(1) On Convention

Assembly Chamber State Capitol

Sacramento Wednesday Oct 9th 1879

Convention met pursuant to adjournment

President Hoge in the Chair

Roll call and the following members were present —

2

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	1		FAWCETT	37		LAVIGNE	74		SHOEMAKER	4	
AYERS	2		FILCHER	38		LEWIS	75		SHURTLEFF	111	
BARBOUR	3		FINNEY	39		LINDOW	76		SMITH of Santa Clara.	112	
BARNES	4		FREEMAN	40		MANSFIELD	77		SMITH of Fourth District.	113	
BARRY	4		FREUD	41		MARTIN of Santa Cruz.	78		SMITH of San Francisco.	114	
BARTON	5		GARVEY	42		MARTIN of Alameda.	79		SOULE	115	
BEERSTECHER	6		GLASSCOCK	43		McCALLUM	80		STEDMAN	116	
BELCHER	7		GORMAN	44		McCOMAS	81		STEELE	117	
BELL	8		GRACE	45		McCONNELL	82		STEVENSON	118	
BERRY	9		GRAVES			McCOY	83		STRONG	119	
BIGGS	10		GREGG	46		McFARLAND	84		STUART	120	
BLACKMER	11		HAGER	47		McNUTT	85		SWEASEY	121	
BOGGS	12		HALE	48		MILLER	86		SWENSON	122	
BOUCHER	13		HALL	49		MILLS	87		SWING	123	
BROWN	14		HARRISON	50		MOFFAT	88		TERRY	124	
BURT	15		HARVEY	51		MORELAND	89		THOMPSON	125	
CAMPBELL	16		HEISKELL	52		MORSE	90		TINNIN	126	
CAPLES	17		HEROLD	53		MURPHY	91		TOWNSEND	127	
CASSERLY			HERRINGTON	54		NASON	92		TULLY	128	
CHAPMAN	18		HILBORN	55		NELSON	93		TURNER	129	
CHARLES	19		HITCHCOCK	56		NEUNABER	94		TUTTLE	130	
CONDON	20		HOLMES	57		NOEL	95		VACQUEREL	131	
COWDEN	21		HOWARD	58		O'DONNELL	96		VAN DYKE	132	
CROSS	22		HUESTIS	59		OHLEYER	97		VAN VOORHIES	133	
CROUCH	23		HUGHEY	60		O'SULLIVAN	98		WALKER of Marin.	134	
DAVIS	24		HUNTER	61		OVERTON	99		WALKER of Tuolumne.		54
DEAN	25		INMAN	62		PORTER	100		WATERS	135	
DOWLING	26		JOHNSON	63		PROUTY	64		WEBSTER	136	
DOYLE	27		JONES	64		PULLIAM	101		WELLER	137	
DUDLEY of Solano.	28		JOYCE	65		REDDY	102		WELLIN	138	
DUDLEY of San Joaquin and Amador.	29		KELLY	66		REED	103		WEST	139	
DUNLAP	30		KENNY	67		REYNOLDS	104		WICKES	140	
EAGAN	31		KEYS	68		RHODES	105		WHITE	141	
EDGERTON	32		KLEINE	69		RINGGOLD	106		WILSON of Tehama.	142	
ESTEE of First District.	33		LAINE	70		ROLFE	107		WILSON of First District.		2
ESTEY of Contra Costa and Marin.	34		LAMPSON	71		SCHELL	108		WINANS	143	
EVEY	35		LARKIN	72		SCHOMP	109		WYATT	144	
FARRELL	36		LARUE	73		SHAFTER	110		Mr. PRESIDENT	145	

Ayes _____

Noes _____

3) Journal of yesterday read, corrected and approved.

The President announced the following standing Committees

4

On Legislative Department

David S. Terry
Marion Biggs
Chas. G. Finney
James Caples
J. B. Garvey
J. Davis Heiskell
Samuel A Holmes
John G. McCallum
J. A. Filcher
E. O. Smith
Wm J. Graves
James S. Reynolds
John Mansfield
D. H. Conden
James E. Hale

5

On Executive Department

Alexander Campbell Jr.
C. V. Stuart
John R. W. Hitchcock
A. R. Andrews
Benjamin Shurtleff
Joel A. Harvey
John P. West
Randolph S. Szing
Dennis W. Herrington

6

On State and Municipal Indebtedness

Eugene Cassedy
J. West Martin
Byron Waters
Patrick Reddy
J. B. Hall
Wm. J. Graves
M. M. Estee
Volney E. Howard
J. Berry
Alonzo E. Noel
Augustus H. Chapman
Hiram Mills
V. A. Gregg.
W. J. Swersey
N. G. Wyatt.

7

On Revenue and Taxation

Henry Edgerton
Eugene Casserly
P. B. Tully
Marion Biggs
J. M. Dudley
John F. Miller
James Mc M. Shafter
Chas Barbour
H. C. Wilson
Henry K. Turner
Daniel Inman
Wm H. Prouty
G. W. Hunter
A. P. Overton
Wm S. Moffat.

8

On Corporations other than Municipal

Morris M. Estee
Joseph W. Winans
Charles F. Reed
Jonathan V. Webster
Clitus Barbour
George Steele
J. Berry
V. A. Gregg
P. Reddy
Geo. W. Schell
J. M. Rhodes
H. C. Boggs
Wm F. White
J. E. Dean
P. Dunlap

9

On Revision and Adjustment

Wm L. Dudley
John S. Hager
Abraham C. Freeman
Eugene Fancett
Eugene Casserly
John F. Miller
James E. Hale
J. M. Porter
Isaac S. Belcher

10

On Water and Water Rights

W. J. Tinnin
Mark. R. C. Pulliam
James. H. Keys
Josiah Boucher
~~[illegible]~~ Joseph C. Brown
J. A. Filcher
Thomas McConnell
Henry W. Smith
David Lewis
Rush McComas
John Walker
Thomas H Estey
G. W. Hunter
E. P. Soule
Rufus Shoemaker

11

Committee

On Agriculture, Manufactures and Commerce

Charles F. Reed
W. J. Timmin
Jonathan V. Webster
Hugh Larue
F. O. Townsend
Henry Larkin
Eugene Fancett
G. A. Johnson
H. C. Wilson
W. F. White
Jacob R. Freed

12

On Mining

Mark R. C. Pulliam
W. J. Tinnin
James E. Hale
James H Keys
R. M. Lampson
L. F. Jones
John T. McNutt
Samuel B. Burt
J. M. Strong
Patrick T. Dowling
John McCoy.

On Pardoning Power

James McM Shafter
Thomas H. Laine
G. A. Johnson
Edmund Barry
Horace C. Rolfe
J. B. Hall
W. F. Henstis
John M Kelly
George V. Smith.

On Harbors, Tide Waters and Navigable Streams

James J. Ayers
Hiram Mills
S. G. Hilborn
D. H. Cowden
J. West Martin
W. H. L. Barnes
Jonathan V. Webster
Hugh Walker
John Mansfield

15

On Labor and Capital

Isaac S. Belcher
Samuel A. Holmes
E. O. Smith
Edward Martin
J. B. Hall
James N. Barton
John C. Stedman
James Caples
Joel A. Harvey.

On Engrossment and Enrollment

Alonzo E. Noel
John T. Wickes
Eli T. Blackmer
Charles S Ringold
G. A. Johnson
August A. Chapman
David C. Stevenson.

On Chinese

John F. Miller
Samuel M. Wilson
Cilus Barbour
Henry Larkin
Benjamin Shurtleff
Wm Van Voorhees
James E. Murphy
Thomas B. McFarland
Robert Crouch
A. R. Andrews
Charles G. Finney
Edward Levey
Wm F. White
Daniel Tuttle
Edward Martin

18

On Immigration

~~Edward Evey~~ Clitus Barbour
John F Miller
Samuel M. Wilson
~~Clitus Barbour~~ Eduard Evey
Henry Larkin
Benjamin Shurtleff
Wm Van Voorhees
James E. Murphy
Thomas B McFarland
Robert Crouch
A. R. Andrews
Charles G Finney
Wm. F. White
Daniel Tuttle
Edward Martin

On Lands and Homestead Exemption

E. O. Smith
B. B. Glasscock
John P. West
Hamlet Davis
Justus Schump
J. M. Charles
George Ohleyer
Joseph C Brown
Thomas McConnell

and to Committee
On State Institutions and Public Buildings

Charles J. Beerstecher
J. M. Porter
Rush McComas
S. B. Thompson

21 Mrs. Estes of Lane offered the following resolution

Resolved that the Rules as adopted be rereferred to the Committee on Rules with instructions to prepare an index to the same and have four hundred and eighty copies printed in pamphlet form with the names of members and residence if known and officers of the Convention attached thereto, also the names of Standing Committees ~~and the~~ ~~and all members of Standing Committees~~.

adopted

On motion of Mr. Edgerton the rules were suspended to allow Mr. Barbour to present the following resolution —

PAGE.

Resolved

That on presentation of Resolutions and propositions as provided for in part seven of Rule seventeen, the Secretary shall call the list of delegates alphabetically, and each delegate, when his name is called, shall be allowed to present two independent Resolutions or Propositions relating to the proposed Constitution, which shall be read and referred without debate. If the call be not completed on the day it is commenced, the Secretary shall commence the call on the next day where he left off on the previous call, and so on for the next day after going back when through to the head of of the list until the further order of this Convention

~~By Barbour~~

The resolution was adopted.

The Secretary proceeded to call the roll and the following Resolutions were presented

23

Mr Van Dyke offered the following resolution

Resolved

That the Sergeant-at-Arms be instructed to prepare suitable rooms for the use of the Standing Committees —

Ruled out of order.

By Mr Barbour.

Resolved, that the Committee on Executive Department be directed to inquire into the expediency of abolishing the Office of Lieutenant Governor.

Referred to committee on Executive Department.

Resolved, That the Committee on the Legislative Department be directed to inquire into the

24) expediency of establishing a single Legislative Chamber

Referred to Committee on Legislative Department.

By Condon.

Resolved that the Committee on Labor and Capital be instructed to report a provision firmly establishing eight hours as a legal day's labor.

Resolved. that the Committee on Labor and Capital be instructed to report provisions creating a perfect lien in favor of Mechanics and all laboring men, upon the thing whereon the labor is performed and the land whereon fixed, for this compensation

Referred to the Committee on Labor & Capital

25 By Mr. Dowling - Number one
Amendment relative to
immigration of persons ineligible
to become citizens of the U. S.
Read and referred to
the committee on Chinese.

By Mr. Dowling, number two
Amendment relative
to Irrigation.
Read and referred to the
Committee on water and water
rights

By Mr. Edgerton number 3
Concerning the Supreme
Court -
Read and referred to the
Committee on Judiciary
and Judicial Department

By Mr Edgerton - Number 4
Concerning the seat
of Government

Read and referred to the Committee on Legislative Department.

By Mr. Estee - number 5

Relative to discrimination of charges of Railroads and vessels

Read and referred to the committee on Corporations other than municipal.

By Mr Every, number 6

Relative to Homestead Exemptions

Read and referred to Committee on Land and Homestead Exemption

By Mr. Farrell.

Resolved. That the committee on Miscellaneous subjects be requested to insert a clause in the

27 Constitution prohibiting the employment of children under the age of fourteen years in factories or other manufacturing establishments

Ref to committee on Miscellaneous subjects

By Mr. Fawcett, No 7

Relative to Municipal Corporations

Read and referred to the committee on City, County and Township organizations

By Mr Fawcett, No 8

Relative to Corporation

Both read and referred to committee on City, County and Township organizations

28

By Mr. Freeman

Resolved. That the Constitution be so amended as to permit two thirds of the trial jurors in any case to render a verdict

Resolved That the Constitution be so amended as to authorize the legislature to dispense with grand juries by general laws, in such cases as it may deem proper.

Read and referred to Committee on Judiciary and Judicial Department

By Mr. Gregg Number 9

Concerning declaration of Rights

Read and referred to Committee on Preamble

29 and Bill of rights

By Mr. Hager. Number 10

Proposed judicial system

Read and referred to the appropriate committee

By Mr. Howard - Number 11

Relative to Railroads

Read and referred to the Committee on Corporations other than municipal

By Mr. Huestis. Number 12

Relative to Revenue and taxation

Read and referred to the Committee on Revenue and taxation

By Mr. Frend - No 13

Relative to Corporations

Read and referred

32. to the committee on corporations other than municipal.

By Mr. Freeman Number 14

Relative to the Legislative Department

Read and referred to the committee on Legislative department.

By Mr Hughey Number 15

Relative to Bail and fines of witnesses

Read and referred to the committee on Judiciary and Judicial Department.

By Mr Johnson. Number 16

Relative of Offices

Read and referred to committee on Privileges and elections

By Mr Joyce, number 17
Relative to aliens
holding property
Read and referred
to the committee on Chinese

By Mr. Joyce, number 18
Relative to Chinese
Read and referred to
the committee on Chinese

Mr. Lane presented a
draft of a new Constitution
ruled out of order.
Mr. McCallum, moved to
suspend rule 52 - to allow
Mr. Lane to introduce his
Constitution - lost

By Mr. Larkin number 19
Relative to Aliens
Read and referred to
the committee on Legislative
Department

By Mr Lindow

Resolved. No land or other subsidies should be granted to any corporations

Resolved. Land grabbing must be stopped.

Read and referred to the committee on Corporations other than municipal

By Mr. Mansfield.

Resolved, that Grand juries be abolished in this state by an appropriate provision in the Constitution

Read and referred to the Committee on judiciary and judicial Department

By Mr. Martin of Santa Cruz.

Resolved that the Committee on suffrage be instructed to enquire into the expediency of

33 making provision that persons entitled to citizenship shall not be allowed to vote at any election in this state unless they shall have obtained final naturalization prior six months prior to any election

Read and referred to the committee on right of suffrage.

By Mr. McCallum,

Resolved. That the Constitution should be so amended as to provide that every bill shall be read in full on the question of its passage, and further, that the ayes and noes should always be taken and recorded

34) on such question

Resolved, That the committee on the Legislative Department, are hereby instructed to report an amendment to article four of the Constitution so as to provide that the time of meeting of the legislature shall be fixed to commence on the first wednesday after the first monday in January ensuing the election of its members

Read and referred to the Committee on Legislative Department

35

By Mr. McFarland,

Number 29

Relative to Suffrage

Read and referred to the Committee on Right of Suffrage

By Mr. Moreland Number 21

Relative to the Pardoning Power

Read and referred to the Committee on Pardoning Power

By Mr. Morse.

Resolved that the Committee on Preamble and Bill of Rights be instructed to report a section abolishing fines upon conviction of crime, except in cases of petty misdemeanor

36 Read and referred to the Committee on Bill of Rights

By Mr. Murphy

Resolved: That the Committee on Chinese be instructed to prepare a clause in the new constitution forbidding the employment of Chinese testimony in cases where white persons are parties

Read and referred to the Committee on Chinese,

By Mr. Murphy: Number 22

Relating to taxation

Read and referred to the Committee on Revenue and taxation

37) By Mr. Nelson, Number 23

Relative to employment of persons ~~illegal~~ ineligible to citizenship

Read and referred to the Committee on Chinese.

By Mr. Noel, Number 24

Relative to privileges and immunities of citizens

Read and referred to the Committee on Preamble and Bill of Rights

By Mr. O'Sullivan No. 25

Relative to Poll taxes

Read and referred to the Committee on Revenue and taxation

By Mr. Reynolds.

Resolved: That the Committee on _____ be and they are hereby instructed to enquire into and report as to the expediency of so amending the Constitution so as to limit the future acquisition of land by any person or association of persons or corporations.

Laid on the table

By Mr. Ohleger number 26

Relative to water Rights

Read and referred to the Committee on waters and water rights

39 The hour of twelve m. having arrived the Convention took a recess for one hour.

Afternoon Session

The Convention re-assembled at one P.M.

President pro tem Belcher in the chair.

Roll call dispensed. a Quorum being present.

The Secretary resumed the calling of roll in introduction of amendments.

By Mrs. Ringrose – Number 27
Relative to oath ~~of office~~ of litigants in certain cases,

Read and referred to committee on Right of suffrage

40 By Mr. Rolf. No 28

Relative to the Judicial Department

Read and Referred to the Committee on Judiciary and Judicial Department

By Mr. Schell. No. 29

Relative to legislature

Read and referred to the Committee on Legislative Department

By Mr. Schomp. No 30

~~Resolution that we~~

Relative to taxing cards.

Read and referred to Committee on Revenue & taxation

~~By Mr. Scott No~~

By Mr Shoemaker, No 31

Relative to the rights of foreign Born residents

~~Read and referred to the Committee on~~

~~By Mr Shoemaker~~ No 32

Relative to Bills of attainder, ex post facto laws. &c.

Read and referred to the Committee on Preamble and Bill of Rights

By Mr. Smith of Santa Clara No 33

Relative to Minority System of Election

42 Read and referred to the Committee on Apportionment and representation

No 34

Relative to Railroads

Read and referred to the Committee on Corporations other than municipal.

By Mr. Smith, 4th Dist No 35

Relative to Taxation

Read and referred to the Committee on Revenue and taxation

By Mr Smith of S.F. No 36

Relative to appropriation of money for sectarian purposes.

Read and referred to the Committee on Education

43 By Mr Smith of San F— 6

Resolved, That the Constitution ought to be so amended as to abolish the Pardoning powers now vested in the State Executive

Read and referred to the committee on Pardoning Power

By Mr Steadman No 37

Relative to Liens

Read and referred to the Committee on Corporations other than municipal.

Resolved that the Standing Committee on the Judiciary be instructed to inquire into and report to the Convention the propriety of dispensing with grand juries and that the Committee

showed one in favor of dispensing with grand juries they report section of the constitution on that subject.

Referred to the Committee on Judiciary and Judicial Department.

By Mr Steel

Resolved, That the Committee on Privileges and Elections, be instructed to inquire into the justice and expediency of extending the elective franchise to women, on the same basis of qualification as established by law for the male vote

Referred to the Committee on Privileges and Elections

By Mr Sweasey No 38

~~All vessels Craft, Steamboats~~ ~~Resolved that~~

Relative to taxation

Read and referred to the Committee on ~~Commerce~~ Agriculture Manufactures and Commerce

No 39

Relative to Suffrage.

Read & referred to the Committee on Rights of Suffrage.

By Mr. Swanson, No 40

Resolved

Relative to taxing lands

Read and Referred to the Committee on Revenue and taxation

46 By Mr. Sewing. No 41

Relating to Sec. 36 Art 4

Read and referred to the Committee on Corporations other than municipal

By Mr. Thompson No 42

Relative to suffrage

Read and referred to the committee on Rights of Suffrage

By Mr. Townsend

Resolved, That the Committee, be instructed to put a clause in the Constitution, authorizing the Governor to veto any item of an appropriation bill, without affecting the other portions of the bill

47 Referred to the Committee on Executive Department

By Mr. Tulley. No 43

Relative to Suffrage.

Read and referred to the Committee on right of suffrage.

By Mr Turner. No 44

Relative to Chinese

Read and referred to the Committee on Chinese

By Mr Tuttle.

Resolved, That the Judiciary Committee recommend that the Grand jury shall consist of thirteen members

Referred to the Com-

48 Judiciary and Judiciary Department.

~~Resolved: That~~

No 45

Relative to taxation

Referred to the Committee on Right of Suffrage

By Mrs. Vandyke. No 46

Relative to juries.

Read and referred to the Committee on Bill of Rights

By Mrs. Waters. No 47

Relative to ~~Rail~~ Common Carriers

Read and referred to the Committee on Corporations other than municipal

By Mrs. Wellin No 48

Relative to

Read and referred to Committee on ~~Taxation~~ Revenue and Taxation

No. 49

Relative to laborers wages and security for materials sold

Read and referred to Committee on Legislative Department

By Mr. West No 50

Relative to the duties of Rail Road Officers

Read and referred to the Committee on Corporations other than Municipal

30 By Mrs. Wicks, No 51

Relative to the ~~[illegible]~~ Preamble.

Read and referred to the committee on Preamble and bill of rights

By Mrs White no 52

Relative to members of the legislature

Read and referred to the committee on Legislative Department

No 53

Relative to Education

Read to the committee on Education

By Mrs. Wilson of Johnson. No 54

Relative to taxation

Read and referred to the committee on

51 Revenue and Taxation

By Mr. Winans. No 3-3

Relative to Education

Read and referred to the Committee on Education

By Mr. Wyatt.

Resolved. That the Judiciary Committee be instructed to report a clause in the Constitution which shall prevent the sale of any property in this State, under judicial or other forced sale, unless said property shall bring 2/3 of its appraised value, under such sale, the appraisement to be made as provided by law

52) Read and referred to the Committee on the Judiciary and judicial Department.

Resolved: That the Legislative Committee be instructed to report a Clause in the constitution which shall prevent any person from recieving directly or indirectly any greater interest or usury for the use of loaned money than seven per cent per annum

Referred to the Committee on Legislative Department

By Mr Lazarus, No 5-6

~~Amendment~~ to amendment to Section 21 article one

53 Read and referred to the 56
Committee on Reclamation and
Bill of Rights

No 57
Relative to Grand Juries

Read and referred
to the committee on Judici-
ary and Judicial Department
By Mr. Ayres. No 58
Relative to freights
and fares.
Read and referred
to the Committee on
Corporations other
than Municipal
By Mr Bierstecker, No 59
Relative to labor
and labor statistics

54 Read and referred to the committee on Labor and Capital

By Mr. McFarland No 60
Relative to the Executive Department

Read and referred to the committee on Executive Department

By Mr Keys, No 61
Relative to Officers Salaries.

Read and referred to the committee on Legislative Department

By Mr. Hitchcock - No 62
amending article 2 section 5 - relative to Poll tax

Read and referred to the Committee on Right of

55) Suffrage

~~By Mr~~ ~~Pr~~ 63

Relative to lands for irrigation purposes

Read and referred to the Committee on Agriculture, Manufactures and Commerce

Unfinished Business

The Convention took up the question of appeal which was pending at time of the adjournment on yesterday

Mr. Hunstiss moved to indefinitely postpone the appeal

Carried.

The consideration of the standing rules was then resumed.

Mr Cowden offered the following

5-1

~~Appointment of Officers~~
~~Rule 75.~~

All Officers and Attachés ~~except Committee and phonographic reporters~~ not yet appointed, nor elected, who shall be deemed necessary by the convention, shall be appointed and announced by the President.

Mr Tinnin moved to refer to the Committee on rules.
Carried
Mr. Ayers offerred the following

Resolved, That a Committee on Federal Relations, to be composed of nine members, be added to the Standing Committees.

~~Referred to the Committee on rules~~

Referred to the Committee on Rules

Mr. White offerred the following

57

Resolved that

A Committee of Nine should be appointed on State offices to ascertain and report to this Convention the names of all persons in any manner employed under the present ~~State~~ organization of the State Government with the duties required of them and the time spent each day in the performance of those duties, and the compensation paid to each such officer, deputy, clerk or employe

~~Com on Rules~~

Referred to the Committee on Rules

58 Mr. Dowling offered the following

Resolved that a special committee on irrigation and surveying be appointed, to consist of nine members

Referred to the committee on rules.

By Mr. O'Sullivan

Resolved that the Committee on Land and Homestead exemption be increased from nine to fifteen members.

Referred to committee on rules.

Mr. Grace offered the following

Resolved, That this Convention do now proceed to apportion the seats in this Chamber among the Delegates by lot.

Laid on table.

On motion of Mr. Hayes, Messrs Barnes and Reynolds were added to the Committee on apportionment and representation.

On motion of Mr Ayres, Messrs. Howard and West were added to the Committee on Corporations other than Municipal

On motion of Mr Larkin Mr. Strong was added to the Committee on Waters and waters rights

On motion Mr. Freed was

(60) was changed from the Committee of Agriculture Manufactures and Commerce to the committee on Chinese and Mr. Finney from the Committee on Chinese to the Committee on Agriculture Manufactures and Commerce.

Mr. O'Donnell was added to the Committee on Chinese on motion of Mr. Murphy.

Mr Edgerton offered the following

Resolved - that as to all resolutions and propositions relating to the Constitution, the titles and names of the Authors of the same, and the date of their introduction, only, be entered in the journal -

adopted

61 Mrs Hilborn offered the following -

Resolved, That in printing matters introduced into the Convention, required to be printed, the Superintendent of ~~State~~ State Printing shall use, for the present, the original papers ~~when~~ introduced, he or his Chief Clerk receipting to the Secretary of the Convention for the same and returning them to the Secretary's desk as soon as possible.

adopted

Mr. McFarland offered the following

62 (11)

Whereas it is of the greatest importance that the notes of the proceedings of the Convention should be taken in full in order that the same may be published in case the Constitution shall be adopted by the people therefore be it

Resolved. That one official Reporter shall be elected who shall have power to appoint one assistant, each to receive a per diem of Ten Dollars. The duties of the Official Reporter and his assistant shall be to take down in short hand verbatim, all the debates and proceedings of the Convention from the beginning to the end The Official Reporter shall be

63 (2)

required to give ~~Bond~~ a good and sufficient Bond in the sum of Ten Thousand Dollars That he will upon the order of the Convention at any time, or upon the order of the Legislature, or upon the request of any member of the Convention write out in full or in part as may be directed the debates and proceedings of the Convention at a cost not to exceed 20 cents per folio, for transcribing

84 Mr. G. V. Smith offered the following amendment:—

Resolved that there be elected by this Convention an Official Short Hand Reporter, whose duty it shall be to report only such debates as may be made upon the following leading questions, to wit:—

1 Chinese Immigration
2 Taxation and Finance
3 The Judiciary
4 State and Municipal indebtedness
5 Education
6 State, County and Township organization
7 Railroads and other corporations

65 8 Waits & Wills rights
9 Land Dwelling
10 Suffrage.

Provided the expense of such reporting shall not exceed $600 for the session of the Convention

Mr. McCallum offered the following amendment—

Resolved— That a Phonographic Reporter and an assistant should be appointed to report and transcribe the proceedings of this Convention, provided, that such services can be obtained on satisfactory

6 terms to the Convention.

Resolved further, That the committee heretofore appointed on Phonographic reporters, is hereby instructed to ascertain on what terms such services can be obtained, and report thereon by resolution or otherwise, as soon as practicable,

Such report to include the per diem, the amount per folio for transcribing, and cost of indexing, and if printed, when and on what terms the same can be placed on the desks of members

67 Mr. White moved that the whole subject be indefinitely postponed.

Mr. Freund, moved to lay on the table. Lost.

Mr. McFarland moved to refer the whole subject to the Committee on Mileage and Contingent Expenses so ordered

Mr Estee offered the following

Resolved

That all motions to increase the number of Committees or to add more members to the Committees shall be referred without debate ~~to the Committee on rules~~

Referred to the Committee on Rules

68 Mr. Dowling offered the following

Resolved. That the seats to be occupied by members of the Constitutional Convention shall be drawn by lot

P. T. Dowling

Mr. Steadman offered the following substitute

Resolved That the members of the Convention now proceed to select their seats by lot; provided that before any such selection the temporary President of the Convention be permitted to select his seat and Resolved That the friends of any absent member may select his seat for him.

Mr. Smith of Santa Clara moved to lay on the table

Mr. Van Dyke ~~moved~~ carried that the Sergeant-at-arms be directed to prepare committee rooms in this building for the use of the committees of this Convention

Ord. ordered

Mr Campbell offered the following

Resolved that the Committee on Reporting & Printing ascertain from the publishers of the Daily Record Union upon what terms they will publish in said paper, daily a full report of the debates of said Committee to the satisfaction of said Committee -

Mr. Gregg offered the following substitute

Resolved that the President of this body appoint a Committee of three - to determine and report ~~to the Cost~~ at what cost the Record Union or other daily paper ~~of~~ published in Sacramento will publish in its daily issue a full & true report of the debates and proceedings of this Convention - and furnish to the Convention for the use of its Members 250 Copies of its issue containing such report - every Morning

Resolution and substitute ruled out of order Mr Felches offered the following.

Resolved that J. West Martin, of Alameda, and J. T. Wickes of Nevada, be ~~plac~~ added to the Committee of Education,

Mrs. Rolf moved to add Mrs. Blackshear.

Referred to the Committee on Rules.

Mr Martin offered the following

Resolved,

That the Controller of State be, and he is hereby authorized to draw a warrant in favor of W. F. Gennam in the sum of $18.00 for services rendered as page during the organization of this Convention.

Referred to the Committee on Mileage and Contingent Expenses

72 Mr Eagan offered the following

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Resolved – That the Controller of State be and he is hereby authorized and directed to draw his warrant in favor of E. E. McStay for the sum of Forty Dollars for services rendered in writing the Journal of proceedings during the organization of the Convention prior to Oct.

Resolved-

3d 1878 That the State Treasurer be hereby authorized to pay the same out of the appropriation for Expenses of this Convention

Referred to the Committee on Mileage and contingent expenses

At three o'clock and four minutes. on motion of Mr. Murphy the Convention adjourned

10/9/78