In Convention.

Assembly Chamber State Capitol
Wednesday Oct. 2nd 1878.

Convention met pursuant to adjournment. President Hoge in the Chair.

The roll was called and 144 members responded.

Journal of Yesterday read and approved.

On motion of Mr Smith. Two days leave of absence was granted to Mr Laine.

Resolution

By Mr Barbour

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Resolved,

1st

That ~~that~~ the delegates at large from the Second Congressional District and the delegates from the City and County of San Francisco, ~~respectively~~, be and they are hereby authorized and empowered to name the person to fill the vacancies in their respective delegations caused by the death of H. H. Haight and the resignation of Thomas Morris; ~~also~~, and that the persons thus proposed be considered the choice of this Convention

2d

That the vacancy in the representation from the Counties of Mariposa and Merced be filled by election to be had therefor by this

Convention.

3d

That the convention reserves its right to reject any person proposed as above provided, who may be found ineligible or deemed unworthy.

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Ruled out of order by the Chair.

Mr Barbour appealed from the ruling of the Chair but subsequently withdrew the appeal.

The Chair then announced the appointment of the following Committee on Rules, Standing Committees and order of business in accordance with a resolution adopted on yesterday.

| | |
|---|---|
| M. M. Estee | San Francisco |
| Henry Edgerton | Sacramento |
| A. P. Overton | Sonoma |
| Jno. Mansfield | Los Angeles |
| G. W. Schell | Stanislaus Co. |
| E. Barry | Sierra Co. |
| Eugene Fawcett | Santa Barbara |
| J. S. Reynolds | S. F. |
| Jno. P. West | Los Angeles |
| S. A. Holmes | Fresno Co. |
| J. E. Murphy | Del Norte Co. |
| W. L. Dudley | Stockton |
| M. R. C. Pulliam | Butte Co. |
| W. J. Finnin | Trinity |
| Byron Waters | San Bernardino |

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Resolution
By Mr Bryatt.

Resolved That The President of the Convention be instructed to appoint a Committee of five whose duty it shall be to ascertain and report to this Convention on Saturday at the fore-Noon Session thereof the amount due each member of the Convention for Mileage and per diem to date of report

Laid on the Table on motion of Mr Edgerton.

Mr Noel moved that Mr Campbell be granted indefinite leave of absence.

Mr Wilson from the Committee appointed on yesterday to report to the Convention the number and designation of its Officers, submitted a report from same.

The report was recieved and Mr Wilson moved to amend, by including one night watchman at a per diem of $8 adopted

Mr Ayers moved to further amend by reducing the amount per folio allowed to Phonographic Reporters from 20 cts per folio to 15 cts per folio.

The amendment was accepted by the Committee.

Mr Fitcher moved to amend by striking "Assistant Phonographic Reporter" out of the report.

Mr Grace moved to further amend by further reducing the amount per folio allowed to the "Phonographic Reporters" to 10 cents.

Mr Yeager moved that the matter of compensation to be allowed the Phonographic Reporters be stricken out of the report and that the matter be referred to a standing Committee to be appointed to regulate and control the same.

Mr Stedman moved to strike out all in the report relating to Phonographic Reporters and in connection with his amendment offered the following Resolution;

Resolved That there be employed by the Convention a competent reporter, whose duty it shall be to make an accurate and faithful report of the debates and daily proceedings of the Convention. That a committee on Reporting be authorized to invite reporters who shall be and receive proposals from gentleman qualified to discharge the duties of reporter as to the terms upon which they will undertake to perform said duties and that said committee report to the Convention the proposals received with such recommendation in respect thereto as may be deemed expedient

Mr Dudley of San Joaquin moved that the whole matter of Phonographic Reporters be referred back to the Committee with instruction to report tomorrow, and that the matter be made Special order for tomorrow at 12 o'clock M.

Mr Edgerton moved that the whole report be referred back to the Committee with instruction to report as soon as practicable. Adopted

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7

Resolution
By Mr Gregg

Resolved that the Secretary of the Convention have printed for the use of the Members of the Convention - five hundred sheet copies of "An act entitled an to provide for a Convention to frame a new Constitution for the State of California" approved March 30th 1878

Pending discussion of the above resolution at 11 o'clock and 50 minutes A. M. on motion of Mr Blackmer. The Convention took a recess till 2 P. M.

The Convention reassembled at 2 o'clock P. M. President Hoge in the Chair

Roll called and 142 members found to be present.

On motion of Mr Van Dyke, Mr Campbell was granted leave of absence for the remainder of this week.

Report.

By Mr S. H. Wilson.

Mr President

Your Committee appointed under a resolution of the Convention to report the designation and number of Officers, other than President, 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," beg leave to report that they have found the following Officers (other than President, Secretary and Sergeant at arms) necessary. viz!

1st President pro tem.
2nd 2 Assistant Secretaries
3d The Minute Clerk.

4th one Journal Clerk
5th one Assistant Sergeant at Arms
6th Three Doorkeepers
7th Two Porters
8th Eight Pages, Two of whom shall be detailed from time to time as paper folders.
9th One Postmaster
10th One ~~Paper folder~~ Mail Carrier
11th one Phonographic Reporter and his assistant, to be by him selected.

We recommend that the following compensation be allowed the said officers respectively viz:

To the Asst Secretaries each $6 per day
To the Minute Clerk & Journal Clerk " $5 " "
To the Asst Sergeant at Arms " $5 " "
To the Doorkeepers each " $5 " "
To the Porters " " $4 " "
To the Pages " " $3 " "
To the Postmaster " " $4 " "
To the Mail Carrier $100 per month
To the Phonographic Reporter and his assistant each $10 per day for reporting, and such additional sum for transcribing into longhand, as the Standing Committee of the Convention to whom the same shall be referred may determine, the matter to be transcribed to be also determined by such Committee

The officers above named include as well all those specified in the Statute, as the additional ones deemed necessary and only except the President, Secretary and Sergeant at arms

We also recommend that of the foregoing the following shall be elected by the Convention, viz

1 The President Protem
2 " Two Assistant Secretaries
3 " One Minute Clerk
4 " One Journal Clerk
5 " One Asst Sergeant at Arms.
6 " Phonographic Reporter.

and that all the others named above be appointed by the President of the Convention, except the Phonographic Reporter who shall appoint his own assistant

All of which is respectfully submitted.

S. M. Wilson
Chairman

Oct 2nd
1878

The above report was read received and taken up for action for adoption.

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Mr Beardsley moved to strike out the Sixth ~~Sec~~ clause of the report which provides for Three Doorkeepers.

Lost.

Mr Freeman moved to strike out the 11th clause of the report, which provides for a Phonographic Reporter and his assistant

Mr Hemstis offered the following as a substitute for Mr Freemans motion.

Resolved that the Convention elect one phonographic reporter and that he be allowed such assistants as he may deem necessary

That the Reporter of this Convention be required to furnish Verbatim reports of its proceedings

And that he receive five thousand Dollars ~~for all the work required of him~~ in full Compensation for ~~all the work required of this~~ his services as such Reporter

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Pending discussion Mr Estill moved that the consideration of the 11th clause of the report be made special order for tomorrow at 11 o'clock A. M.

Mr Herrington then offered the following resolution:

Resolved

That ~~the Secretary~~ one Phonographic Reporter and one assistant to be selected by the Reporter be employed at a per diem of ten dollars each ~~for reading~~ taking the proceedings of this Convention in short hand ~~and that~~ with the understanding and agreement that each day proceeding be transcribed at a cost to the State of not exceeding ~~Five~~ Six Thousand Dollars for transcribing the entire proceedings of the Convention

Mr Murphy then moved that all of the report with the exception of the 11th clause be adopted.

So ordered.

Mr Murphy then moved that the 11th clause of the report, be referred to a Special Committee of five to be appointed by the President. So ordered.

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Resolution.
By Mr Beerstecher.

Resolved, That the committee of five to be appointed by the President upon phonographic reporting, also draw and submit a Contract to this convention for its approval whereby the phonographic Reporter or reporters shall be bound in a penal sum to perform their duties according to the wish of this Convention, and which will secure such phonographic reports written out in long hand to the State.

Referred to the Committee above referred to, when appointed.

Mr Murphy moved that the Convention do now proceed to complete its organization by the election of a Sergeant at Arms.
So ordered.

Nominations for Sergeant at Arms were now declared to be in order.

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Mr Freeman nominated B. F Stewart.
" Dudley of San Joaquin " A. J. Ross.
" Reddy " J. M. Farrelly
" Nason " C. J. Rosely
" McComas " Albert French
" Belcher " T. J. Sherwood
" Barbour " M. H. O'Connor
" Waters " J. T. Knox
" Chapman " R. B. Hayes
" Timmin " Harrison Jones.

Nominating Ring closed the roll was called with the following result.

# Roll-Call of Delegates to the C

| NAMES. | Ayes D. H. Stuart | Noes Ross | Names of Candidates. Farrelly | Mosely | French | Sherwood | O'Connor | Knox | Hayes | Bones |
|---|---|---|---|---|---|---|---|---|---|---|
| Andrews, A. R. | | | | | | | | | 1 | |
| Ayers, James J. | 1 | | | | | | | | | |
| Barbour, Clitus | | | | | | | 1 | | | |
| Barnes, Wm. H. L. | | | 1 | | | | | | | |
| Barry, Edward | | | | | | | 2 | | | |
| Barton, James N. | | | | | | | 3 | | | |
| Beerstecher, Chas. J. | | | | | | | 4 | | | |
| Belcher, Isaac S. | | | | | | 1 | | | | |
| Bell, Peter | | | | | | | 5 | | | |
| Berry, J. | | | | | | | | 1 | | |
| Biggs, Marion | | | | | | | | | 2 | |
| Blackmer, Eli T. | | | | | | | | | 3 | |
| Boggs, H. C. | | | | | 4 | | | | 3 | |
| Boucher, Josiah | | | | | | | | | 4 | |
| Brown, Joseph C. | | | | | | | | | 5 | |
| Burt, Samuel B. | | | | | | | | | 6 | |
| Campbell, A., Jr. | | | | | | | | | | |
| Caples, James | 2 | | | | | | | | | |
| Casserly, Eugene | | | | | | | | | | |
| Chapman, Augustus H. | | | | 2 | | | | | 7 | |
| Charles, J. M. | | | | 1 | | | | | | |
| Condon, John D. | | | | | | | 6 | | | |
| Cowden, D. H. | | | | | | 2 | | | | |
| Cross, C. W. | | | | | | | 7 | | | |
| Crouch, Robert | | | | 2 | | | | | | |
| Davis, Hamlet | | | | | | | 8 | | | |
| Dean, J. E. | | | | | | | 9 | | | |
| Dowling, Patrick T. | | | | | | | 10 | | | |
| Doyle, Luke | | | | | | | 11 | | | |
| Dudley, James M. (Solano.) | | | | 3 | | | | | | |
| Dudley, W. L. (San Joaquin and Amador.) | | 1 | | | | | | | | |
| Dunlap, Presley | 3 | | | | | | | | | |
| Eagan, John A. | | | | | | | | | | |
| Edgerton, Henry | 4 | | | | | | | | | |
| Estee, Morris M. | 5 | | | | | | | | | |
| Estey, Thomas H. | | | | 4 | | | | | | |
| Evey, Edward | | | | | | | 12 | | | |
| Farrell, Simon J. | | | | | | | 13 | | | |
| Fawcett, Eugene | | | | | | | | | 8 | |
| Filcher, J. A. | | | | | | | | | 9 | |
| Finney, Chas. G. | | | | | | | 14 | | | |
| Freeman, Abraham C. | 6 | | | | | | | | | |
| Freud, Jacob R. | | | | | | | 15 | | | |
| Garvey, J. B. | | 2 | 7 | | | | | | | |
| Glasscock, B. B. | | | | | | 3 | | | | |
| Gorman, Joseph C. | | | | | | | 16 | | | |
| Grace, Wm. P. | | | | | | | 17 | | | |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Cross, C. W. | | | | | | | 7 | | | | |
| Crouch, Robert | | | | 2 | | | | | | | |
| Davis, Hamlet | | | | | | | 8 | | | | |
| Dean, J. E. | | | | | | | 9 | | | | |
| Dowling, Patrick T. | | | | | | | 10 | | | | |
| Doyle, Luke | | | | | | | 11 | | | | |
| Dudley, James M. (Solano.) | | | | 8 | | | | | | | |
| Dudley, W. L. (San Joaquin and Amador.) | | 1 | | | | | | | | | |
| Dunlap, Presley | 3 | | | | | | | | | | |
| Eagan, John A. | | | | | | | | | | | |
| Edgerton, Henry | 4 | | | | | | | | | | |
| Estee, Morris M. | 5 | | | | | | | | | | |
| Estey, Thomas H. | | | | 4 | | | | | | | |
| Evey, Edward | | | | | | | 12 | | | | |
| Farrell, Simon J. | | | | | | | 13 | | | | |
| Fawcett, Eugene | | | | | | | | | | 8 | |
| Filcher, J. A. | | | | | | | | | | 9 | |
| Finney, Chas. G. | | | | | | | 14 | | | | |
| Freeman, Abraham C. | 6 | | | | | | | | | | |
| Freud, Jacob R. | | | | | | | 15 | | | | |
| Garvey, J. B. | | 2 | 7 | | | | | | | | |
| Glasscock, B. B. | | | | | | 3 | | | | | |
| Gorman, Joseph C. | | | | | | | 16 | | | | |
| Grace, Wm. P. | | | | | | | 17 | | | | |
| Graves, Wm. J. | | | | | | | | 2 | | | |
| Gregg, V. A. | | | 2 | | | | | | | | |
| Hager, John S. | | | 3 | | | | | | | | |
| Hale, James E. | | | | | | 4 | | | | | |
| Hall, J. B. | | 2 | | | | | | | | | |
| Harrison, Thomas | | | | | | | 18 | | | | |
| Harvey, Joel A. | | | | 5 | | | | | | | |
| Heiskell, Tyler D. | | | | | | | | 3 | | | |
| Herold, Conrad | | | | | | | 19 | | | | |
| Herrington, Dennis W. | | | | | | | 20 | | | | |
| Hilborn, S. G. | | | | 6 | | | | | | | |
| Hitchcock, John R. W. | | 3 | | | | | | | | | |
| Hoge, Joseph P. | | | | | 2 | | | | | | |
| Holmes, Samuel A. | | | | | | | | 4 | | | |
| Howard, Volney E. | 7 | | | | | | | | | | |
| Huestis, W. F. | | | | | | 5 | | | | | |
| Hughey, Wm. P. | | | | | | | 21 | | | | |
| Hunter, G. W. | | | | | | | 22 | | | | |
| Inman, Daniel | | | | | 3 | | | | | | |
| Johnson, G. A. | | | | 7 | | | | | | | |
| Jones, L. F. | | | | | 4 | | | | | | |
| Joyce, Peter J. | | | | | | | 23 | | | | |
| Kelly, John M. | 8 | | | | | | | | | | |
| Kenny, Bernard F. | | | | | | | 24 | | | | |
| Keys, James H. | | | | | | 6 | | | | | |
| Kleine, Charles R. | | | | | | | 25 | | | | |
| Laine, Thomas H. | | | | | | | | | | | |
| Lampson, R. M. | | 4 | | | | | | | | | |
| Larkin, Henry | | | | | | | 26 | | | | |

AYES_____

NOES_____

ABSENT _____

# Constitutional Convention, 1878.

| NAMES. | Ayes | Noes | Names of Candidates. | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Stuart | Ross | Farrolly | Mosely | French | Shorwood | O'Connor | Knox | Hales | Jones | |
| Larue, Hugh M. | 9 | | | | | | ~~27~~ | | | | |
| Lavigne, Raymond | | | | | | | 27 | | | | |
| Lewis, David | | 5 | | | | | 9 | | | | |
| Lindow, John F. | | | | | | | 28 | | | | |
| Mansfield, John | | | | | | | | 6 | | | |
| Martin, Edward | | | | | 5 | | | | | | |
| McCallum, John G. | 10 | | | | | | | | | | |
| McComas, Rush | | | | | 6 | | | | | | |
| McConnell, Thomas | 11 | | | | | | | | | | |
| McCoy, John | | | | | | | 29 | | | | |
| McFarland, Thos. B. | 12 | | | | | | | | | | |
| McNutt, John F. | | | | | | 7 | | | | | |
| Miller, John F. | | | | | | | | | | | |
| Mills, Hiram | | | | 8 | | | ~~30~~ | | | | |
| Moffat, Wm. S. | | | | | | | 30 | | | | |
| Moreland, W. W. | 13 | | | | | | | | | | |
| Morse, Lucius D. | | | | | | | 31 | | | | |
| Murphy, James E. | | | 4 | | | | | | | | |
| Nason, Edmund | | | | 9 | | | | | | | |
| Nelson, Thorwald | | | | | | | 32 | | | | |
| Neunaber, Henry | | | | | | | 33 | | | | |
| Noel, Alonzo E. | 14 | | | | | | | | | | |
| O'Donnell, Chas. C. | | | | | | | 34 | | | | |
| Ohleyer, George | | | | | | 8 | | | | | |
| O'Sullivan, James | | | | | | | 35 | | | | |
| Overton, A. P. | | | | | | | | 7 | | | |
| Porter, J. M. | | | | | | 9 | | | | | |
| Prouty, Wm. H. | | 6 | | | | | | | ~~13~~ | | |
| Pulliam, Mark R. C. | | | | | | | | | 10 | | |
| Reddy, Patrick | | | 5 | | | | | | | | |
| Reed, Charles F. | 15 | | | | | | | | | | |
| Reynolds, James S. | | | | | | | 36 | | | | |
| Rhodes, John M. | | | | 10 | | | | | | | |
| Ringold, Charles S. | | | | | | | 37 | | | | |
| Rolfe, Horace C. | | | | | | | | 8 | | | |
| Schell, Geo. W. | | 7 | | | | | | | | | |
| Schomp, Justus | | 8 | | | | | | | | | |
| Shafter, James McM. | | | | | | | | | | | |
| Shoemaker, Rufus | | | | | 7 | | | | | | |
| Shurtleff, Benjamin | | | | | | 10 | | | | | |
| Smith, E. O. (Santa Clara.) | | | | | 8 | | | | | | |
| Smith, George V. (Fourth District.) | | | | | 9 | | | | | | |
| Smith, Henry W. (San Francisco.) | | | | | | | 38 | | | | |
| Soule, Ezra P. | | | | | | | 39 | | | | |
| Stedman, John C. | | | | | | | 40 | | | | |
| Steele, George | | | | 11 | | | | | | | |
| Stevenson, David C. | | | | | | | | | 11 | | |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| O'Donnell, Chas. C. | | | | | | | | | | | |
| Ohleyer, George | | | | | 8 | | | | | | |
| O'Sullivan, James | | | | | | 35 | | | | | |
| Overton, A. P. | | | | | | | 7 | | | | |
| Porter, J. M. | | | | | 9 | | | | | | |
| Prouty, Wm. H. | | 6 | | | | | | | 10 | | |
| Pulliam, Mark R. C. | | | | | | | | | 10 | | |
| Reddy, Patrick | | | 5 | | | | | | | | |
| Reed, Charles F. | 15 | | | | | | | | | | |
| Reynolds, James S. | | | | | | 36 | | | | | |
| Rhodes, John M. | | | | 10 | | | | | | | |
| Ringold, Charles S. | | | | | | 37 | | | | | |
| Rolfe, Horace C. | | | | | | | 8 | | | | |
| Schell, Geo. W. | | 7 | | | | | | | | | |
| Schomp, Justus | | 8 | | | | | | | | | |
| Shaffer, James McM. | | | | | | | | | | | |
| Shoemaker, Rufus | | | | | 7 | | | | | | |
| Shurtleff, Benjamin | | | | | | 10 | | | | | |
| Smith, E. O. (Santa Clara.) | | | | | 8 | | | | | | |
| Smith, George V. (Fourth District.) | | | | | 9 | | | | | | |
| Smith, Henry W. (San Francisco.) | | | | | | 38 | | | | | |
| Soule, Ezra P. | | | | | | 39 | | | | | |
| Stedman, John C. | | | | | | 40 | | | | | |
| Steele, George | | | | 11 | | | | | | | |
| Stevenson, David C. | | | | | | | | | 11 | | |
| Stuart, C. V. | | | 6 | | | | | | | | |
| Sweasey, W. J. | | | | | | 41 | | | | | |
| Svenson, Charles | | | | | | 42 | | | | | |
| Swing, Randolph S. | | | | | | | 9 | | | | |
| Terry, David S. | | | | | | | | | | | |
| Tinnin, W. J. | | | | | | | | | | | 1 |
| Townsend, F. O. | | | | | 10 | | | | | | |
| Tully, P. B. | | | | | 11 | | | | | | |
| Turner, Henry K. | | | | | | 11 | | | | | |
| Tuttle, Daniel | | | | | | 43 | | | | | |
| Vacquerel, Alphonse | | | | | | 44 | | | | | |
| Van Dyke, Walter | 16 | | | | | | | | | | |
| Van Voorhies, Wm. | | | 7 | | | | | | | | |
| Walker, Hugh (Marin.) | | | | | | 45 | | | | | |
| Walker, John (Tuolumne.) | 17 | | | | | | | | | | |
| Waters, Byron | | | | 13 | | | | 16 | | | |
| Webster, Jonathan V. | | | | 12 | | | | | | | |
| Weller, Joseph R. | | | | | 12 | | | | | | |
| Wellin, Patrick M. | | | | | | 46 | | | | | |
| West, John P. | | | | | | 47 | | | | | |
| Wickes, John T. | | | | | | 48 | | | | | |
| White, Wm. F. | | | | | | 49 | | | | | |
| Wilson, H. C. (Tehama.) | 18 | | | | | | | | | | 2 |
| Wilson, Samuel M. (First District.) | | | | | | | | | | | 2 |
| Winans, Joseph W. | | | 8 | | | | | | | | |
| Wyatt, N. G. | | | | | | 50 | | | | | |

74

First Ballot

Whole number of votes cast 142
Necessary to choice 72

| | | | |
|---|---|---|---|
| Mr Hayes | Recieved | 11 | Votes |
| " Stewart | " | 18 | " |
| " A. Conner | " | 50 | " |
| " Farrelly | " | 8 | " |
| " Sherwood | " | 11 | " |
| " Knox | " | 10 | " |
| " French | " | 12 | " |
| " Mosely | " | 12 | " |
| " Ross | " | 8 | " |
| " Jones | " | 2 | " |

No Choice being had the roll was again called with the following result;

# Roll-Call of Delegates to the Co

| NAMES. | Ayes | Noes | Names of Candidates. | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Hamilton | Mowry | Freeman | Shannon | Dean | Lucas | Chapman | Gorman | |
| Andrews, A. R. | | | | | | | | | 1 | | |
| Ayers, James J. | 1 | | | | | | | | | | |
| Barbour, Clitus | | | | | | | 1 | | | | |
| Barnes, Wm. H. L. | | | 1 | | | | | | | | |
| Barry, Edward | | | | | | | 2 | | | | |
| Barton, James N. | | | | | | | 3 | | | | |
| Beerstecher, Chas. J. | | | | | | | 4 | | | | |
| Belcher, Isaac S. | | | | | | 1 | | | | | |
| Bell, Peter | | | | | | | 5 | | | | |
| Berry, J. | | | | | | | | 1 | | | |
| Biggs, Marion | | | | | | | | | 2 | | |
| Blackmer, Eli T. | | | | | | | | 2 | | | |
| Boggs, H. C. | | | | | 1 | | | | | | |
| Boucher, Josiah | | | | | | | | | 3 | | |
| Brown, Joseph C. | | | | | | | | 3 | | | |
| Burt, Samuel B. | | | | | | | | | 4 | | |
| Campbell, A., Jr. | | | | | | | | | | | |
| Caples, James | 2 | | | | | | | | | | |
| Casserly, Eugene | | | | | | | | | | | |
| Chapman, Augustus H. | | | | | | | | | 5 | | |
| Charles, J. M. | | | 1 | | | | | | | | |
| Condon, John D. | | | | | | | 6 | | | | |
| Cowden, D. H. | | | | | | 2 | | | | | |
| Cross, C. W. | | | | | | | 7 | | | | |
| Crouch, Robert | | | | | | | | | | | |
| Davis, Hamlet | | | 2 | | | | 8 | | | | |
| Dean, J. E. | | | | | | | 9 | | | | |
| Dowling, Patrick T. | | | | | | | 10 | | | | |
| Doyle, Luke | | | | | | | 11 | | | | |
| Dudley, James M. (Solano.) | | | 3 | | | | | | | | |
| Dudley, W. L. (San Joaquin and Amador.) | | 1 | (3) | | | | | | | | |
| Dunlap, Presley | 3 | | | | | | | | | | |
| Eagan, John A. | | | | | | | | | | | |
| Edgerton, Henry | 4 | | | | | | | | | | |
| Estee, Morris M. | 5 | | | | | | | | | | |
| Estey, Thomas H. | 6 | | | | | | | | | | |
| Evey, Edward | | | | | | | 12 | | | | |
| Farrell, Simon J. | | | | | | | 13 | | | | |
| Fawcett, Eugene | | | | | | | | 5 | | | |
| Filcher, J. A. | | | | | | | | | 6 | | |
| Finney, Chas. G. | | | | | 0 | | 14 | | | | |
| Freeman, Abraham C. | 7 | | | | | | [illegible] | | | | |
| Freud, Jacob R. | | | | | | | 15 | | | | |
| Garvey, J. B. | | 2 | | | | | | | | | |
| Glasscock, B. B. | | | | | | 3 | | | | | |
| Gorman, Joseph C. | | | | | | | 16 | | | | |
| Grace, Wm. P. | | | | | | | 17 | | | | |

| | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|
| Cross, C. W. | | | | | | | 7 | | | |
| Crouch, Robert | | | | | | | | | | |
| Davis, Hamlet | | | | 2 | | | 8 | | | |
| Dean, J. E. | | | | | | | 9 | | | |
| Dowling, Patrick T. | | | | | | | 10 | | | |
| Doyle, Luke | | | | | | | 11 | | | |
| Dudley, James M. (Solano.) | | | | 3 | | | | | | |
| Dudley, W. L. (San Joaquin and Amador.) | | 1 | | (3) | | | | | | |
| Dunlap, Presley | 3 | | | | | | | | | |
| Eagan, John A. | | | | | | | | | | |
| Edgerton, Henry | 4 | | | | | | | | | |
| Estee, Morris M. | 5 | | | | | | | | | |
| Estey, Thomas H. | 6 | | | | | | | | | |
| Evey, Edward | | | | | | | 12 | | | |
| Farrell, Simon J. | | | | | | | 13 | | | |
| Fawcett, Eugene | | | | | | | | 5 | | |
| Filcher, J. A. | | | | | | | | | 85 | |
| Finney, Chas. G. | | | | | 0 | | 14 | | | |
| Freeman, Abraham C. | 7 | | | | | | ~~14~~ | | | |
| Freud, Jacob R. | | | | | | | 15 | | | |
| Garvey, J. B. | | 2 | | | | | | | | |
| Glasscock, B. B. | | | | | | 3 | | | | |
| Gorman, Joseph C. | | | | | | | 16 | | | |
| Grace, Wm. P. | | | | | | | 17 | | | |
| Graves, Wm. J. | | | | | | | | | 6 | |
| Gregg, V. A. | | | 2 | | | | | | | |
| Hager, John S. | | | | | | | | | 7 | |
| Hale, James E. | | | | | | 4 | | | | |
| Hall, J. B. | | 3 | | | | | | | | |
| Harrison, Thomas | | | | | | | 18 | | | |
| Harvey, Joel A. | | | | 5 | | | | | | |
| Heiskell, Tyler D. | | | | | | | | | 8 | |
| Herold, Conrad | | | | | | | 19 | | | |
| Herrington, Dennis W. | | | | | | | 20 | | | |
| Hilborn, S. G. | | | | 6 | | | | | | |
| Hitchcock, John R. W. | | 4 | | | | | | | | |
| Hoge, Joseph P. | | | | | 2 | | | | | |
| Holmes, Samuel A. | | | | | | | | | 9 | |
| Howard, Volney E. | 8 | | | | | | | | | |
| Huestis, W. F. | | | | | | 5 | | | | |
| Hughey, Wm. P. | | | | | | | | | | |
| Hunter, G. W. | | | | | | | 21 | | | |
| Inman, Daniel | | | 3 | | | | 22 | | | |
| Johnson, G. A. | | | | 7 | | | | | | |
| Jones, L. F. | | | | | 4 | | 9 | | | |
| Joyce, Peter J. | | | | | | | 23 | | | |
| Kelly, John M. | 8 | | | | | | | | | |
| Kenny, Bernard F. | | | | | | | 24 | | | |
| Keys, James H. | | | | | | 6 | | | | |
| Kleine, Charles R. | | | | | | | 25 | | | |
| Laine, Thomas H. | | | | | | | | | | |
| Lampson, R. M. | | 5 | | | | | | | | |
| Larkin, Henry | | | | | | | 26 | | | |

AYES

NOES

ABSENT

# onstitutional Convention, 1878.

| NAMES. | Ayes 8 Wigant | Noes 5 Ross | Names of Candidates. 2 Hornsby | 7 Mosely | 4 French | 6 Sherwood | 26 Ocoman | 9 Knox | 5 Hayes | Jones |
|---|---|---|---|---|---|---|---|---|---|---|
| Larue, Hugh M. | 9 | | | | | | | | | |
| Lavigne, Raymond | | | | | | | 27 | | | |
| Lewis, David | | 6 | | | | | | | | |
| Lindow, John F. | | | | | | | 28 | | | |
| Mansfield, John | | | | | | | | 10 | | |
| Martin, Edward | | | | | 5 | | | | | |
| McCallum, John G. | 10 | | | | | | | | | |
| McComas, Rush | | | | | 6 | | | | | |
| McConnell, Thomas | 11 | | | | | | | | | |
| McCoy, John | | | | | | | | | 6 | |
| McFarland, Thos. B. | 12 | | | | | | | | | |
| McNutt, John F. | | | | | | 7 | | | | |
| Miller, John F. | | | | | | | | | | |
| Mills, Hiram | | | | 8 | | | | | | |
| Moffat, Wm. S. | | | | | | | 29 | | | |
| Moreland, W. W. | 13 | | | | | | | | | |
| Morse, Lucius D. | | | | | | | 30 | | | |
| Murphy, James E. | | | 3 | | | | | | | |
| Nason, Edmund | | | | 9 | | | | | | |
| Nelson, Thorwald | | | | | | | 31 | | | |
| Neunaber, Henry | | | | | | | 32 | | | |
| Noel, Alonzo E. | 14 | | | | | | | | | |
| O'Donnell, Chas. C. | | | | | | | 33 | | | |
| Ohleyer, George | | | | | | 8 | | | | |
| O'Sullivan, James | | | | | | | 34 | | | |
| Overton, A. P. | | | | | | | | 11 | | |
| Porter, J. M. | | | | | | 9 | | | | |
| Prouty, Wm. H. | | 7 | | | | | | | | |
| Pulliam, Mark R. C. | | | | | | | | | 7 | |
| Reddy, Patrick | | | 4 | | | | | | | |
| Reed, Charles F. | 15 | | | | | | | | | |
| Reynolds, James S. | | | | | | | 35 | | | |
| Rhodes, John M. | | | | 10 | | | | | | |
| Ringold, Charles S. | | | | | | | 36 | | | |
| Rolfe, Horace C. | | | | | | | | 12 | | |
| Schell, Geo. W. | | 8 | | | | | | | | |
| Schomp, Justus | | 9 | | | | | | | | |
| Shafter, James McM. | | | | | | | | | | |
| Shoemaker, Rufus | | | | | 7 | | | | | |
| Shurtleff, Benjamin | | | | | | 10 | | | | |
| Smith, E. O. (Santa Clara.) | | | | | 8 | | | | | |
| Smith, George V. (Fourth District.) | | | | | 9 | | | | | |
| Smith, Henry W. (San Francisco.) | | | | | | | 37 | | | |
| Soule, Ezra P. | | | | | | | 38 | | | |
| Stedman, John C. | | | | | | | 39 | | | |
| Steele, George | | | | 11 | | | | | | |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| O'Sullivan, James | | | | | | | 34 | | | | |
| Overton, A. P. | | | | | | | | 11 | | | |
| Porter, J. M. | | | | | | 9 | | | | | |
| Prouty, Wm. H. | | 7 | | | | | | | | | |
| Pulliam, Mark R. C. | | | | | | | | | 7 | | |
| Reddy, Patrick | | | 4 | | | | | | | | |
| Reed, Charles F. | 15 | | | | | | | | | | |
| Reynolds, James S. | | | | | | | 35 | | | | |
| Rhodes, John M. | | | | 10 | | | | | | | |
| Ringold, Charles S. | | | | | | | 36 | | | | |
| Rolfe, Horace C. | | | | | | | | 12 | | | |
| Schell, Geo. W. | | 8 | | | | | | | | | |
| Schomp, Justus | | 9 | | | | | | | | | |
| Shafter, James McM. | | | | | | | | | | | |
| Shoemaker, Rufus | | | | | 7 | | | | | | |
| Shurtleff, Benjamin | | | | | | 10 | | | | | |
| Smith, E. O. (Santa Clara.) | | | | | 8 | | | | | | |
| Smith, George V. (Fourth District.) | | | | | 9 | | | | | | |
| Smith, Henry W. (San Francisco.) | | | | | | | 37 | | | | |
| Soule, Ezra P. | | | | | | | 38 | | | | |
| Stedman, John C. | | | | | | | 39 | | | | |
| Steele, George | | | | 11 | | | | | | | |
| Stevenson, David C. | | | | | | | | | 8 | | |
| Stuart, C. V. | | | 5 | | | | | | | | |
| Sweasey, W. J. | | | | | | | 40 | | | | |
| Swenson, Charles | | | | | | | 41 | | | | |
| Swing, Randolph S. | | | | | | | | 13 | | | |
| Terry, David S. | | | | | | | | | | | |
| Tinnin, W. J. | | | | | 10 | | | | 9 | | |
| Townsend, F. O. | | | | | 11 | | | | | | |
| Tully, P. B. | | | | | | 11 | | | | | |
| Turner, Henry K. | | | | | | | | | | | |
| Tuttle, Daniel | | | | | | | 42 | | | | |
| Vacquerel, Alphonse | | | | | | | 43 | | | | |
| Van Dyke, Walter | 16 | | | | | | | | | | |
| Van Voorhies, Wm. | | | | | 12 | | | | | | |
| Walker, Hugh (Marin.) | | | | | | | 44 | | | | |
| Walker, John (Tuolumne.) | 17 | | | | | | | | | | |
| Waters, Byron | | | | | | | | 14 | | | |
| Webster, Jonathan V. | | | | 12 | | | | | | | |
| Weller, Joseph R. | | | | | 13 | | | | | | |
| Wellin, Patrick M. | | | | | | | | | | | |
| West, John P. | | | | | | | 45 | | | | |
| Wickes, John T. | | | | | | | | | 15 | | |
| White, Wm. F. | | | | | | | 46 | | | | |
| Wilson, H. C. (Tehama.) | 18 | | | | | | | | | | |
| Wilson, Samuel M. (First District.) | | | 6 | | | | | | | | |
| Winans, Joseph W. | | | 7 | | | | | | | | |
| Wyatt, N. G. | | | | | | | 47 | | | | |

76 17

Decend Ballot

Whole number of votes cast 141
Necessary to Choice 71

Mr Hayes Recieved 10 votes
" Stewart " 18 "
" A. Conner " 29 "
" Farrelly " 9 "
" Sherwood " 11 "
" Knox " 14 "
" French " 18 "
" Moseley " 12 "
" Ross " 9 "

No Choice.

At 4 o'clock and 30 minuts P.M. Mr Barnes moved to adjourn till 10 o'clock A.M. Tomorrow.

Lost.

The roll was again called on the nominations for Sergeant at Arms with the following result;

# Roll-Call of Delegates to the Co

| NAMES. | Ayes: Stuart | Noes: Ross | Names of Candidates: Farrolly | Mosely | French | Sharwood | O'Connor | Knox | Hayes | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Andrews, A. R. | | | | | | | | | 1 | | |
| Ayers, James J. | 1 | | | | | | | | | | |
| Barbour, Clitus | | | | | | | 1 | | | | |
| Barnes, Wm. H. L. | | | 1 | | | | | | | | |
| Barry, Edward | | | | | | | 2 | | | | |
| Barton, James N. | | | | | | | 3 | | | | |
| Beerstecher, Chas. J. | | | | | | | 4 | | | | |
| Belcher, Isaac S. | | | | | | 1 | | | | | |
| Bell, Peter | | | | | | | 5 | | | | |
| Berry, J. | | | | | | | | 1 | | | |
| Biggs, Marion | | | | | | | | | 2 | | |
| Blackmer, Eli T. | | | | | | | | 2 | | | |
| Boggs, H. C. | | | | | 1 | | | | | | |
| Boucher, Josiah | | | | | | | | | 3 | | |
| Brown, Joseph C. | | | | | | | | 3 | | | |
| Burt, Samuel B. | | | | | | | | 4 | | | |
| Campbell, A., Jr. | | | | | | | | | | | |
| Caples, James | 2 | | | | | | | | | | |
| Casserly, Eugene | | | | | | | | | | | |
| Chapman, Augustus H. | | | | | | | | | 4 | | |
| Charles, J. M. | | | | 1 | | | | | | | |
| Condon, John D. | | | | | | | 6 | | | | |
| Cowden, D. H. | | | | | | 2 | | | | | |
| Cross, C. W. | | | | | | | | | 5 | | |
| Crouch, Robert | | | | | 2 | | | 3 | | | |
| Davis, Hamlet | | | | | | | 7 | | | | |
| Dean, J. E. | | | | | | | 8 | | | | |
| Dowling, Patrick T. | | | | | | | 9 | | | | |
| Doyle, Luke | | | | | | | 10 | | | | |
| Dudley, James M. (Solano.) | | | | | | | | | | | |
| Dudley, W. L. (San Joaquin and Amador.) | | 1 | | | | | | | | | |
| Dunlap, Presley | 3 | | | | | | | | | | |
| Eagan, John A. | | | | | | | | | | | |
| Edgerton, Henry | 4 | | | | | | | | | | |
| Estee, Morris M. | | | | | | 3 | | | | | |
| Estey, Thomas H. | | | | 2 | | | | | | | |
| Evey, Edward | | | | | | | 11 | | | | |
| Farrell, Simon J. | | | | | | | 12 | | | | |
| Fawcett, Eugene | | | | | | | | 5 | | | |
| Filcher, J. A. | | | | | | | | | 6 | | |
| Finney, Chas. G. | | | | | | | 13 | | | | |
| Freeman, Abraham C. | 5 | | | | | | | | | | |
| Freud, Jacob R. | | | | | | | 14 | | | | |
| Garvey, J. B. | 6 | | | | | | | | | | |
| Glasscock, B. B. | | | | | | 4 | | | | | |
| Gorman, Joseph C. | | | | | | | 15 | | | | |

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Cross, C. W. | | | | | | | | | | | |
| Crouch, Robert | | | | | 2 | | | ~~3~~ | | | |
| Davis, Hamlet | | | | | | | 7 | | | | |
| Dean, J. E. | | | | | | | 8 | | | | |
| Dowling, Patrick T. | | | | | | | 9 | | | | |
| Doyle, Luke | | | | | | | 10 | | | | |
| Dudley, James M. (Solano.) | | | | | | | | | | | |
| Dudley, W. L. (San Joaquin and Amador.) | | 1 | | | | | | | | | |
| Dunlap, Presley | 3 | | | | | | | | | | |
| Eagan, John A. | | | | | | | | | | | |
| Edgerton, Henry | 4 | | | | | | | | | | |
| Estee, Morris M. | | | | | | 3 | | | | | |
| Estey, Thomas H. | | | | 2 | | | | | | | |
| Evey, Edward | | | | | | | 11 | | | | |
| Farrell, Simon J. | | | | | | | 12 | | | | |
| Fawcett, Eugene | | | | | | | | 5 | | | |
| Filcher, J. A. | | | | | | | | | 6 | | |
| Finney, Chas. G. | | | | | | | 13 | | | | |
| Freeman, Abraham C. | 5 | | | | | | | | | | |
| Freud, Jacob R. | | | | | | | 14 | | | | |
| Garvey, J. B. | 6 | | | | | | | | | | |
| Glasscock, B. B. | | | | | | 4 | | | | | |
| Gorman, Joseph C. | | | | | | | 15 | | | | |
| Grace, Wm. P. | | | | | | | 16 | | | | |
| Graves, Wm. J. | | | | | | | | 6 | | | |
| Gregg, V. A. | | | 2 | | | | | | | | |
| Hager, John S. | | | 3 | | | | | | | | |
| Hale, James E. | | | | | | 5 | | | | | |
| Hall, J. B. | | 2 | | | | | | | | | |
| Harrison, Thomas | | | | ~~3~~ | | | 17 | | | | |
| Harvey, Joel A. | | | | 3 | | | | | | | |
| Heiskell, Tyler D. | | | | | | | | 7 | | | |
| Herold, Conrad | | | | | | | 18 | | | | |
| Herrington, Dennis W. | | | | | | | 19 | | | | |
| Hilborn, S. G. | | | | 4 | | | | | | | |
| Hitchcock, John R. W. | | 3 | | | | | | | | | |
| Hoge, Joseph P. | | | | | 3 | | | | | | |
| Holmes, Samuel A. | | | | | | | | 8 | | | |
| Howard, Volney E. | 7 | | | | | | | | | | |
| Huestis, W. F. | | | | | | 1 | | | | | |
| Hughey, Wm. P. | | | | | | | 20 | | | | |
| Hunter, G. W. | | | | | | | 21 | | | | |
| Inman, Daniel | | | | | 4 | | | | | | |
| Johnson, G. A. | | | | 5 | | | | | | | |
| Jones, L. F. | | | | | 5 | | | | | | |
| Joyce, Peter J. | | | | | | | 22 | | | | |
| Kelly, John M. | 8 | | | | | | | | | | |
| Kenny, Bernard F. | | | | | | | 23 | | | | |
| Keys, James H. | | | | | | 6 | | | | | |
| Kleine, Charles R. | | | | | | | 24 | | | | |
| Laine, Thomas H. | | | | | | | | | | | |
| Lampson, R. M. | | 4 | | | | | | | | | |
| Larkin, Henry | | | | | | | 1 | | | | |

Ayes

Noes

Absent

# onstitutional Convention, 1878.

| NAMES. | Ayes | Noes | NAMES OF CANDIDATES. | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Barnes | Blakely | Brenek | Broderick | Coleman | Hager | Hayes | | |
| Larue, Hugh M. | 9 | | | | | | 25 | | | | |
| Lavigne, Raymond | | 23 | | | | | | | | | |
| Lewis, David | | 3 | | | | | | | | | |
| Lindow, John F. | | | | | | | 26 | | | | |
| Mansfield, John | | | | | | | | 9 | | | |
| Martin, Edward | | | 6 | | | | | | | | |
| McCallum, John G. | 10 | | | | | | | | | | |
| McComas, Rush | | | | | 7 | | | | | | |
| McConnell, Thomas | | | | 6 | | | | | | | |
| McCoy, John | | | | | | | | | 7 | | |
| McFarland, Thos. B. | 11 | | | | | | | | | | |
| McNutt, John F. | 22 | | | | | | | | | | |
| Miller, John F. | | | | | | | | | | | |
| Mills, Hiram | | | | 7 | | | | | | | |
| Moffat, Wm. S. | | | | | | | | | | | |
| Moreland, W. W. | 12 | | | | | | | | | | |
| Morse, Lucius D. | | | | | | | 27 | | | | |
| Murphy, James E. | | 4 | | | | | | | | | |
| Nason, Edmund | | | | 8 | | | | | | | |
| Nelson, Thorwald | | | | | | | 28 | | | | |
| Neunaber, Henry | | | | | | | 29 | | | | |
| Noel, Alonzo E. | | | | | 8 | | | | | | |
| O'Donnell, Chas. C. | | | | | | | 30 | | | | |
| Ohleyer, George | | | | | | 8 | | | | | |
| O'Sullivan, James | | | | | | | 31 | | | | |
| Overton, A. P. | | | | | | | | 10 | | | |
| Porter, J. M. | | | | | | 9 | | | | | |
| Prouty, Wm. H. | | 16 | | | | | | | | | |
| Pulliam, Mark R. C. | | | | | | | | | 8 | | |
| Reddy, Patrick | | 5 | | | | | | | | | |
| Reed, Charles F. | 13 | | | | | | | | | | |
| Reynolds, James S. | | | | | | | 32 | | | | |
| Rhodes, John M. | | | | 9 | | | | | | | |
| Ringold, Charles S. | | | | | | | 33 | | | | |
| Rolfe, Horace C. | | | | | | | | 11 | | | |
| Schell, Geo. W. | | | | | | 10 | | | | | |
| Schomp, Justus | | 7 | | | | | | | | | |
| Shafter, James McM. | | | | | | | | | | | |
| Shoemaker, Rufus | | | | | 9 | | | | | | |
| Shurtleff, Benjamin | | | | | | 11 | | | | | |
| Smith, E. O. (Santa Clara.) | | | | | 10 | | | | | | |
| Smith, George V. (Fourth District.) | | | | | 11 | | | | | | |
| Smith, Henry W. (San Francisco.) | | | | | | | 34 | | | | |
| Soule, Ezra P. | | | | | | | 35 | | | | |
| Stedman, John C. | | | | | | | 36 | | | | |
| Steele, George | | | | 10 | | | | | | | |
| Stevenson, David C. | | | | | | | | | 9 | | |

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.
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.

# Third Ballot

Whole Number of Votes Cast 140
Necessary to Choice 91

Mr Hayes Received 10 Votes
Mr Stewart " 16 "
Mr McCrimon " 42 "
" Farrelly " 8 "
" Sherwood " 18 "
" Knox " 18 "
" French " 15 "
" Moseley " 11 "
" Ross " 7

No Choice

At 5 o'clock P. M. Mr McCallum moved to adjourn till Tomorrow at 10 A. M.

Carried.

Before adjournment President Hodge announced the appointment of the following committee in accordance with the motion this day adopted to appoint a special committee of five to consider the 11th clause of the Report of the Committee appointed to determine the number and designation of officers of this Convention; Messrs Murphy, Fitcher, O'Sullivan, Shoemaker and Ayers. The Convention then adjourned to meet tomorrow at 10 A. M.

10/2/78

Minutes
Oct 2nd/78

Oct-9

82/8/01