots for said election, that there are voters in said respective Counties with the words printed

thereon "For the New Constitution" He shall likewise cause to be so printed and delivered to said Clerks five times the number of properly prepared ballots for said election, that there are voters in said respective Counties with the words printed thereon "Against the New Constitution"

#### Section VII

The Clerks of the several Counties in the State shall, at least five days before said election, cause to be delivered to the Inspectors of Elections at each election precinct or polling place in their respective Counties, suitable poll books, forms of return, and an equal number of the aforesaid ballots, which number in the aggregate must be ten times greater than the number of voters in the said election precincts or polling places.

The returns of the number of votes cast at the Presidential election in the year Eighteen hundred and seventy six, shall serve as a basis of calculation for this and the preceding section.

#### Section VIII

Every citizen of the United States entitled by law to vote for members of the Assembly in this State, shall be entitled to vote for the adoption or rejection of this Constitution.

#### Section VIII

The officers of the several Counties of this State, whose duty it is under the law to receive and canvass the returns from the several precincts

of their respective Counties, as well as the City and County of San Francisco, shall meet at the usual places of meeting for such purposes, on the ~~second~~ <sup>first</sup> Monday after said election. If at the time of meeting the returns from each precinct in the County in which polls were opened have been received, the Board must there and then proceed to canvass the returns, but if all the returns have not been received the canvass must be postponed from day to day until all the returns are received or until six postponements have been had, when they shall proceed to make out returns of the votes cast for and against the New Constitution, and the proceedings of said Boards shall be the same as those prescribed for like Boards in the case of an election for Governor. Upon the completion of said canvass and returns the said Board shall immediately certify the same in the usual form to the Governor of the State of California.

#### Section XX

The Governor of the State of California shall, as soon as the returns of said election shall be received by him, or within thirty days after said election, in the presence and with the assistance, of the Controller, Treasurer and Secretary of State, open and compute all the returns received of votes cast for and against the New Constitution. If by such examination and computation it is

ascertained that a majority of the whole number of votes cast at such election, be in favor of such New Constitution, the Executive of this State shall by his proclamation declare such New Constitution <sup>to be the Constitution</sup> of the State of California and that it shall take effect and be in full force on the day hereinafter specified

Sec 10. You order that future Elections in this State shall conform to the requirements of this Constitution the terms of all Officers elected under the same and whose term of office is four years or over shall be respectively one year shorter than the term provided for in this Constitution and the term of all officers whose term of office is two years shall be respectively one year longer than the term provided for in this Constitution except the term members of the Assembly whose first term of office shall be one year and the successors of all such Officers shall be elected at the last Election before the expiration of the terms as in this section provided. The first Officers chosen after the adoption of this Constitution shall be elected at the time and in the manner <sup>now</sup> provided by law

over

Section 11. Should this constitution be ratified  
at the election for the ratification and adoption  
thereof, it shall take effect and be in force,  
on and after the fourth day of July eighteen  
hundred and seventy-nine, at twelve o'clock  
Meridian

Am. No. 532

Schedule.

Reported from  
Committee on  
Schedule.

Jan'y 18. 49

Read & ordered printed  
& referred to Com. of  
the whole

Thornton  
and Key

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Com. on Schedule

**Amendment.**

**No. 532.**

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**REPORTED FROM COMMITTEE ON SCHEDULE.**

**JANUARY 18TH, 1879.**

**READ, ORDERED PRINTED, AND REFERRED TO COMMITTEE OF THE WHOLE.**

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**SCHEDULE.**

That no inconvenience may arise from the alterations and amendments in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared:

**SECTION 1.** That all laws in force at the adoption of this Constitution, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature; and all rights, actions, prosecutions, claims, and contracts of the State, counties, individuals, or bodies corporate, not inconsistent therewith, shall continue to be as valid as if this Constitution had not been adopted. The provisions of all laws which are inconsistent with this Constitution shall cease upon the adoption thereof, except that all laws which are inconsistent with such provisions of this Constitution as require legislation to enforce them shall remain in full force until the first day of July, eighteen hundred and eighty, unless sooner altered or repealed by the Legislature.

*Adopted*

SEC. 2. That all recognizances, obligations, and all other instruments  
 2 entered into or executed before the adoption of this Constitution to this State,  
 3 or to any subdivision thereof, or any municipality therein, and all fines, taxes,  
 4 penalties, and forfeitures due or owing to this State, or any such subdivision  
 5 or municipality, and all writs, prosecutions, actions, and causes of action,  
 6 except as herein otherwise provided, shall continue and remain unaffected by  
 7 the adoption of this Constitution. All indictments or informations which  
 8 shall have been found, or may hereafter be found, for any crime or offense  
 9 committed before this Constitution takes effect, may be proceeded upon as if  
 10 no change had taken place, except as otherwise provided in this Constitution.

SEC. 3. The Legislature, at its first session after the adoption of this  
 2 Constitution, shall provide for the transfer of all records, books, papers, and  
 3 proceedings from such Courts as are abolished by this Constitution to the  
 4 Courts provided herein; and the Courts to which the same are thus transferred  
 5 shall have the same power and jurisdiction over them as if they had been in  
 6 first instance commenced, filed, or lodged therein. No officer elected at the  
 7 first election after the adoption of this Constitution shall be entitled to draw  
 8 any salary until he shall have been duly installed as such either by provisions  
 9 herein or by Act of the Legislature.

SEC. 4. The Secretary of State shall cause this Constitution to be  
 2 published once a week for at least four consecutive weeks next before the first  
 3 Wednesday in May, eighteen hundred and seventy-nine, in not more than six  
 4 newspapers published in this State, one of which newspapers shall be pub-  
 5 lished in the City and County of San Francisco, one in the County of Sacra-  
 6 mento, one in the County of Los Angeles, one in the County of Nevada, one  
 7 in the County of Santa Clara, and one in the County of Sonoma. The Gov-  
 8 ernor shall issue his proclamation giving notice of the election for the adop-

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*Adopted*

*Substitute  
 by Merrill  
 Chairman*

1 Sec 4. The Superintendent of Printing of  
2 the State of California shall at least  
3 thirty days before the first Wednesday  
4 in May 1879, on such terms as may be rea-  
5 sonable, select and contract with one news-  
6 paper proprietor in each County in this  
7 State in which a newspaper is published,  
8 for the publication and issuance once a  
9 week for the two successive weeks next  
10 before said election, in their respective papers  
11 as a supplement thereto, the printed copies  
12 of this Constitution as hereinafter provided.  
13 The circulation of such papers shall be taken  
14 into consideration in making such contract  
15 and selection; and the papers so selected  
16 shall issue a number of such supplements  
17 equal to the circulation of such papers in  
18 this State. In Counties containing property  
19 of an assessable valuation of ten Million  
20 dollars or over not more than three such  
21 papers may be so selected. The Superintendent  
22 of Printing shall cause to be printed and de-  
23 livered to the newspapers so selected in  
24 due time for the publication thereof, a  
25 number of such supplements equal to twice  
26 the State circulation of such papers. The  
27 Governor shall issue his proclamation  
28 giving notice of the election for the adoption  
or rejection of this Constitution at least a

Amend Sec. 7 as follows  
Strike out the word "such" in 4<sup>th</sup> line

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thirty days before the said <sup>Wednes</sup> first day of  
May 1879, and the Boards of Supervisors  
of the several Counties shall cause said  
proclamation to be made public in their  
respective Counties, and general notice of  
said of said election to be given at least  
fifteen days next before said election.

Resolved

adopted

Substitute

9 tion or rejection of this Constitution at least one month before the said first  
10 Wednesday in May, eighteen hundred and seventy-nine, and the Boards of  
11 Supervisors of the several counties shall cause said proclamation to be made  
12 public in their respective counties, and general notice of said election to be  
13 given at least fifteen days next before said election.

SEC. 5. The Superintendent of Printing of the State of California  
2 shall, at least twenty days before said election, cause to be printed and deliv-  
3 ered to the Clerk of each county in this State five times the number of prop-  
4 erly prepared ballots for said election that there are voters in said respective  
5 counties, with the words printed thereon, "For the new Constitution." He  
6 shall likewise cause to be so printed and delivered to said Clerks five times  
7 the number of properly prepared ballots for said election that there are voters  
8 in said respective counties, with the words printed thereon, "Against the new  
9 Constitution."

SEC. 6. The Clerks of the several counties in the State shall, at least  
2 five days before said election, cause to be delivered to the Inspectors of Elec-  
3 tions, at each election precinct or polling place in their respective counties,  
4 suitable poll-books, forms of return, and an equal number of the aforesaid  
5 ballots, which number, in the aggregate, must be ten times greater than the  
6 number of voters in the said election precincts or polling places. The returns  
7 of the number of votes cast at the Presidential election in the year eighteen  
8 hundred and seventy-six shall serve as a basis of calculation for this and the  
9 preceding section. *add Reynolds amendment*

SEC. 7. Every citizen of the United States, entitled by law to vote for  
2 members of the Assembly in this State, shall be entitled to vote for the adop-  
3 tion or rejection of this Constitution.

*adapted*

*adapted*

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Amnt to Sec. 6,

Reynolds,

add as follows: -

Provided, that the duties in this  
and the preceding section imposed  
upon the Clerk of the respective counties  
shall, in the City and County of San  
Francisco, be performed by the Reg-  
istrar of Voters for said City and  
County.

adapted

Clerk



Amort  
" of ...

Amort Sec. 10 -

by inserting the word - first -  
between the word 'the' and the word  
term in line 2 -

insert the word - first - between  
the word - the - and the word - term -  
as it occurs last time in line 4.

Charles J. ...

Adopted

Superseded by Morlands

*Proposed Amendments*

3 the same, and whose term of office is four years or over, shall be, respectively,  
4 one year shorter than the term provided for in this Constitution; and the term  
5 of all officers whose term of office is two years shall be, respectively, one year  
6 longer than the term provided for in this Constitution, except the members of  
7 the Assembly, whose first term of office shall be one year; and the successors  
8 of all such officers shall be elected at the last election before the expiration of  
9 the terms as in this section provided. The first officers chosen after the adop-  
10 tion of this Constitution shall be elected at the time and in the manner now  
11 provided by law.

SEC. 11. Should this Constitution (be ratified at the election for the  
2 ratification and adoption thereof, it) shall take effect and be in force on and  
3 after the fourth day of July, eighteen hundred and seventy-nine, at twelve  
4 o'clock meridian.

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Substitute for Section 10.  
Sec. 10. In order that future elections  
in this State shall conform to the re-  
quirements of this Constitution, the  
terms of all officers elected ~~under the~~  
~~same at the first~~ at the first election  
under the same, shall be respectively,  
one year shorter than the terms as in  
this Constitution provided; and the suc-  
cessors of all such officers shall be elected  
at the last election before the expiration of  
the terms as in this section provided. The  
first officers chosen after the adoption of  
this Constitution shall be elected at the  
time and in the manner now provided  
by law.

Moreland

Adopted

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Strike out "should" in first line  
 and ~~to~~ and "for Constitution" in  
 1st line down to shall in second

line  
 adopted

Shupler

Original  
Schedule

Secretary's Copy  
Return to the Desk,  
Schedule.

532

Amendment.

No. 532.

REPORTED FROM COMMITTEE ON SCHEDULE.

JANUARY 18TH, 1879.

AS AMENDED IN COMMITTEE OF THE WHOLE.

SCHEDULE.

That no inconvenience may arise from the alterations and amendments  
in the Constitution of this State, and to carry the same into complete effect,

it is hereby ordained and declared:

SECTION 1. That all laws in force at the adoption of this Constitution,  
not inconsistent therewith, shall remain in full force and effect until altered  
or repealed by the Legislature; and all rights, actions, prosecutions, claims,  
and contracts of the State, counties, individuals, or bodies corporate, not  
inconsistent therewith, shall continue to be as valid as if this Constitution  
had not been adopted. The provisions of all laws which are inconsistent with  
this Constitution shall cease upon the adoption thereof, except that all laws  
which are inconsistent with such provisions of this Constitution as require  
legislation to enforce them shall remain in full force until the first day of  
July, eighteen hundred and eighty, unless sooner altered or repealed by the  
Legislature.

SEC. 2. That all recognizances, obligations, and all other instruments  
2 entered into or executed before the adoption of this Constitution to this State,  
3 or to any subdivision thereof, or any municipality therein, and all fines, taxes,  
4 penalties, and forfeitures due or owing to this State, or any such subdivision  
5 or municipality, and all writs, prosecutions, actions, and causes of action,  
6 except as herein otherwise provided, shall continue and remain unaffected by  
7 the adoption of this Constitution. All indictments or informations, which  
8 shall have been found, or may hereafter be found, for any crime or offense  
9 committed before this Constitution takes effect, may be proceeded upon as if  
10 no change had taken place, except as otherwise provided in this Constitution.

The following is section two, as amended on motion of Mr. Herrington,  
and adopted:

*Amended*  
[SEC. 2. That all recognizances, obligations, and all other instruments  
2 entered into or executed before the adoption of this Constitution to this State,  
3 or to any subdivision thereof, or any municipality therein, and all fines, taxes,  
4 penalties, and forfeitures due or owing to this State, or any subdivision or  
5 municipality, and all writs, prosecutions, actions, and causes of action, except  
6 as herein otherwise provided, shall continue and remain unaffected by the  
7 adoption of this Constitution. All indictments or informations which shall  
8 have been found, or may hereafter be found, for any crime or offense com-  
9 mitted before this Constitution takes effect, may be proceeded upon as if no  
10 change had taken place, except as otherwise provided in this Constitution.]

SEC. 3. The Legislature, at its first session after the adoption of this  
2 Constitution, shall provide for the transfer of all records, books, papers, and  
3 proceedings from such Courts as are abolished by this Constitution to the  
4 Courts provided herein; and the Courts to which the same are thus transferred  
5 shall have the same power and jurisdiction over them as if they had been in

6 first instance commenced, filed, or lodged therein. No officer elected at the  
7 first election after the adoption of this Constitution shall be entitled to draw  
8 any salary until he shall have been duly installed as such either by provisions  
9 herein or by Act of the Legislature.

SEC. 4. The Secretary of State shall cause this Constitution to be  
2 published once a week for at least four consecutive weeks next before the first  
3 Wednesday in May, eighteen hundred and seventy-nine, in not more than six  
4 newspapers published in this State, one of which newspapers shall be pub-  
5 lished in the City and County of San Francisco, one in the County of Sacra-  
6 mento, one in the County of Los Angeles, one in the County of Nevada, one  
7 in the County of Santa Clara, and one in the County of Sonoma. The Gov-  
8 ernor shall issue his proclamation, giving notice of the election for the adop-  
9 tion or rejection of this Constitution, at least one month before the said first  
10 Wednesday in May, eighteen hundred and seventy-nine, and the Boards of  
11 Supervisors of the several counties shall cause said proclamation to be made  
12 public in their respective counties, and general notice of said election to be  
13 given at least fifteen days next before said election.

The following is section four, as substituted on motion of Mr. Moreland,  
and adopted:

[SEC. 4. The Superintendent of Printing of the State of California  
2 shall, at least thirty days before the first Wednesday in May, eighteen hundred  
3 and seventy-nine, on such terms as may be reasonable, select and contract  
4 with one newspaper proprietor in each county in this State, in which a news-  
5 paper is published, for the publication and issuance once a week for two  
6 successive weeks next before said election in their respective papers, as a sup-  
7 plement thereto; the printed copies of this Constitution as hereinafter pro-  
8 vided. The circulation of such papers shall be taken into consideration in

*Enclosure*  
*Moreland*  
*Moreland*

Sec 4. Amend the amendment by striking out all down to and including the word "papers" where it occurs in the 15<sup>th</sup> line, and insert the following.

The superintendent of Printing of the State of California shall, at least thirty days before the first Wednesday in May A. D. eighteen hundred and seventy nine, cause to be printed, at the state printing office, in pamphlet form, simply stitched, "as many copies of this Constitution, as there are registered voters in this state, and mail one copy thereof to the Post-office address of each registered voter.

Provided any copies not called for ten days after reaching their delivery office, shall be subject to general distribution by the several Post Masters of the State.

Wobler

Adolfus

9 making such contracts and selection, and the papers so selected shall issue a  
10 number of such supplements equal to the circulation of such papers in this  
11 State. In counties containing property of an assessable valuation of ten mil-  
12 lion dollars or over, not more than three such papers may be so selected. The  
13 Superintendent of Printing shall cause to be printed and delivered to the  
14 newspapers so selected, in due time for publication thereof, a number of such  
15 supplements equal to twice the State circulation of such papers. The Gov-  
16 ernor shall issue his proclamation, giving notice of the election for the adop-  
17 tion or rejection of this Constitution, at least thirty days before the said first  
18 Wednesday of May, eighteen hundred and seventy-nine, and the Boards of  
19 Supervisors of the several counties shall cause said proclamation to be made  
20 public in their respective counties, and general notice of said election to be  
given at least fifteen days next before said election.]

SEC. 5. The Superintendent of Printing of the State of California shall, at least twenty days before said election, cause to be printed and delivered to the Clerk of each county in this State five times the number of properly prepared ballots for said election that there are voters in said respective counties, with the words printed thereon, "For the new Constitution." He shall likewise cause to be so printed and delivered to said Clerks five times the number of properly prepared ballots for said election that there are voters in said respective counties, with the words printed thereon, "Against the new Constitution." *add Reynolds*

SEC. 6. The Clerks of the several counties in the State shall, at least five days before said election, cause to be delivered to the Inspectors of Elections, at each election precinct or polling place in their respective counties, suitable poll-books, forms of return, and an equal number of the aforesaid ballots, which number, in the aggregate, must be ten times greater than the

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16 Amend Section 5, by adding as  
17 follows: —  
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19 The Secretary of State is hereby  
20 authorized and required to furnish the  
21 Superintendent of State Printing a  
22 sufficient quantity of the legal  
23 ballot paper now on hand to carry  
24 out the provisions of this section.  
25

26 Reynolds  
27  
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[ ]

6 number of voters in the said election precincts or polling places. The returns  
7 of the number of votes cast at the Presidential election in the year eighteen  
8 hundred and seventy-six shall serve as a basis of calculation for this and the  
9 preceding section.

The following is section six, as amended on motion of Mr. Reynolds,  
and adopted:

[SEC. 6. The Clerks of the several counties in the State shall, at least  
2 five days before said election, cause to be delivered to the Inspectors of Elec-  
3 tions, at each election precinct or polling place in their respective counties,  
4 suitable <sup>Registers</sup> poll-books, forms of return, and an equal number of the aforesaid  
5 ballots, which number, in the aggregate, must be ten times greater than the  
6 number of voters in the said election precincts or polling places. The returns  
7 of the number of votes cast at the Presidential election in the year eighteen  
8 hundred and seventy-six shall serve as a basis of calculation for this and the  
9 preceding section; *provided*, that the duties in this and the preceding section  
10 imposed upon the Clerk of the respective counties shall in the City and  
11 County of San Francisco be performed by the Registrar of Voters for said  
12 city and county.]

SEC. 7. Every citizen of the United States, entitled by law to vote  
2 for members of the Assembly in this State, shall be entitled to vote for the  
3 adoption or rejection of this Constitution.

SEC. 8. The officers of the several counties of this State, whose duty  
2 it is, under the law, to receive and canvass the returns from the several pre-  
3 cincts of their respective counties, as well as the City and County of San  
4 Francisco, shall meet at the usual places of meeting for such purposes on the  
5 first Monday after said election. If, at the time of meeting, the returns from

*Amended*

Amend Sec. 6. as amended in  
committee of the whole by inserting  
between the words "suitable" and "poll-  
books" in line 4. the word "registers,"

adopted

Blackmer

6 each precinct in the county in which the polls were opened have been  
 7 received, the Board must then and there proceed to canvass the returns; but  
 8 if all the returns have not been received, the canvass must be postponed from  
 9 day to day until all the returns are received, or until six postponements have  
 10 been had, when they shall proceed to make out returns of the votes cast for  
 11 and against the new Constitution; and the proceedings of said Boards shall  
 12 be the same as those prescribed for like Boards in the case of an election for  
 13 Governor. Upon the completion of said canvass and returns, the said Board  
 14 shall immediately certify the same, in the usual form, to the Governor of the  
 15 State of California.

The following is section eight, as amended on motion of Mr. Shafter,  
 and adopted:

[SEC. 8. The officers of the several counties of this State, whose duty  
 2 it is, under the law, to receive and canvass the returns from the several pre-  
 3 cincts of their respective counties, as well as of the City and County of San  
 4 Francisco, shall meet at the usual places of meeting for such purposes on  
 5 the first Monday after said election. If, at the time of meeting, the returns  
 6 from each precinct in the county in which the polls were opened have been  
 7 received, the Board must then and there proceed to canvass the returns; but  
 8 if all the returns have not been received, the canvass must be postponed from  
 9 day to day until all the returns are received, or until six postponements have  
 10 been had, when they shall proceed to make out returns of the votes cast for  
 11 and against the new Constitution; and the proceedings of said Boards shall  
 12 be the same as those prescribed for like Boards in the case of an election for  
 13 Governor. Upon the completion of said canvass and returns, the said Board  
 14 shall immediately certify the same, in the usual form, to the Governor of the  
 15 State of California.]

*Concurrent*

SEC. 9. The Governor of the State of California shall, as soon as the  
2 returns of said election shall be received by him, or within thirty days after  
3 said election, in the presence and with the assistance of the Controller, Treas-  
4 urer, and Secretary of State, open and compute all the returns received of  
5 votes cast for and against the new Constitution. If, by such examination and  
6 computation, it is ascertained that a majority of the whole number of votes  
7 cast at such election be in favor of such new Constitution, the Executive of  
8 this State shall, by his proclamation, declare such new Constitution to be the  
9 Constitution of the State of California, and that it shall take effect and be in  
10 force on the day hereinafter specified.

SEC. 10. In order that future elections in this State shall conform to the  
2 requirements of this Constitution, the term of all officers elected under the  
3 same, and whose term of office is four years or over, shall be, respectively, one  
4 year shorter than the term provided for in this Constitution, and the term of  
5 all officers whose term of office is two years shall be, respectively, one year  
6 longer than the term provided for in this Constitution, except the members of  
7 the Assembly, whose first term of office shall be one year; and the successors  
8 of all such officers shall be elected at the last election before the expiration of  
9 the terms as in this section provided. The first officers chosen after the adop-  
10 tion of this Constitution shall be elected at the time and in the manner now  
11 provided by law.

Substitute for section ten, offered by Mr. Moreland, and adopted:

[SEC. 10. In order that future elections in this State shall conform  
2 to the requirements of this Constitution, the term of all officers elected at the  
3 first election under the same shall be, respectively, one year shorter than the  
4 terms as in this Constitution provided; and the successors of all such officers  
5 shall be elected at the last election before the expiration of the terms as in this

6 section provided. The first officers chosen after the adoption of this Constitu-  
7 tion shall be elected at the time and in the manner now provided by law.] *add - Morland*

SEC. 11. Should this Constitution be ratified at the election for the  
2 ratification and adoption thereof, it shall take effect and be in force on and  
3 after the fourth day of July, eighteen hundred and seventy-nine, at twelve  
4 o'clock meridian.

*read* Section eleven, as amended by Mr. Shafter, and adopted:  
[SEC. 11. This Constitution shall take effect and be in force on and  
2 after the fourth day of July, eighteen hundred and seventy-nine, at twelve  
3 o'clock meridian.] *add Morland*

*New Section*

"All laws relative to the present  
judicial system of the state  
shall be applicable to the  
judicial system created  
by this Constitution until  
changed by legislation."

*New Section - by Hager*

Section 10

Amend section 10 by adding thereto  
the following: -

Judicial Officers and the  
Justices Superintendent of Public  
Instruction shall be elected at the  
time and in the manner <sup>that</sup> ~~the~~  
State Officers are elected

Adopted

Moreland

amended Section 11 by  
adding to the end thereof  
the following:

"So far as the same relates to  
the election of all officers  
heretofore provided for by law  
and ~~which~~ <sup>which</sup> are not named  
<sup>or provided for</sup> in this constitution, and  
also such officers <sup>who</sup> ~~which~~  
are named in this  
constitution. The Commencement  
of the terms of  
officers and the meeting  
of the Legislature. In all  
other respects and for all  
other purposes this  
constitution shall take  
effect on the 1<sup>st</sup> day of July  
1880 at 12<sup>o'clock</sup> M"

adopted

Worland

# SCHEDULE.

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As Amended in Convention, and Ordered Engrossed for a Second Reading, February 19th, 1879.

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## SCHEDULE.

That no inconvenience may arise from the alterations and amendments in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared :

SECTION 1. That all laws in force at the adoption of this Constitution, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature; and all rights, actions, prosecutions, claims, and contracts of the State, counties, individuals, or bodies corporate, not inconsistent therewith, shall continue to be as valid as if this Constitution had not been adopted. The provisions of all laws which are inconsistent with this Constitution shall cease upon the adoption thereof, except that all laws which are inconsistent with such provisions of this Constitution as require legislation to enforce them shall remain in full force until the first day of July, eighteen hundred and eighty, unless sooner altered or repealed by the Legislature.

SEC. 2. That all recognizances, obligations, and all other instruments, entered into or executed before the adoption of this Constitution, to this State, or to any subdivision thereof, or any municipality therein, and all fines, taxes, penalties, and forfeitures due or owing to this State, or any subdivision or

municipality, and all writs, prosecutions, actions, and causes of action, except as herein otherwise provided, shall continue and remain unaffected by the adoption of this Constitution. All indictments or informations which shall have been found, or may hereafter be found, for any crime or offense committed before this Constitution takes effect, may be proceeded upon as if no change had taken place, except as otherwise provided in this Constitution.

SEC. 3. The Legislature, at its first session after the adoption of this Constitution, shall provide for the transfer of all records, books, papers, and proceedings from such Courts as are abolished by this Constitution to the Courts provided herein; and the Courts to which the same are thus transferred shall have the same power and jurisdiction over them as if they had been in the first instance commenced, filed, or lodged therein. (No officer elected at the first election after the adoption of this Constitution shall be entitled to draw any salary until he shall have been duly installed as such either by provisions herein or by Act of the Legislature.)

*Stricken out on motion of Becher*

SEC. 4. The Superintendent of Printing of the State of California shall, at least thirty days before the first Wednesday in May, A. D., eighteen hundred and seventy-nine, cause to be printed at the State Printing Office, in pamphlet form, simply stitched, as many copies of this Constitution as there are registered voters in this State, and mail one copy thereof to the post-office address of each registered voter; *provided*, any copies not called for ten days after reaching their delivery office, shall be subject to general distribution by the several Postmasters of the State. The Governor shall issue his proclamation, giving notice of the election for the adoption or rejection of this Constitution, at least thirty days before the said first Wednesday of May, eighteen hundred and seventy-nine, and the Boards of Supervisors of the several counties shall cause said proclamation to be made public in their respective counties, and general notice of said election to be given at least fifteen days next before said election.

Amend Sec 3  
By striking out all after the  
"therein" in the 6<sup>th</sup> line  
adopted

Bucher

SEC. 5. The Superintendent of Printing of the State of California shall, at least twenty days before said election, cause to be printed and delivered to the Clerk of each county in this State five times the number of properly prepared ballots for said election that there are voters in said respective counties, with the words printed thereon, "For the new Constitution." He shall likewise cause to be so printed and delivered to said Clerks five times the number of properly prepared ballots for said election that there are voters in said respective counties, with the words printed thereon, "Against the new Constitution." The Secretary of State is hereby authorized and required to furnish the Superintendent of State Printing a sufficient quantity of legal ballot paper, now on hand, to carry out the provisions of this section.

SEC. 6. The Clerks of the several counties in the State shall, at least five days before said election, cause to be delivered to the Inspectors of Elections, at each election precinct or polling place in their respective counties, suitable registers, poll-books, forms of return, and an equal number of the aforesaid ballots, which number, in the aggregate, must be ten times greater than the number of voters in the said election precincts or polling places. The returns of the number of votes cast at the Presidential election in the year eighteen hundred and seventy-six shall serve as a basis of calculation for this and the preceding section; *provided*, that the duties in this and the preceding section imposed upon the Clerk of the respective counties shall, in the City and County of San Francisco, be performed by the Registrar of Voters for said city and county.

SEC. 7. Every citizen of the United States, entitled by law to vote for members of the Assembly in this State, shall be entitled to vote for the adoption or rejection of this Constitution.

SEC. 8. The officers of the several counties of this State, whose duty it is, under the law, to receive and canvass the returns from the several precincts

of their respective counties, as well as of the City and County of San Francisco, shall meet at the usual places of meeting for such purposes on the first Monday after said election. If, at the time of meeting, the returns from each precinct in the county in which the polls were opened have been received, the Board must then and there proceed to canvass the returns; but if all the returns have not been received, the canvass must be postponed from, ~~day to day until all the returns are received, or until six postponements have been had,~~ <sup>Insert Andrews Amendment</sup> when they shall proceed to make out returns of the votes cast for and against the new Constitution; and the proceedings of said Boards shall be the same as those prescribed for like Boards in the case of an election for Governor. Upon the completion of said canvass and returns, the said Board shall immediately certify the same, in the usual form, to the Governor of the State of California.

SEC. 9. The Governor of the State of California shall, as soon as the returns of said election shall be received by him, or within thirty days after said election, in the presence and with the assistance of the Controller, Treasurer, and Secretary of State, open and compute all the returns received of votes cast for and against the new Constitution. If, by such examination and computation, it is ascertained that a majority of the whole number of votes cast at such election be in favor of such new Constitution, the Executive of this State shall, by his proclamation, declare such new Constitution to be the Constitution of the State of California, and that it shall take effect and be in force on the day hereinafter specified.

SEC. 10. In order that future elections in this State shall conform to the requirements of this Constitution, the term of all officers elected at the first election under the same shall be, respectively, one year shorter than the terms as in this Constitution provided; and the successors of all such officers shall be elected at the last election before the expiration of the terms as in this section provided. The first officers chosen after the adoption of this Constitution shall

Amend Section 8, as follows

Strike out all after the word "from" in line six on page 4, up to and including the word "had" in line seven on same page, and insert as follows: time to time until, <sup>all the returns are received or until</sup> the second Monday after said election.

adopted

Andrews

be elected at the time and in the manner now provided by law. Judicial officers and the Superintendent of Public Instruction, shall be elected at the time and in the manner that State officers are elected.

SEC. 11. This Constitution shall take effect and be in force on and after the fourth day of July, eighteen hundred and seventy-nine, at twelve o'clock meridian, so far as the same relates to the election of all officers ~~heretofore provided for by law, and who are not named or provided for in this Constitution,~~ *Instruction out* *elect* and also such officers who are named in this Constitution, the commencement of the terms of officers, and the meeting of the Legislature. In all other respects, and for all other purposes, this Constitution shall take effect on the first day of January, eighteen hundred and eighty, at twelve o'clock meridian.

SEC. 12. All laws relative to the present judicial system of the State shall be applicable to the judicial system created by this Constitution until changed by legislation.

Amend Section 11

By striking out all after  
the word officers on third  
line up to and including  
the word Constitution on  
fifth line

Adopted

Y. W.

Report of Sched. 111  
 Com. on Reporting and  
 Printing, acting as an  
 Improvement Committee  
 on the articles on  
 City, County & Township by annexation,  
 Boundary,  
 Distribution of Powers,  
 Land and Homestead Exemption,  
 State & Municipal Indebtedness  
 Schedule. ✓

Correctly engrossed.

July 24/79

Reported, Correctly  
 engrossed,

E. F. Smith

Sec'y

February 27, 1879

Read a second time,  
 adopted, and referred  
 to Committee on Revision  
 and Adjustment

J. M. [Signature]