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In Convention.

Assembly Chamber State Capitol
Tuesday October 1st 1878.

Convention met pursuant to adjournment President Hoge in the Chair.

Roll called and 146 members found to be present.

Journal of yesterday and also the Journal of Saturday Sept. 28. were each read and approved.

Resolution

By Mr. Timmin

Resolved

That the Convention do now proceed to its further permanent organization by the election of the following Officers and in the order named

~~1st A First President~~

~~2nd~~ A Chief Secretary

~~3rd~~ A Phonographic Reporter

~~4th~~ An Assistant Secretary

~~5th~~ A Minute Clerk at the Desk

~~6th~~ A Journal Clerk

~~7th~~ A Sergeant at Arms

An ass Sargent at Arms

Mr McFarland moved to amend by striking out "Sergeant at Arms" where it now exists, and inserting it immediately after Chief Secretary.

Lost.

Mr Reynolds moved to strike out the words "Phonographic Reporter."

Mr Hafer moved as a substitute for the resolution that the Convention do now proceed to the election of Secretaries.

Adopted.

Nominations for Chief Secretary being declared in order. Mr Biggs nominated M. D. Bonck.
Mr Shoemaker " A. M. S. Carpenter.
" Timmin " W. S. Ridding
Mr Larkin " F. J. Clark.
Mr Filcher " J. A. Johnson.

The roll was then called on the nominations for Chief Secretary. With the following result;-

95

ROLL-CALL OF Delegates to

NAMES.	Ayes	Noes	NAMES OF CANDIDATES. Reading	Blanks	Coleman	Colombine					
Andrews, A. R.			✓								
Ayers, James J.			✓								
Barbour, Clitus				✓							
Barnes, Wm. H. L.	✓										
Barry, Edmund			✓	✓							
Barton, James N.				✓							
Beerstecher, Chas. J.				✓							
Belcher, Isaac S.	✓										
Bell, Peter				✓							
Berry, J.			✓								
Biggs, Marion	✓										
Blackmer, Eli T.		✓									
Boggs, H. C.			✓								
Boucher, Josiah	✓										
Brown, Joseph C.						✓					
Burt, Samuel B.					✓						
Campbell, A., Jr.	✓										
Caples, James	✓										
Casserly, Eugene	✓										
Chapman, Augustus H.	✓										
Charles, J. M.	✓										
Condon, John D.				✓							
Cowden, D. H.	✓										
Cross, C. W.				✓							
Crouch, Robert	✓										
Davis, Hamlet				✓							
Dean, J. E.				✓							
Dowling, Patrick T.				✓							
Doyle, Luke				✓							
Dudley, James M. (Solano.)	✓										
Dudley, W. L. (San Joaquin and Amador.)	✓										
Dunlap, Presley	✓										
Eagan, John A.	✓										
Edgerton, Henry	✓										
Estee, Morris M.	✓										
Estey, Thomas H.	✓										
Evey, Edward				✓							
Farrell, Simon J.				✓							

the Constitutional Convention, 1878.

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
			Reddrick	Blackard	Leonard	Brandhorst					
Fawcett, Eugene	✓										
Filcher, J. A.					✓						
Finney, Chas. G.				✓							
Freeman, Abraham C.	✓										
Freud, Jacob R.				✓							
Garvey, J. B.	✓										
Glasscock, B. B.			✓								
Gorman, Joseph C.				✓							
Grace, Wm. P.				✓							
Graves, Wm. J.	✓										
Gregg, V. A.	✓										
Hager, John S.			✓								
Hale, James E.	✓										
Hall, J. B.	✓										
Harrison, Thomas				✓							
Harvey, Joel A.	✓										
Heiskell, Tyler D.		✓									
Herold, Conrad				✓							
Herrington, Dennis W.				✓							
Huestis, W. F.	✓										
Hilborn, S. G.	✓										
Hitchcock, John R. W.	✓										
Hoge, Joseph P.	✓										
Holmes, Samuel A.						✓					
Howard, Volney E.					✓						
Hughey, Wm. P.				✓							
Hunter, G. W.				✓							
Inman, Daniel					✓						
Johnson, G. A.	✓										
Jones, L. F.	✓										
Joyce, Peter J.				✓							
Kelly, John M.		✓									
Kenny, Bernard F.				✓							
Keys, James H.	✓										
Kleine, Charles R.				✓							
Laine, Thomas H.					✓						
Lampson, R. M.											
Larkin, Henry	✓			✓							
Ayes											
Noes											
Absen											

po

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36

ROLL-CALL OF Delegates to

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Bowen	Carpenter	Cushing	Clark	Johnson						
Larue, Hugh M.					✓						
Lavigne, Raymond				✓							
Lewis, David	✓										
Lindow, John F.				✓							
Mansfield, John			✓								
Martin, Edward	✓										
McCallum, John G.					✓						
McComas, Rush	✓										
McConnell, Thomas			✓								
McCoy, John				✓							
McFarland, Thos. B.	✓										
McNutt, John F.	✓										
Miller, John F.	✓										
Mills, Hiram	✓										
Moffat, Wm. S.				✓							
Moreland, W. W.	✓										
Morse, Lucius D.				✓							
Murphy, James E.	✓										
Nason, Edmond					✓						
Nelson, Thorwald				✓							
Neunaber, Henry				✓							
Noel, Alonzo E.			✓								
O'Donnell, Chas. C.				✓							
Ohleyer, George					✓						
O'Sullivan, James				✓							
Overton, A. P.	✓										
Porter, J. M.	✓										
Prouty, Wm. H.			✓								
Pulliam, Mark R. C.	✓										
Reddy, Patrick	✓										
Reed, Charles F.	✓										
Reynolds, James S.				✓							
Rhodes, John M.	✓										
Ringold, Charles S.				✓							
Rolfe, Horace C.	✓										
Schell, Geo. W.	✓										
Schomp, Justus	✓										
Shafter, James McM.	✓										

B 24 35 59

C 26 25 50

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to the Constitutional Convention, 1878.

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.									
	Boreck	Carpenter	Reading	Clark	Johnson							
Shoemaker, Rufus		✓ 1										
Shurtleff, Benjamin	✓ 1											
Smith, E. O. (Santa Clara.)					✓ 1							
Smith, George V. (Fourth District.)	✓ 1											
Smith, Henry W. (San Francisco.)				✓ 1								
Soule, Ezra P.				✓ 1								
Stedman, John C.				✓ 1								
Steele, George	✓ 1											
Stevenson, David C.	✓ 1											
Stuart, C. V.	✓ 1											
Sweasey, W. J.				✓ 1								
Swenson, Charles				✓ 1								
Swing, Randolph S.			✓ 1									
Terry, David S.	✓ 1											
Tinnin, W. J.			✓ 1									
Townsend, F. O.	✓ 1											
Tully, P. B.	po ✓ 1											
Turner, Henry K.	✓ 1											
Tuttle, Daniel				✓ 1								
Vacquerel, Alphonse				✓ 1								
Van Dyke, Walter	✓ 1											
Van Voorhies, Wm.	✓ 1											
Walker, Hugh (Marin.)				✓ 1								
Walker, John (Tuolumne.)	✓ 1											
Waters, Byron			✓ 1									
Webster, Jonathan V.					✓ 1							
Weller, Joseph R.	✓ 1											
Wellin, Patrick M.				✓ 1								
West, John P.				✓ 1								
Wickes, John T.				✓ 1								
White, Wm. F.				✓ 1								
Wilson, H. C. (Tehama.)	✓ 1											
Wilson, Samuel M. (First District.)	✓ 1											
Winans, Joseph W.	✓ 1											
Wyatt, N. G.				✓ 1								

35 34 69 — 4 — 13 — 24 26 50 — 9

Whole number of votes cast — 149
Necessary to choice 75
Mr Borck received 69 votes
Mr Carpenter " 4 "
Mr Redding " 18 "
Mr Clark " 50 "
Mr Johnson " 11 "
Mr Thornton " 2 "

No choice being had the roll was again called with the following result.

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ROLL-CALL OF Delegates to

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Barnes	Coffroth	Gearhart	Glascock	Lorrand						
Andrews, A. R.			✓								
Ayers, James J.					✓						
Barbour, Clitus				✓							
Barnes, Wm. H. L.	✓										
Barry, Edmund				✓							
Barton, James N.				✓							
Beerstecher, Chas. J.				✓							
Belcher, Isaac S.	✓										
Bell, Peter				✓							
Berry, J.			✓								
Biggs, Marion	✓										
Blackmer, Eli T.			✓								
Boggs, H. C.			✓								
Boucher, Josiah	✓										
Brown, Joseph C.		✓									
Burt, Samuel B.					✓						
Campbell, A., Jr.	✓										
Caples, James	✓										
Casserly, Eugene	✓										
Chapman, Augustus H.	✓										
Charles, J. M.	✓										
Condon, John D.				✓							
Cowden, D. H.	✓										
Cross, C. W.				✓							
Crouch, Robert	✓										
Davis, Hamlet				✓							
Dean, J. E.				✓							
Dowling, Patrick T.				✓							
Doyle, Luke				✓							
Dudley, James M. (Solano.)	✓										
Dudley, W. L. (San Joaquin and Amador.)	✓										
Dunlap, Presley	✓										
Eagan, John A.	✓										
Edgerton, Henry	✓										
Estee, Morris M.	✓										
Estey, Thomas H.	✓										
Evey, Edward				✓							
Farrell, Simon J.				✓							

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NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Boruck	Carpentier	Reading	Clark	Johnson						
Fawcett, Eugene					✓ /						
Filcher, J. A.					✓ /						
Finney, Chas. G.				✓ /							
Freeman, Abraham C.	✓ /										
Freud, Jacob R.				✓ /							
Garvey, J. B.	✓ /										
Glasscock, B. B.			✓ /								
Gorman, Joseph C.				✓ /							
Grace, Wm. P.				✓ /							
Graves, Wm. J.	✓ /										
Gregg, V. A.	✓ /										
Hager, John S.			✓ /								
Hale, James E.	✓ /										
Hall, J. B.	✓ /										
Harrison, Thomas				✓ /							
Harvey, Joel A.	✓ /										
Heiskell, Tyler D.		✓ /									
Herold, Conrad				✓ /							
Herrington, Dennis W.				✓ /							
Huestis, W. F.	✓ /										
Hilborn, S. G.	✓ /										
Hitchcock, John R. W.	✓ /										
Hoge, Joseph P.	✓ /										
Holmes, Samuel A.					✓ /						
Howard, Volney E.					✓ /						
Hughey, Wm. P.				✓ /							
Hunter, G. W.				✓ /							
Inman, Daniel					✓ /						
Johnson, G. A.	✓ /										
Jones, L. F.	✓ /										
Joyce, Peter J.				✓ /							
Kelly, John M.					✓ /						
Kenny, Bernard F.				✓ /							
Keys, James H.	✓ /										
Kleine, Charles R.				✓ /							
Laine, Thomas H.					✓ /						
Lampson, R. M.	✓ /										
Larkin, Henry				✓ /							
AYES											
NOES											
ABSEN											

99

2.

ROLL-CALL OF Delegates to

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Boutwell	Bayendiv	Pendleton	Blair	Johnson						
Larue, Hugh M.					✓						
Lavigne, Raymond				✓							
Lewis, David	✓										
Lindow, John F.				✓							
Mansfield, John			✓								
Martin, Edward	✓										
McCallum, John G.					✓						
McComas, Rush	✓										
McConnell, Thomas			✓								
McCoy, John				✓							
McFarland, Thos. B.	✓										
McNutt, John F.	✓										
Miller, John F.	✓										
Mills, Hiram	✓										
Moffat, Wm. S.				✓							
Moreland, W. W.	✓										
Morse, Lucius D.				✓							
Murphy, James E.	✓										
Nason, Edmond					✓						
Nelson, Thorwald				✓							
Neunaber, Henry				✓							
Noel, Alonzo E.			✓								
O'Donnell, Chas. C.				✓							
Ohleyer, George					✓						
O'Sullivan, James				✓							
Overton, A. P.	✓										
Porter, J. M.	✓										
Prouty, Wm. H.					✓						
Pulliam, Mark R. C.	✓										
Reddy, Patrick	✓										
Reed, Charles F.	✓										
Reynolds, James S.				✓							
Rhodes, John M.	✓										
Ringold, Charles S.				✓							
Rolfe, Horace C.	✓						✓				
Schell, Geo. W.	✓										
Schomp, Justus	✓										
Shafter, James McM.	✓										

the Constitutional Convention, 1878.

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Boruck	Carpenter	Reading	Clark	Johnson						
Shoemaker, Rufus		✓									
Shurtleff, Benjamin	✓										
Smith, E. O. (Santa Clara.)					✓						
Smith, George V. (Fourth District.)	✓										
Smith, Henry W. (San Francisco.)				✓							
Soule, Ezra P.				✓							
Stedman, John C.				✓							
Steele, George	✓										
Stevenson, David C.	✓										
Stuart, C. V.	✓										
Sweasey, W. J.				✓							
Swenson, Charles				✓							
Swing, Randolph S.			✓								
Terry, David S.	✓										
Tinnin, W. J.			✓								
Townsend, F. O.	✓										
Tully, P. B.	po ✓										
Turner, Henry K.	✓										
Tuttle, Daniel				✓							
Vacquerel, Alphonse				✓							
Van Dyke, Walter	✓										
Van Voorhies, Wm.	✓										
Walker, Hugh (Marin.)				✓							
Walker, John (Tuolumne.)	✓										
Waters, Byron			✓								
Webster, Jonathan V.					✓						
Weller, Joseph R.	✓										
Wellin, Patrick M.				✓							
West, John P.				✓							
Wickes, John T.				✓							
White, Wm. F.				✓							
Wilson, H. C. (Tehama.)	✓										
Wilson, Samuel M. (First District.)	✓										
Winans, Joseph W.	✓										
Wyatt, N. G.				✓							

Whole number of votes cast 149
Necessary to choice 75
Mr Bonck received 68 votes
Mr Carpenter " 8 "
Mr Redding " 12 "
Mr Clark " 37 "
Mr Johnson " 16

No choice being had the roll was again called with the following result,

41

ROLL-CALL OF Delegates to

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Boruck	Clark	Johnson	Reading	Carpenter						
Andrews, A. R.				✓ /							
Ayers, James J.			✓ /								
Barbour, Clitus		✓ /									
Barnes, Wm. H. L.	✓ /	✗									
Barry, Edmund		✓ /									
Barton, James N.		✓ /									
Beerstecher, Chas. J.		✓ /									
Belcher, Isaac S.	✓ /										
Bell, Peter		✓ /									
Berry, J.		✓ /									
Biggs, Marion	✓ /										
Blackmer, Eli T.				✓ /							
Boggs, H. C.				✓ /							
Boucher, Josiah	✓ /										
Brown, Joseph C.			✓ /								
Burt, Samuel B.			✓ /								
Campbell, A., Jr.	✓ /										
Caples, James	✓ /										
Casserly, Eugene	✓ /										
Chapman, Augustus H.	✓ /										
Charles, J. M.	✓ /	✗									
Condon, John D.	✗	✓ /									
Cowden, D. H.	✓ /										
Cross, C. W.		✓ /									
Crouch, Robert	✓ /										
Davis, Hamlet		✓ /									
Dean, J. E.		✓ /									
Dowling, Patrick T.		✓ /									
Doyle, Luke		✓ /									
Dudley, James M. (Solano.)	✓ /										
Dudley, W. L. (San Joaquin and Amador.)	✓ /										
Dunlap, Presley	✓ /										
Eagan, John A.	✓ /										
Edgerton, Henry	✓ /										
Estee, Morris M.	✓ /										
Estey, Thomas H.	✓ /										
Evey, Edward		✓ /									
Farrell, Simon J.		✓ /									

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NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Comstock	Colgrove	Johnson	Pendleton	Campbell						
Fawcett, Eugene			✓	✓							
Filcher, J. A.			✓								
Finney, Chas. G.		✓									
Freeman, Abraham C.	✓										
Freud, Jacob R.		✓									
Garvey, J. B.	✓										
Glasscock, B. B.				✓							
Gorman, Joseph C.		✓									
Grace, Wm. P.		✓									
Graves, Wm. J.	✓										
Gregg, V. A.	✓										
Hager, John S.				✓							
Hale, James E.	✓										
Hall, J. B.	✓										
Harrison, Thomas		✓									
Harvey, Joel A.	✓										
Heiskell, Tyler D.			✓								
Herold, Conrad		✓									
Herrington, Dennis W.		✓									
Huestis, W. F.	✓										
Hilborn, S. G.	✓										
Hitchcock, John R. W.	✓										
Hoge, Joseph P.	✓										
Holmes, Samuel A.											
Howard, Volney E.			✓								
Hughey, Wm. P.		✓									
Hunter, G. W.		✓									
Inman, Daniel			✓								
Johnson, G. A.	✓										
Jones, L. F.	✓										
Joyce, Peter J.		✓									
Kelly, John M.			✓								
Kenny, Bernard F.		✓									
Keys, James H.	✓										
Kleine, Charles R.		✓									
Laine, Thomas H.			✓								
Lampson, R. M.	✓										
Larkin, Henry		✓									
Ayes											
Noes											
Absen											

42 ROLL-CALL OF **Delegates to**

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Bonnet	Clark	Johnson	Reading	Carpenter						
Larue, Hugh M.			✓ 1								
Lavigne, Raymond		✓ 1									
Lewis, David	✓ 1										
Lindow, John F.		✓ 1									
Mansfield, John				✓ 1							
Martin, Edward	✓ 1										
McCallum, John G.			✓ 1								
McComas, Rush	✓ 1										
McConnell, Thomas				✓ 1							
McCoy, John		✓ 1									
McFarland, Thos. B.	✓ 1										
McNutt, John F.	✓ 1										
Miller, John F.	✓ 1										
Mills, Hiram	✓ 1										
Moffat, Wm. S.		✓ 1									
Moreland, W. W.	✓ 1										
Morse, Lucius D.		✓ 1									
Murphy, James E.	✓ 1										
Nason, Edmond			✓ 1								
Nelson, Thorwald		✓ 1									
Neunaber, Henry		✓ 1									
Noel, Alonzo E.				✓ 1							
O'Donnell, Chas. C.		✓ 1									
Ohleyer, George			✓ 1								
O'Sullivan, James		✓ 1									
Overton, A. P.	✓ 1										
Porter, J. M.	✓ 1										
Prouty, Wm. H.			✓ 1								
Pulliam, Mark R. C.	✓ 1										
Reddy, Patrick	✓ 1										
Reed, Charles F.	✓ 1										
Reynolds, James S.		✓ 1									
Rhodes, John M.	✓ 1										
Ringold, Charles S.		✓ 1									
Rolfe, Horace C.	✓ 1										
Schell, Geo. W.	✓ 1										
Schomp, Justus	✓ 1										
Shafter, James McM.	✓ 1										

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NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Porter	Coleman	Johnson	Pleasant	Laphamite						
Shoemaker, Rufus					✓						
Shurtleff, Benjamin	✓			✓							
Smith, E. O. (Santa Clara.)			✓								
Smith, George V. (Fourth District.)	✓										
Smith, Henry W. (San Francisco.)		✓									
Soule, Ezra P.		✓									
Stedman, John C.		✓									
Steele, George	✓										
Stevenson, David C.	✓										
Stuart, C. V.	✓										
Sweasey, W. J.		✓									
Swenson, Charles		✓									
Swing, Randolph S.				✓							
Terry, David S.	✓										
Tinnin, W. J.				✓							
Townsend, F. O.	✓										
Tully, P. B.	po ✓										
Turner, Henry K.	✓										
Tuttle, Daniel		✓									
Vacquerel, Alphonse		✓									
Van Dyke, Walter	✓										
Van Voorhies, Wm.	✓										
Walker, Hugh (Marin.)		✓									
Walker, John (Tuolumne.)	✓										
Waters, Byron				✓							
Webster, Jonathan V.			✓								
Weller, Joseph R.	✓										
Wellin, Patrick M.		✓									
West, John P.		✓									
Wickes, John T.		✓									
White, Wm. F.		✓									
Wilson, H. C. (Tehama.)	✓										
Wilson, Samuel M. (First District.)	✓										
Winans, Joseph W.	✓										
Wyatt, N. G.		✓									

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Whole number of votes cast	148
Necessary to choice	75
Mr Bonck received	68 votes
Mr Clark "	51 "
Mr Johnson "	17 "
Mr Redding "	11 "
Mr Carpenter "	1 "

No choice being had the roll was again called with the following result,"

C 1

44 ROLL-CALL OF SENATO

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Bouck	Clark	Johnson	Redding	Carpenter						
Andrews, A. R.				/							
Ayers, James J.			/								
Barbour, Clitus		/									
Barnes, Wm. H. L.	/										
Barry, Edmund		/									
Barton, James N.		/									
Beerstecher, Chas. J.		/									
Belcher, Isaac S.	/										
Bell, Peter		/									
Berry, J.			/								
Biggs, Marion	/										
Blackmer, Eli T.				/							
Boggs, H. C.	/										
Boucher, Josiah	/										
Brown, Joseph C.			/								
Burt, Samuel B.			/								
Campbell, A., Jr.	/										
Caples, James	/										
Casserly, Eugene	/										
Chapman, Augustus H.	/										
Charles, J. M.	/										
Condon, John D.		/									
Cowden, D. H.	/										
Cross, C. W.		/									
Crouch, Robert	/										
Davis, Hamlet		/									
Dean, J. E.		/									
Dowling, Patrick T.		/									
Doyle, Luke		/									
Dudley, James M. (Solano.)	/										
Dudley, W. L. (San Joaquin and Amador.)	/										
Dunlap, Presley	/										
Eagan, John A.	/										
Edgerton, Henry	/										
Estee, Morris M.	/										
Estey, Thomas H.	/										
Evey, Edward		/									
Farrell, Simon J.		/									

RS AND ASSEMBLYMEN.

NAMES.	Ayes.	Noes.	NAMES OF CANDIDATES.								
	Bronck	Clark	Johnson	Redding	Carpenter						
NAMES.											
Fawcett, Eugene			/								
Filcher, J. A.		X	/								
Finney, Chas. G.		/									
Freeman, Abraham C.	/										
Freud, Jacob R.		/									
Garvey, J. B.	/										
Glasscock, B. B.			/								
Gorman, Joseph C.		/									
Grace, Wm. P.		/									
Graves, Wm. J.	/										
Gregg, V. A.	/										
Hager, John S.				/							
Hale, James E.	/										
Hall, J. B.	/										
Harrison, Thomas		/									
Harvey, Joel A.	/										
Heiskell, Tyler D.			/								
Herold, Conrad		/									
Herrington, Dennis W.		/									
Huestis, W. F.	/										
Hilborn, S. G.	/										
Hitchcock, John R. W.	/										
Hoge, Joseph P.	/										
Holmes, Samuel A.											
Howard, Volney E.			/								
Hughey, Wm. P.		/									
Hunter, G. W.		/									
Inman, Daniel			/								
Johnson, G. A.	/										
Jones, L. F.	/										
Joyce, Peter J.		/									
Kelly, John M.			/								
Kenny, Bernard F.		/									
Keys, James H.	/										
Kleine, Charles R.		/									
Laine, Thomas H.			/								
Lampson, R. M.	/										
Larkin, Henry		/									
AYES											
NOES											
ABSEN											

ROLL-CALL OF SENATO

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Pomeroy	Leland	Lohman	Pradding							
Larue, Hugh M.			/								
Lavigne, Raymond		/									
Lewis, David	/										
Lindow, John F.		/									
Mansfield, John				/							
Martin, Edward	/										
McCallum, John G.			/								
McComas, Rush	/										
McConnell, Thomas				/							
McCoy, John		/									
McFarland, Thos. B.	/										
McNutt, John F.	/										
Miller, John F.	/										
Mills, Hiram	/										
Moffat, Wm. S.		/									
Moreland, W. W.	/										
Morse, Lucius D.		/									
Murphy, James E.	/										
Nason, Edmond			/								
Nelson, Thorwald		/									
Neunaber, Henry		/									
Noel, Alonzo E.				/							
O'Donnell, Chas. C.		/									
Ohleyer, George			/								
O'Sullivan, James		/									
Overton, A. P.	/										
Porter, J. M.	/										
Prouty, Wm. H.			/								
Pulliam, Mark R. C.	/										
Reddy, Patrick	/										
Reed, Charles F.	/										
Reynolds, James S.		/									
Rhodes, John M.	/										
Ringold, Charles S.		/									
Rolfe, Horace C.	/										
Schell, Geo. W.	/										
Schomp, Justus	/										
Shafter, James McM.	/										

RS AND ASSEMBLYMEN.

NAMES.	Ayes	Noes	NAMES OF CANDIDATES. Borah	Clark	Johnson	Reading	Co					
Shoemaker, Rufus					/							
Shurtleff, Benjamin		/										
Smith, E. O. (Santa Clara.)					/							
Smith, George V. (Fourth District.)		/										
Smith, Henry W. (San Francisco.)			/									
Soule, Ezra P.			/									
Stedman, John C.			/									
Steele, George		/										
Stevenson, David C.		/										
Stuart, C. V.		/										
Sweasey, W. J.			/									
Swenson, Charles			/									
Swing, Randolph S.				/								
Terry, David S.		/										
Tinnin, W. J.						/						
Townsend, F. O.		/										
Tully, P. B.		/										
Turner, Henry K.		/										
Tuttle, Daniel			/									
Vacquerel, Alphonse			/									
Van Dyke, Walter		/										
Van Voorhies, Wm.		/										
Walker, Hugh (Marin.)			/									
Walker, John (Tuolumne.)		/										
Waters, Byron				/								
Webster, Jonathan V.				/								
Weller, Joseph R.		/										
Wellin, Patrick M.			/									
West, John P.			/									
Wickes, John T.			/									
White, Wm. F.			/									
Wilson, H. C. (Tehama.)		/										
Wilson, Samuel M. (First District.)		/										
Winans, Joseph W.		/										
Wyatt, N. G.			/									

Whole number of votes cast 148
Necessary to Choice 75
Mr Bonck received 69 votes
Mr Clark " 50 "
Mr Johnson " 22 "
Mr Redding " 7 "

No Choice

At 12 o'clock and 5 minutes P. M. Mr Ford moved to take a recess till 1.30 P. M.

Lost.

The roll was then again called on the nominations for Secretary with the following result;

47

ROLL-CALL OF SENATO

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Bouchet	Johnson	Clark								
Andrews, A. R.		1									
Ayers, James J.		1									
Barbour, Clitus		1	X								
Barnes, Wm. H. L.	1										
Barry, Edmund		1									
Barton, James N.		1									
Beerstecher, Chas. J.		1	X								
Belcher, Isaac S.	1										
Bell, Peter		1	X								
Berry, J.		1									
Biggs, Marion	1										
Blackmer, Eli T.		1									
Boggs, H. C.	1										
Boucher, Josiah	1										
Brown, Joseph C.		1									
Burt, Samuel B.		1									
Campbell, A., Jr.	1										
Caples, James	1										
Casserly, Eugene	1										
Chapman, Augustus H.	1										
Charles, J. M.	1										
Condon, John D.		1	X								
Cowden, D. H.	1										
Cross, C. W.		1									
Crouch, Robert	1										
Davis, Hamlet		1									
Dean, J. E.		1									
Dowling, Patrick T.		1	X								
Doyle, Luke		1	X								
Dudley, James M. (Solano.)	1										
Dudley, W. L. (San Joaquin and Amador.)	1										
Dunlap, Presley	1										
Eagan, John A.	1										
Edgerton, Henry	1										
Estee, Morris M.	1										
Estey, Thomas H.	1										
Evey, Edward		1									
Farrell, Simon J.		1	X								

RS AND ASSEMBLYMEN.

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.							
	Borrett	Johnson	Clark							
Fawcett, Eugene		/								
Filcher, J. A.		/								
Finney, Chas. G.		/								
Freeman, Abraham C.	/									
Freud, Jacob R.		/								
Garvey, J. B.	/									
Glasscock, B. B.		/								
Gorman, Joseph C.		/	X							
Grace, Wm. P.		/								
Graves, Wm. J.	/									
Gregg, V. A.	/									
Hager, John S.	/									
Hale, James E.	/									
Hall, J. B.	/									
Harrison, Thomas		/								
Harvey, Joel A.	/									
Heiskell, Tyler D.		/								
Herold, Conrad		/								
Herrington, Dennis W.		/								
Huestis, W. F.	/									
Hilborn, S. G.	/									
Hitchcock, John R. W.	/									
Hoge, Joseph P.	/									
Holmes, Samuel A.		/								
Howard, Volney E.		/								
Hughey, Wm. P.		/								
Hunter, G. W.		/								
Inman, Daniel		/								
Johnson, G. A.	/									
Jones, L. F.	/									
Joyce, Peter J.		/								
Kelly, John M.		/								
Kenny, Bernard F.		/	X							
Keys, James H.	/									
Kleine, Charles R.		/								
Laine, Thomas H.		/								
Lampson, R. M.	/	X								
Larkin, Henry		/								
AYES										
NOES										
ABSE										

ROLL-CALL OF SENATO

NAMES.		Ayes. Roosevelt	Noes. Lodge and Le Lark	NAMES OF CANDIDATES.							
Larue, Hugh M.			/								
Lavigne, Raymond			/								
Lewis, David		/									
Lindow, John F.			/								
Mansfield, John			/								
Martin, Edward		/									
McCallum, John G.			/								
McComas, Rush		/									
McConnell, Thomas			/								
McCoy, John			/								
McFarland, Thos. B.		/									
McNutt, John F.		/									
Miller, John F.		/									
Mills, Hiram	47	/									
Moffat, Wm. S.			/	X							
Moreland, W. W.		/	/								
Morse, Lucius D.		/	X								
Murphy, James E.		/									
Nason, Edmond			/								
Nelson, Thorwald			/	X							
Neunaber, Henry			/								
Noel, Alonzo E.		/									
O'Donnell, Chas. C.			/	X							
Ohleyer, George			/								
O'Sullivan, James			/	X							
Overton, A. P.		/									
Porter, J. M.		/									
Prouty, Wm. H.		/									
Pulliam, Mark R. C.		/									
Reddy, Patrick		/									
Reed, Charles F.		/									
Reynolds, James S.			/	X							
Rhodes, John M.		/									
Ringold, Charles S.			/	X							
Rolfe, Horace C.		/									
Schell, Geo. W.		/									
Schomp, Justus		/									
Shafter, James McM.		/									

NAMES.

RS AND ASSEMBLYMEN.

NAMES.	Ayes	Noes	NAMES OF CANDIDATES.								
	Bogus	Johnson	Clark								
Shoemaker, Rufus	/										
Shurtleff, Benjamin	/										
Smith, E. O. (Santa Clara.)		/									
Smith, George V. (Fourth District.)	/										
Smith, Henry W. (San Francisco.)		/	X								
Soule, Ezra P.		/	X								
Stedman, John C.		/									
Steele, George	/										
Stevenson, David C.	/										
Stuart, C. V.	/	X									
Sweasey, W. J.		/									
Swenson, Charles		/									
Swing, Randolph S.		/									
Terry, David S.	/	X									
Tinnin, W. J.		/									
Townsend, F. O.	/										
Tully, P. B.	/										
Turner, Henry K.	/										
Tuttle, Daniel		/	X								
Vacquerel, Alphonse		/									
Van Dyke, Walter	X	/									
Van Voorhies, Wm.	X	/									
Walker, Hugh (Marin.)		/									
Walker, John (Tuolumne.)	/										
Waters, Byron		/									
Webster, Jonathan V.		/									
Weller, Joseph R.	/										
Wellin, Patrick M.		/									
West, John P.		/									
Wickes, John T.		/	X								
White, Wm. F.		/	X								
Wilson, H. C. (Tehama.)	/										
Wilson, Samuel M. (First District.)	/										
Winans, Joseph W.	/										
Wyatt, N. G.		/									

Whole number of votes cast 149
Necessary to choice 75
Mr Barrick received 71 votes
Mr Johnson " 78 votes.

Mr Johnson having received a majority of all the votes cast was declared to be duly elected Chief Secretary of this Convention.

At 12 o'clock and 55 minutes P. M. on motion of Mr Smith of Santa Clara the Convention took a recess till 3 P.M. this day.

Reassembled.

The Convention reassembled at 3 o'clock P. M. President Hoge in the Chair.

The roll was called and 142 members responded.

J. A. Johnson Secretary elect of this Convention, came forward to the Presidents desk and took the oath of office, the same being administered by President Hoge.

Resolution

By Mr S. M. Wilson

Resolved, That the President appoint a Committee of seven to report the designation and number of officers (other than President ~~and Chief~~ Secretary and Sergeant at Arms) as in their opinion are necessary for the transaction of the business of this Convention and the compensation to be paid to Each, where not fixed by law.

Mr Barbour moved to amend by inserting after the words Sergeant at Arms, the words Phonographic Reporters.

Mr Fitcher then submitted the following as a substitute for the resolution.

Resolved, That this Convention now proceed to elect.

1st, A Phonographic Reporter
2nd, A Sergeant-at-Arms
3rd, An Asst Sergeant-at-Arms
4th, A Minute Clerk

The Chair having ruled that the question first occurred upon the amendment as offered by Mr Barbour. Mr Waters appealed from the ruling of the Chair

Pending discussion Mr Filcher withdrew his substitute, whereupon Mr Waters withdrew his appeal.

The question now occurring upon Mr Barbours amendment it was rejected.

The question now recurring upon the adoption of the original resolution it was adopted.

In accordance with the resolution just adopted the President appointed the following Committee

Messrs. Wilson (S.M.)
Murphy
Van Dyke
Larkin
Howard
Brown and
Reddy

52

Resolution.
By Mr Reynolds.

Resolved. — That the President appoint a committee of five, whose duty it shall be to inquire into, and to whom shall be referred all matters concerning, the eligibility of members, or vacancies, ~~shall be referred~~, and that such committee be required to report at the morning session of Thursday next.

On motion of Mr Barnes the resolution was temporarily laid upon the table.

Resolution.
By Mr Barnes

Resolved: That this Convention do forthwith proceed to fill the vacancies in this Body created by reason of the death of Henry H. Haight, Delegate at Large from the 2nd Congressional District, the death of G. M. Hardwick delegate from the Counties of Merced and Mariposa and the resignation of Thomas Moore's delegate from the City and County of San Francisco.

Resolved: That nominations ~~for~~ of Candidates to fill such vacancies be now made in the order named in this Resolution.

Mr Howard rose to a point of order, his point being that the resolution was out of order.

The Chair ruled the point of order not well taken.

Mr Reynolds moved to lay the resolution on the table, upon which motion the ayes and nays were demanded by Messrs. Howard. Heustis and Ayers.

The roll was called and the motion to lay on the table lost by the following vote;

Roll-Call of Delegates to the Constitutional Convention, 1878.

Names.	Ayes	Noes	Absent
Andrews, A. R.	1		
Ayers, James J.	2		
Barbour, Clitus	3		
Barnes, Wm. H. L.		1	
Barry, Edward	4		
Barton, James N.	5		
Beerstecher, Chas. J.	6		
Belcher, Isaac S.		2	
Bell, Peter	7		
Berry, J.		3	
Biggs, Marion		4	
Blackmer, Eli T.		5	
Boggs, H. C.		6	
Boucher, Josiah		7	
Brown, Joseph C.	8		
Burt, Samuel B.	9		
Campbell, A., Jr.	10	10	
Caples, James		8	
Casserly, Eugene			6
Chapman, Augustus H.		9	
Charles, J. M.		10	
Condon, John D.	11		
Cowden, D. H.	12		
Cross, C. W.	13		
Crouch, Robert		11	
Davis, Hamlet	14		
Dean, J. E.	15		
Dowling, Patrick T.	16		
Doyle, Luke	17		
Dudley, James M. (Solano.)	18		
Dudley, W. L. (San Joaquin and Amador.)		12	
Dunlap, Presley		13	
Eagan, John A.		14	
Edgerton, Henry		15	
Estee, Morris M.		16	
Estey, Thomas H.		17	
Evey, Edward	19		
Farrell, Simon J.	18		
Fawcett, Eugene	~~19~~	18	
Filcher, J. A.	19		
Finney, Chas. G.		19	
Freeman, Abraham C.	20		
Freud, Jacob R.	21		
Garvey, J. B.		20	
Glasscock, B. B.		21	
Gorman, Joseph C.	22		
Grace, Wm. P.	23	22	
Graves, Wm. J.		23	
Gregg, V. A.		24	
Hager, John S.		24	
Hale, James E.	23		
Hall, J. B.	24		
Harrison, Thomas	25		
Harvey, Joel A.		25	
Heiskell, Tyler D.	26		
Herold, Conrad	27		
Herrington, Dennis W.	28		
Hilborn, S. G.		26	
Hitchcock, John R. W.		27	
Hoge, Joseph P.		28	
Holmes, Samuel A.		29	
Howard, Volney E.	29		
Huestis, W. F.		30	
Hughey, Wm. P.	30		
Hunter, G. W.	31		
Inman, Daniel		31	
Johnson, G. A.		31	
Jones, L. F.		32	
Joyce, Peter J.	32		
Kelly, John M.		33	
Kenny, Bernard F.	33		
Keys, James H.		34	
Kleine, Charles R.	34		
Laine, Thomas H.		35	
Lampson, R. M.		36	
Larkin, Henry	35		
Larue, Hugh M.		37	
Lavigne, Raymond	36		
Lewis, David		38	
Lindow, John F.	37		
Mansfield, John	38		
Martin, Edward		39	
McCallum, John G.		40	
McComas, Rush		41	
McConnell, Thomas	~~39~~	42	
McCoy, John	39		
McFarland, Thos. B.		43	
McNutt, John F.		44	
Miller, John F.			
Mills, Hiram		45	
Moffat, Wm. S.	40		
Moreland, W. W.		46	
Morse, Lucius D.	41		
Murphy, James E.		47	
Nason, Edmund		~~50~~	
Nelson, Thorwald	42		
Neunaber, Henry	43		
Noel, Alonzo E.	44		
O'Donnell, Chas. C.	45		
Ohleyer, George		49	
O'Sullivan, James	46		
Overton, A. P.		50	
Porter, J. M.		51	
Prouty, Wm. H.		52	
Pulliam, Mark R. C.		53	
Reddy, Patrick		54	
Reed, Charles F.		55	
Reynolds, James S.	47		
Rhodes, John M.		56	
Ringold, Charles S.	48		
Rolfe, Horace C.		57	
Schell, Geo. W.		58	
Schomp, Justus			
Shafter, James McM.			
Shoemaker, Rufus		59	
Shurtleff, Benjamin		60	
Smith, E. O. (Santa Clara.)		61	
Smith, George V. (Fourth District.)		62	
Smith, Henry W. (San Francisco.)	~~49~~		
Soule, Ezra P.	50		
Stedman, John C.	51		
Steele, George		63	
Stevenson, David C.	52		
Stuart, C. V.		64	
Sweasey, W. J.	53		
Swenson, Charles	54		
Swing, Randolph S.	55		
Terry, David S.		65	
Tinnin, W. J.		66	
Townsend, F. O.		67	
Tully, P. B.		68	
Turner, Henry K.		69	
Tuttle, Daniel	56		
Vacquerel, Alphonse	57		
Van Dyke, Walter		70	
Van Voorhies, Wm.		71	
Walker, Hugh (Marin.)	58		
Walker, John (Tuolumne.)		72	
Waters, Byron	59		
Webster, Jonathan V.		73	
Weller, Joseph R.		74	
Wellin, Patrick M.	60		
West, John P.	61		
Wickes, John T.	62		
White, Wm. F.	63		
Wilson, H. C. (Tehama.)	64		
Wilson, Samuel M. (First District.)		75	
Winans, Joseph W.		~~76~~	
Wyatt, N. G.	64		

Ayes ~~64~~ 77 64

Noes ~~64~~ 77

Absent

The question recurring upon the adoption of the resolution, and the ayes and nays being demanded by the requisite number, the roll was called and the resolution lost by the following vote;

Roll-Call of Delegates to the Constitutional Convention, 1878.

Names.	Ayes	Noes	Absent
Andrews, A. R.		1	
Ayers, James J.		2	
Barbour, Clitus		3	
Barnes, Wm. H. L.	1		
Barry, Edward		4	
Barton, James N.		5	
Beerstecher, Chas. J.		6	
Belcher, Isaac S.	2		
Bell, Peter		7	
Berry, J.	3		
Biggs, Marion	4		
Blackmer, Eli T.		8	
Boggs, H. C.	5		
Boucher, Josiah		9	
Brown, Joseph C.		10	
Burt, Samuel B.		11	
Campbell, A., Jr.	6		
Caples, James	7		
Casserly, Eugene			
Chapman, Augustus H.		12	
Charles, J. M.	8		
Condon, John D.		13	
Cowden, D. H.		14	
Cross, C. W.		15	
Crouch, Robert	9		
Davis, Hamlet		16	
Dean, J. E.		17	
Dowling, Patrick T.		18	
Doyle, Luke		19	
Dudley, James M. (Solano.)		20	
Dudley, W. L. (San Joaquin and Amador.)	10		
Dunlap, Presley	11		
Eagan, John A.	12		
Edgerton, Henry	1		
Estee, Morris M.	13		
Estey, Thomas H.	14		
Evey, Edward		21	
Farrell, Simon J.		22	
Fawcett, Eugene	15		
Filcher, J. A.		23	
Finney, Chas. G.	16		
Freeman, Abraham C.		24	
Freud, Jacob R.		25	
Garvey, J. B.	17		
Glasscock, B. B.		26	
Gorman, Joseph C.		27	
Grace, Wm. P.		28	
Graves, Wm. J.	18		
Gregg, V. A.	19		
Hager, John S.	20		
Hale, James E.		29	
Hall, J. B.		80	
Harrison, Thomas		81	
Harvey, Joel A.	21		
Heiskell, Tyler D.		82	
Herold, Conrad		83	
Herrington, Dennis W.		1	
Hilborn, S. G.	23		
Hitchcock, John R. W.	24		
Hoge, Joseph P.	25		
Holmes, Samuel A.	26		
Howard, Volney E.		84	
Huestis, W. F.	27		
Hughey, Wm. P.		35	
Hunter, G. W.		36	
Inman, Daniel	28		
Johnson, G. A.	29		
Jones, L. F.	30		
Joyce, Peter J.		37	
Kelly, John M.	31		
Kenny, Bernard F.		38	
Keys, James H.		39	
Kleine, Charles R.		40	
Laine, Thomas H.	32		
Lampson, R. M.	33		
Larkin, Henry		1	
Larue, Hugh M.	35		
Lavigne, Raymond		41	
Lewis, David	36		
Lindow, John F.		42	
Mansfield, John		43	
Martin, Edward	37		
McCallum, John G.	38		
McComas, Rush	39		
McConnell, Thomas	40		
McCoy, John		44	
McFarland, Thos. B.	41		
McNutt, John F.	42		
Miller, John F.			
Mills, Hiram	43		
Moffat, Wm. S.		45	
Moreland, W. W.	44		
Morse, Lucius D.		46	
Murphy, James E.	45		
Nason, Edmund	46		
Nelson, Thorwald		47	
Neunaber, Henry		48	
Noel, Alonzo E.		49	
O'Donnell, Chas. C.		50	
Ohleyer, George		51	
O'Sullivan, James		52	
Overton, A. P.	47		
Porter, J. M.	48		
Prouty, Wm. H.	49		
Pulliam, Mark R. C.	50		
Reddy, Patrick	51		
Reed, Charles F.	52		
Reynolds, James S.		53	
Rhodes, John M.	53		
Ringold, Charles S.		54	
Rolfe, Horace C.	54		
Schell, Geo. W.	55		
Schomp, Justus			
Shafter, James McM.			
Shoemaker, Rufus	56		
Shurtleff, Benjamin	57		
Smith, E. O. (Santa Clara.)	58		
Smith, George V. (Fourth District.)		55	
Smith, Henry W. (San Francisco.)		56	
Soule, Ezra P.		59	
Stedman, John C.		58	
Steele, George	59		
Stevenson, David C.	60		
Stuart, C. V.	61		
Sweasey, W. J.		59	
Swenson, Charles		60	
Swing, Randolph S.		61	
Terry, David S.	62		
Tinnin, W. J.		62	
Townsend, F. O.	63		
Tully, P. B.	64		
Turner, Henry K.	65		
Tuttle, Daniel		63	
Vacquerel, Alphonse		64	
Van Dyke, Walter	66		
Van Voorhies, Wm.	67		
Walker, Hugh (Marin.)		65	
Walker, John (Tuolumne.)	68		
Waters, Byron		66	
Webster, Jonathan V.	69		
Weller, Joseph R.	70		
Wellin, Patrick M.		67	
West, John P.		68	
Wickes, John T.		69	
White, Wm. F.		70	
Wilson, H. C. (Tehama.)	71		
Wilson, Samuel M. (First District.)	72		
Winans, Joseph W.	73		
Wyatt, N. G.		71	

Ayes ~~23~~ 72

Noes ~~22~~ 23

Absent

Resolution.
By Mr C. Sullivan

Resolved, That a Committee of five be appointed, to examine as experts into the qualifacations of the candidates for phonographic reporters of this body; also, as to the probable cost of the reports; and report to-morrow.

On motion of Mr Edgerton the above resolution was laid upon the table.

Resolution
By Mr Estee.

Resolved - That a committee of fifteen be appointed by the Chair to draft rules and ~~[illegible]~~ rules for business and report the same to this Convention for its consideration

Mr Freeman moved to amend by requiring the committee to report also what Standing Committees shall be created.

The amendment was accepted by Mr Estee the author of the resolution.

The resolution was then adopted

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Resolution
By Mr Smith of Santa Clara

Resolved that the thanks of the convention is tendered to his excellency Governor Irwin for the very able impartial and courteous manner in which he has discharged the duties of President of the convention Also that the thanks of the convention be ~~also~~ tendered to Secretary Beck and the other officers for their efficient services during the organisation of the convention

Adopted.

Resolution.
By Mr West.

Resolved that the following Standing Committees be appointed by the Chair;

1 A Committee on Rules.
2 On Privileges and Elections.
3 A Committee on Printing
4 A Committee on Accounts and Expenditures
5 A Committee on Preamble & Bill of Rights
6 A Committee on Legislative Department.
7 A Committee on Executive Department.
8 A Committee on Judicial Department

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9 a Committee on Elective Franchise
10 a Committee on Education.
11 a Committee on Public Institutions
12 a Committee on Public Debt & Public Works.
13 a Committee on Militia.
14 a Committee on County & Township Organization.
15 a Committee on Apportionment & Representation.
16 a Committee on Revenue & Taxation.
17 a Committee on Municipal Corporations
18 a Committee on Corporations other than Municipal
19 a Committee on Miscellaneous Subjects
20 a Committee on Amendments.
21 a Committee on Schedule
22 a Committee on Traffic in Intoxicating Liquors.
23 a Committee on Enrollment.
24 a Committee on Revision
25 a Committee on Agriculture.

The above resolution was referred to the Committee on Rules, when appointed.

At 4 o'clock and 45 minutes P.M. on motion of Mr Edgerton the Convention adjourned to meet tomorrow at 10 A. M.

10/1/78

Tuesday Oct 1st
1878