In Convention
Assembly Chamber State Capitol

Sacramento, Thursday Oct 10th 1878

Convention met
pursuant to adjournment

President Hoge in
the chair

Roll called and
the following members
were present

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	1		FAWCETT	5		LAVIGNE	9		SHOEMAKER	1	
AYERS	2		FILCHER	6		LEWIS	70		SHURTLEFF	3	
BARBOUR	3		FINNEY	7		LINDOW	1		SMITH of Santa Clara.	4	
BARNES	4		FREEMAN	1		MANSFIELD	2		SMITH of Fourth District.	5	
BARRY	4		FREUD	8		MARTIN of Alameda.	3		SMITH of San Francisco.	6	
BARTON	5		GARVEY			MARTIN of Santa Cruz.	4		SOULE	7	
BEERSTECHER	6		GLASSCOCK	9		McCALLUM	5		STEDMAN	8	
BELCHER	7		GORMAN	40		McCOMAS	6		STEELE	9	
BELL	8		GRACE	1		McCONNELL	7		STEVENSON	10	
BERRY	9		GRAVES	2		McCOY	8		STRONG	1	
BIGGS	10		GREGG	3		McFARLAND	135		STUART	3	
BLACKMER	11		HAGER	4		McNUTT	9		SWEASEY	4	
BOGGS	12		HALE	5		MILLER	80		SWENSON	5	
BOUCHER	13		HALL	6		MILLS	1		SWING	6	
BROWN	1		HARRISON	7		MOFFAT	2		TERRY	7	
BURT	15		HARVEY	8		MORELAND	3		THOMPSON	8	
CAMPBELL	16		HEISKELL	9		MORSE	4		TINNIN		
CAPLES	17		HEROLD	50		MURPHY			TOWNSEND	9	
CASSERLY	18		HERRINGTON	1		NASON	5		TULLY	120	
CHAPMAN	18		HILBORN	2		NELSON	6		TURNER	1	
CHARLES	19		HITCHCOCK	3		NEUNABER	7		TUTTLE	2	
CONDON	20		HOLMES			NOEL	8		VACQUEREL	3	
COWDEN	21		HOWARD	4		O'DONNELL	9		VAN DYKE	4	
CROSS	2		HUESTIS	5		OHLEYER	90		VAN VOORHIES	5	
CROUCH	3		HUGHEY	6		O'SULLIVAN	1		WALKER of Marin.	6	
DAVIS	4		HUNTER	7		OVERTON	139		WALKER of Tuolumne.		
DEAN	5		INMAN	8		PORTER	2		WATERS	7	
DOWLING	6		JOHNSON	9		PROUTY			WEBSTER	8	
DOYLE	7		JONES	1		PULLIAM	3		WELLER	9	
DUDLEY of San Joaquin and Amador.	8		JOYCE	60		REDDY	4		WELLIN	130	
DUDLEY of Solano.	140		KELLY	1		REED	5		WEST	1	
DUNLAP	9		KENNY	2		REYNOLDS	6		WICKES	2	
EAGON	1		KEYS	3		RHODES	7		WHITE	3	
EDGERTON	30		KLEINE	4		RINGGOLD	8		WILSON of Tehama.	4	
ESTEY of Contra Costa and Marin.	1		LAINE	5		ROLFE	9		WILSON of First District.		
ESTEE of First District.	2		LAMPSON	6		SCHELL	100		WINANS	5	
EVEY	2		LARKIN	7		SCHOMP	11		WYATT	6	
FARRELL	4		LARUE	8		SHAFTER	2		Mr. PRESIDENT	7	

Ayes _____

Noes _____

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Messrs Jones and Holmes were each granted two days leave of absence.

On motion of Mr. Martin the reading of the journal was dispensed with.

Memorials

Mr. Mansfield offered the following.

Whereas, it is represented the United States is about to conclude a commercial Treaty with the Republic of France; that in effect will prove destructive to the wine interest of the United States, and especially of California, therefore

Resolved: That the subject be referred to the Committee on Agriculture and Commerce, with instructions

4) to inquire and report at as early a day as practicable to this house for its protest, or for such other action as it may deem expedient.

Also in connection therewith presented a memorial from the citizens of Los Angeles

Referred to the committee on Agriculture, Manufactures and Commerce.

By Mr Barbour

Resolution memorializing Congress to abrogate the Burlingame Treaty

By Mr Crouch

Memorial asking that the Constitution be amended so as to express our acknowledgment to Almighty God. &c.

Referred to Committee on Preamble and Bill of rights

5)

By Mr. Rolf -

~~Memorial~~ Petition for Woman suffrage.

Referred to the committee on Right of Suffrage.

By Mr. Mills.

Memorial asking that the Constitution be amended so as to express our acknowledgement in Almighty God &c.

Messrs Overton, Hager, Van Dyke and Lane also presented similar memorials.

Referred to the Committee on Preamble and Bill of Rights.

By Mr. Wyatt

Memorial to secure Religious liberty in Matters of Conscience and to secure the better observance of Sunday

6)

Referred to the Committee on Preamble and Bill of Rights.

By Mr Wyatt.

Petition to exempt Church property from taxation

Referred to the Committee on Revenue & Taxation

By Mr Howard.

Petition for a local option provision in the constitution

Mr Hilborn.

Presented a like Petition

Both referred to the Committee on Legislative Department

Reports

By Mr. Hilborn.

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Mr President.

Your Committee on Mileage and Contingent Expenses beg leave to report that the members of this Convention are entitled to Mileage for the number of miles, and amounts following:

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

Names.	Ayes	Noes	Absent
	Miles	amt	
Andrews, A. R.	✓ 354	$53.10	
Ayers, James J.	✓ 956	$143.40	
Barbour, Clitus	✓ 168	$25.20	
Barnes, Wm. H. L.	✓ 168	$25.20	
Barry, Edward	✓ 238	$35.70	
Barton, James N.	✓ 674	$101.10	
Beerstecher, Chas. J.	✓ 168	$25.20	
Belcher, Isaac S.	104	$15.60	
Bell, Peter	168	$25.20	
Berry, J.	570	$85.50	
Biggs, Marion	150	$22.50	
Blackmer, Eli T.	1140 ~~640~~	$171.00	
Boggs, H. C.	408	$61.20	
Boucher, Josiah	192	$28.80	
Brown, Joseph C.	516	$77.40	
Burt, Samuel B.	122	$18.30	
Campbell, A., Jr.	182	$27.30	
Caples, James	40	$6.00	
Casserly, Eugene	168	$25.20	
Chapman, Augustus H.	194	$29.10	
Charles, J. M.	250	$37.50	
Condon, John D.	168	$25.20	
Cowden, D. H.	104	$15.60	
Cross, C. W.	142	$21.30	
Crouch, Robert	122	$18.30	
Davis, Hamlet	238	$35.70	
Dean, J. E.	122	$18.30	
Dowling, Patrick T.	168	$25.20	
Doyle, Luke	168	$25.20	
Dudley, James M. (Solano.)	44	$6.60	
Dudley, W. L. (San Joaquin and Amador.)	96	$14.40	
Dunlap, Presley	00	00.00	
Eagan, John A.	118	$17.70	
Edgerton, Henry	0	0.00	
Estee, Morris M.	168	$25.20	
Estey, Thomas H.	220	$33.00	
Evey, Edward	1016	$152.40	
Farrell, Simon J.	168	$25.20	

Names.	Ayes	Noes	Absent
	Miles	amt	
Fawcett, Eugene	238	✓ $1.10	20
Filcher, J. A.	74	✓ $11	10
Finney, Chas. G.	792	✓ $118	80
Freeman, Abraham C.	✓ 0	0	0
Freud, Jacob R.	168	✓ $25	20
Garvey, J. B.	146	✓ $21	90
Glasscock, B. B.	90	✓ $13	50
Gorman, Joseph C.	168	✓ $25	20
Grace, Wm. P.	168	✓ $25	20
Graves, Wm. J.	586	✓ $87	90
Gregg, V. A.	556	✓ $83	40
Hager, John S.	168	✓ $25	20
Hale, James E.	74	✓ $11	10
Hall, J. B.	96	✓ $14	40
Harrison, Thomas	168	✓ $25	20
Harvey, Joel A.	120	✓ $18	00
Heiskell, Tyler D.	166	✓ $24	90
Herold, Conrad	168	✓ $25	20
Herrington, Dennis W.	306	✓ $45	90
Hilborn, S. G.	120	✓ $18	00
Hitchcock, John R. W.	120	✓ $18	00
Hoge, Joseph P.	168	✓ $25	20
Holmes, Samuel A.	308	✓ $46	20
Howard, Volney E.	974	✓ $146	10
Huestis, W. F.	624	✓ $93	60
Hughey, Wm. P.	168	✓ $25	20
Hunter, G. W.	122	✓ $18	30
Inman, Daniel	252	✓ $37	80
Johnson, G. A.	282	✓ $42	30
Jones, L. F.	312	✓ $46	80
Joyce, Peter J.	168	✓ $25	20
Kelly, John M.	40	✓ $6	00
Kenny, Bernard F.	168	✓ $25	20
Keys, James H.	100	✓ $15	00
Kleine, Charles R.	168	✓ $25	20
Laine, Thomas H.	306	✓ $45	90
Lampson, R. M.	180	✓ $27	00
Larkin, Henry	100	✓ $15	00

Names.	Ayes	Noes	Absent
	Miles	amt	
Larue, Hugh M.	✓ 150		50
Lavigne, Raymond	168	✓ $25	20
Lewis, David	120	✓ $18	00
Lindow, John F.	168	✓ $25	20
Mansfield, John	956	✓ $143	40
Martin, Edward	410	✓ $61	50
McCallum, John G.	182	✓ $27	30
McComas, Rush	316	✓ $47	40
McConnell, Thomas	38	✓ $5	70
McCoy, John	152	✓ $22	80
McFarland, Thos. B.	00	✓ 0	0
McNutt, John F.	140	✓ $21	00
Miller, John F.	168	✓ $25	20
Mills, Hiram	180	✓ $27	00
Moffat, Wm. S.	220	✓ $33	00
Moreland, W. W.	314	✓ $47	10
Morse, Lucius D.	196	✓ $29	40
Murphy, James E.	728	✓ $119	20
Nason, Edmund	346	✓ $51	90
Nelson, Thorwald	168	✓ $25	20
Neunaber, Henry	168	✓ $25	20
Noel, Alonzo E.	408	✓ $61	20
O'Donnell, Chas. C.	168	✓ $25	20
Ohleyer, George	106	✓ $15	90
O'Sullivan, James	168	✓ $25	20
Overton, A. P.	282	✓ $42	30
Porter, J. M.	118	✓ $17	70
Prouty, Wm. H.	90	✓ $13	50
Pulliam, Mark R. C.	180	✓ $27	00
Reddy, Patrick	942	✓ $141	30
Reed, Charles F.	58	✓ $8	70
Reynolds, James S.	168	✓ $25	20
Rhodes, John M.	44	✓ $6	60
Ringold, Charles S.	168	✓ $25	20
Rolfe, Horace C.	1200	✓ $180	00
Schell, Geo. W.	154	✓ $23	10
Schomp, Justus	70	✓ $10	50
Shafter, James McM.	232	✓ $34	80

Names.	Ayes	Noes	Absent
	Miles	amt	
Shoemaker, Rufus	134	✓ $20	10
Shurtleff, Benjamin	122	✓ $18	30
Smith, E. O. (Santa Clara.)	304	✓ $45	60
Smith, George V. (Fourth District.)	556	✓ $83	40
Smith, Henry W. (San Francisco.)	168	✓ $25	20
Soule, Ezra P.	366	✓ $54	90
Stedman, John C.	168	✓ $25	20
Steele, George	596	✓ $89	40
Stevenson, David C.	352	✓ $53	10
Stuart, C. V.	252	✓ $37	80
Sweasey, W. J.	624 ~~716~~	✓ $93.60 ~~$107.40~~	
Swenson, Charles	168	✓ $25	20
Swing, Randolph S.	1176	✓ $176	40
Terry, David S.	96	✓ $14	40
Tinnin, W. J.	434	✓ $65	10
Townsend, F. O.	410	✓ $61	50
Tully, P. B.	256	✓ $38	40
Turner, Henry K.	298	✓ $44	70
Tuttle, Daniel	410	✓ $61	50
Vacquerel, Alphonse	168	✓ $25	20
Van Dyke, Walter	182	✓ $27	30
Van Voorhies, Wm.	182	✓ $27	30
Walker, Hugh (Marin.)	260 ~~326~~	✓ $39.00 ~~$49.00~~	
Walker, John (Tuolumne.)	200	✓ $30	00
Waters, Byron	1176	✓ $176	40
Webster, Jonathan V.	188	✓ $28	20
Weller, Joseph R.	286	✓ $42	90
Wellin, Patrick M.	168	✓ $25	20
West, John P.	980	✓ $147	00
Wickes, John T.	122	✓ $18	30
White, Wm. F.	410	✓ $61	50
Wilson, H. C. (Tehama.)	286	✓ $42	90
Wilson, Samuel M. (First District.)	168	✓ $25	20
Winans, Joseph W.	168	✓ $25	20
Wyatt, N. G.	392	✓ $57	90
Martin, J. W.	182	✓ $27	30
Strong, J. M.	260	✓ $39	00
Thompson	168	✓ $25	20

Ayes _____

Noes _____

Absent _____

S. G. Hilborn
Chairman Committee on Mileage and
Contingent Expenses.

a)

We therefore recommend the adoption of the following resolution.

Resolved.

That the Controller of State be authorized and directed to draw his warrants, payable out of the appropriation for the expenses of this Convention, in favor of the parties named, and for the amounts stated in the above report.

Hilborn.
Chairman

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~~which~~ report laid on the table and ~~240 printed~~ 240 copies ordered printed

By Mrs Hilborn

11)

Mr President.

Your Committee on Mileage and Contingent Expenses to whom was referred the resolution offered by Mr Caples, and also the resolution by Mr Hilborn, providing for the employment of a night-watchman, have had the same under consideration and hereby report as follows;

That the attendance of a watchman in the Hall of this convention is absolutely necessary; That one person can perform the duties of both day and night watchman. That $8.00 per day is a reasonable compensation for such service.

We therefore recommend the adoption of the following resolution;

Resolved.

That James Sanetry be, and he is hereby, appointed watchman of this convention, at a salary of $8.00 per day. The same to date from the beginning of the session.

S. G. Hilborn for the Committee

Report of Committee
on Mileage and
Contingent Expenses.
Respecting Watchman
for the Committee

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Laid on table

Mr. White moved to strike out the name of James Saultry and insert, one of the Doorkeepers

Mr Gregory offered the following substitute.

Resolved that A. C. Mound of Kern County be appointed night watchman at a salary of $5 per day

Mr. Ayers moved to lay the whole subject on the table - carried.

By Mr Hilborn

Mr President.

Your Committee on Mileage and Contingent expenses to whom was referred the resolution offered by Mr Bassetcher, providing that the journal of this convention should be printed each day and laid upon the desks of the members, have had the same under consideration and thereby report the same back, and recommend that it be not adopted.

S. G. Hilborn
Chairman Committee on Mileage and Contingent Expenses

adopted.

By Mr. Estee

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Sacramento Oct 10th 1878

Mr President

Your Committee on Rules, Order of Business and Standing Committees have had under consideration

I.

The Resolution introduced by Mr Ayers of Los Angeles asking that there be added to the Standing Committees of the Convention one on "Federal Relations" to consist of nine members, and report that in its opinion no committee on that subject is necessary

II.

Your Committee also had under consideration the resolution presented by Mr O'Sullivan of San Francisco asking that the Standing Committee on Lands and Homestead Exemptions be increased from nine members to fifteen members, and respectfully recommend that said Committee be increased from nine to Eleven members

III.

Your Committee has also had under consideration the resolution introduced by Mr Dowling of San Francisco, requesting the formation of another Standing Committee of the Convention to be known as the Committee on Irrigation and Surveying, and respectfully report the same back to the Convention, and recommend that it be not adopted. There is already a Committee on

Water and Water Rights, ~~[illegible]~~ ~~[illegible]~~ and one on Agriculture and the further multiplicity of Committees on similar subjects is deemed by your Committee inadvisable.

IV.

Your Committee has also considered the resolution introduced by Mr White demanding that there be formed a Standing Committee on State offices and whose duty should be to report the names of all persons employed under the present State organization and the duties required of each, and the time spent each day in the performance of such duties with compensation. We respectfully submit that such Committee is wholly unnecessary. That the present State Constitution and the Political Code will show what State Officers Clerks and Employees are authorized by law, and the Controller's books will show who are under the pay of the State and the amount each receives, and if the investigation asked for is necessary other Committees already appointed have ample scope for the performance of that duty. In conclusion on this subject your Committee cannot too highly deprecate the making of useless or unnecessary Committees. The multiplicity of Committees and the

increase of the numbers of the same instead of facilitating business will in the opinion of your Committee greatly embarrass the business of the Convention by dividing up the duties and responsibilities of Committee work into such small parts that no marked result will be reached.

5. V.

Your Committee has also considered the resolution introduced by Mr Cowden relative to the appointment of Officers and attaches which was to be added to and known as Rule 75. and report the following to be known as Rule 75 and respectfully ask its adoption.

Rule 75.

Appointment of Attaches

"All officers and attaches, except Clerks of Committees and phonographic reporters, not yet elected or appointed which shall by the Convention be deemed necessary shall be appointed by the President of the Convention."

M M Estee
Chairman

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Report adopted.

Resolutions by leave

By Mr. Beerstecher

That the Secretary of State is hereby requested to have such rooms in the Capitol Building as may be used for meetings of committees, members, etc. legislation the nights of paid meeting are held. and that Patrick Levey, the Porter who has charge of the gas, be and he is hereby allowed two ($2.00) dollars per diem for the performance of said extra services, to be paid out of the appropriation for the expenses of this convention

Referred to the Committee on Mileage and Contingent Expenses

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By Mr. Gregg.

Resolved: That the Controller of State be and he is hereby directed to draw his warrant payable out of the appropriation for the expenses of this Convention, in favor of Edwin H. Morris, in the sum of $15.00 for services rendered as page, during the organization of this convention

Referred to the committee on Mileage and Contingent expenses.

By Mr. Larkin.

Resolved. That all propositions submitted to this convention, be submitted in the form of an Article, or a section of an article, in the proper form to be embodied in the Constitution

adopted

Resolutions and Propositions

The Secretary proceeded to call the roll and the following Resolutions and propositions were introduced.

By Mr. Ayers – No 64

Relative to Chinese Immigration

Referred to committee on Chinese

No 65

Relative to Directors of Savings Banks

Referred to Committee on Legislative Department

By Mr. Parsons. No 66

Relative to Lobbying

Referred to the committee on Bill of Rights

No 67

Relative to Chinese

Referred to the Committee on Bill of Rights

By Mr Barnes No 68

Relative to Education and Public Schools.

Referred to the Committee on Education.

By Mr Barry No 69

Relative to the pardoning powers.

Read and referred to the Committee on Pardoning Powers.

No 70

Relative to ~~Chinese~~ Coolegism

Referred to the Committee on Chinese

By Mr Barton - No 71

Relative to assessing property.

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Referred to the Committee on Revenue & Taxation

No 72

Relative to Local Option

Referred to Committee on Legislative Department

By Mr. Burdick. No 73

Relative to the Bureau of Labor.

No 74

Providing a Labor Department

Both referred to the Committee on Legislative Department

By Mr. Belcher No 75

Concerning Taxation

Referred to the Committee on Revenue & Taxation

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No 76
Proposition for Law Departments
Referred to the Committee on Judiciary and Judicial Department

By Mr. Biggs No 77
Relating to Taxation
Referred to the Committee on Revenue & Taxation

No 78
Relating to the Legislative Department
Referred to the Committee on Legislative Department

By Mr. Blackmer No 79
Relating to Education
Referred to the Committee on Education

No 80
Relating to Suffrage

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Referred to the Committee on Right of Suffrage

By Mr. Brown. No 81.

For the protection of rights

Referred to the committee on Preamble and Bill of Rights

By Mr. Campbell - No 82

To establish a Board of Rail Road Commissioners

Referred to the Committee on Corporations other than Municipal.

By Mr Caples. No 83

Relative to Bail and fines

Referred to the Committee on Preamble & Bill of Rights

By Mr Condon - No 84

Relative to Convict Labor

Referred to the Committee on Labor & Capital

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By Mr Cross No 85

Relating to the Judiciary system

Referred to the committee on Judiciary and Judicial Department

By Mr Cronch No 86

Prohibiting special Legislation

Referred to the committee on Preamble and Bill of Rights

By Mr. Davis. No 87

Relating to Bribery and Rewards.

Referred to the Committee on right of Suffrage

No. 88

Relating to the Eligibility for Office

Referred to the committee on Privileges and Elections

By Mr. Dean. No 89

Relating to the Judicial Department

Referred to the Committee on Judiciary and Judicial Department

Mrs. Barnes by leave offered the following Resolution.

Resolved: That when the convention adjourn ~~this~~ to-day, it adjourns to Monday the 14th inst at 1 o'Clock P.M.

on motion of Mrs. Condon laid on the table

The hour of 12 O'Clock M. having arrived the Convention took a recess for one hour.

Afternoon Session

Convention re-assembled at 1 o'Clock P.M.

Pres. Hoge in Chair

Quorum present

Calling of the roll for propositions and resolutions resumed

By Mr. Dowling No 90

In relation to Land Department

Referred to the Committee on Land and Homestead exemption

No 91

In relation to a Mining Department

Referred to the Committee on Mining

By Mr Dudley of Solano No 92

Concerning Taxation

Referred to the Committee on Revenue & Taxation

By Mr. Dunlap No 93

Relating to waters and waterrights

Referred to the Committee on Waters and Waters rights

27 By Mr Eggan No 94
Concerning Licenses
Referred to the committee
on Revenue & Taxation
By Mr Edgerton. No 95
Concerning the legis-
lative Department

No 96
Concerning the Legis-
lative Department
Both Referred to the Committee
on Legislative Department
By Mr. Every, No 97
on the right of Suffrage

No 98
Relative to Bribery
Both referred to the Committee
on Right of Suffrage

28 98

By Mr. Jaffrey — No 99

Relating to wages of Labor

Referred to the Committee on Labor & Capital

No 100

Relating to naturalized citizens

Referred to the Committee on Preamble and Bill of Rights

By Mr. Garcelon — No 101

Relating to the Pardoning Power.

Referred to the Committee on Pardoning Powers

By Mr. Fellows, No 102

Relating to the meetings of the Legislature

No 103

In regard to fielding promises in the Legislature

29 105

By Mr. Freeman - No 104

Prohibition of Land Monopoly -

Referred to the Committee on Land and Homestead exemption

No 105 -

Relations of the States to the United States

Referred to the committee on Preamble & Bill of rights

By Mr Freed - No 106

amendments to the Bill of rights

Referred to the committee on Preamble and Bill of Rights

By Mr. Gorman - No 107

Relating to future amendments

Referred to the Committee on Future amendments

By Mrs Grace No 108
Relating to the qualification of Electors
Referred to the Committee on Privileges and elections.

No 109
In relation to franchise
Referred to the Committee on Future amendments

By Mrs. Gregg, No 110
Relating to taxing Canals
Referred to the Committee on Revenue & Taxation

No 111
Amending Declaration of Rights
Referred to the Committee on Revenue and Taxation

By Mrs Hayes. No 112
Amendments to the Bill of rights.
Referred to the Committee on Preamble and Bill of Rights

By Mr. Estey, No 113
Relating to Eminent Domain.

Referred to the Committee on Corporations other than Municipal

By Mr Hall - No 114
In respect to the powers of the Legislature over certain corporations

Referred to the Committee on Corporations other than Municipal

No 115
On limitation of the powers of the Legislature

Referred to the Committee on Legislative Department

By Mr. Harrison - No. 116
In relation to Compulsory Education

No 117
Relating to Educational system.
Both referred to the committee on Education

By Mr Harvey - No 118
amending the Bill of Rights
Referred to the committee on Preamble & Bill of rights

No 119
Relating to the Militia

By Mr Hinkel - No 120
Relating to the Militia

The two last referred to the committee on Military Affairs.

By Herod. No 121

Relating to the Pardoning Power

Referred to the Committee on Pardoning Powers.

No 122

Restricting the powers of certain corporations

Referred to the Committee on Corporations other than municipal.

By Mr Harrington — No 123

Limiting the powers of the Legislature

Referred to the Committee on Legislative Department

No 124

Relating to Aliens

Referred to the Committee on Privileges and elections.

By Mr. Hustis, No 125

Concerning the appropriation of the Public funds

34. Referred to the Committee on Legislative Department

By Mr Murphey No. 126
Relating to the grading of Lands.

Referred to the Committee on Revenue and Taxation.

By Mr Johnson - No 127
Relating to extra pay of officers.

Referred to the Committee on Legislative Department

By Mr. Joyce - No 128
Relating to hours of Labor.

Referred to the Committee on Labor & Capital

~~By~~ No. 129 Relating

35 to the number of Senator the
members of the Legislature
Referred to the com-
mittee on Legislative De-
partment

By Mr. Kenny - No 130
Relating to Chinese
Referred to the committee
on Chinese

By Mr. Klein - No 131
Per capita tax on coolies
Referred to the committee
on Immigration

Mr. McCallum moved to
temporarily suspend Rule 60
Lost

Mr. Reynolds moved to suspend
further proceedings under
the present order of business
Mr. White moved to lay

the motion on the table
Carried

By Mr. Lavigne - No 133
Relating to compulsory Education
Referred to Committee on Education

By Mr. Lewis - No 134
Relating to power of Governor to approve of Bills
Referred to the Committee on Executive Department

Mr. Raymond moved to dispense with further proceedings under the present order of business
Lost

By Mr. Mansfield - No 135
Relating to divorces
Referred to the Committee

37) on Legislative Department
Mr. Shafter was granted
indefinite leave of absence.

~~Mr. Estee was g~~

Mr Hager, offered the
following

Resolved that when
the convention adjourn this
day it be to meet on
Monday next at one
o'clock P. M.

Mr. White moved to lay
the resolution on the table
on which the ages and
noes were demanded
by the requisite number
and it was carried by
the following vote

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	/		FAWCETT	/		LAVIGNE	/		SHOEMAKER	/	
AYERS	2		FILCHER			LEWIS		/	SHURTLEFF	/	
BARBOUR	3		FINNEY	/		LINDOW	/		SMITH of Santa Clara.		/
BARNES		4	FREEMAN	/		MANSFIELD		/	SMITH of Fourth District.		/
BARRY	4		FREUD	/		MARTIN of Alameda.			SMITH of San Francisco.	/	
BARTON	/		GARVEY	/		MARTIN of Santa Cruz.	/		SOULE	/	
BEERSTECHER	/		GLASSCOCK		/	McCALLUM		/	STEDMAN		/
BELCHER		/	GORMAN	/		McCOMAS	/		STEELE		/
BELL	/		GRACE	/		McCONNELL	/		STEVENSON	/	
BERRY		/	GRAVES		/	McCOY			STRONG		/
BIGGS	/		GREGG		/	McFARLAND			STUART		/
BLACKMER	/		HAGER		/	McNUTT		/	SWEASEY	/	
BOGGS		/	HALE		/	MILLER		/	SWENSON	/	
BOUCHER		/	HALL		/	MILLS		/	SWING	/	
BROWN	/		HARRISON	/		MOFFAT	/		TERRY		/
BURT		/	HARVEY		/	MORELAND	/		THOMPSON		/
CAMPBELL		/	HEISKELL		/	MORSE		/	TINNIN		
CAPLES	/		HEROLD		/	MURPHY			TOWNSEND	/	
CASSERLY			HERRINGTON	/		NASON		/	TULLY	/	
CHAPMAN	/		HILBORN	/		NELSON	/		TURNER		/
CHARLES	/		HITCHCOCK		/	NEUNABER	/		TUTTLE	/	
CONDON	/		HOLMES			NOEL		/	VACQUEREL	/	
COWDEN	/		HOWARD	/		O'DONNELL			VAN DYKE		/
CROSS			HUESTIS			OHLEYER		/	VAN VOORHIES		/
CROUCH		/	HUGHEY	/		O'SULLIVAN	/		WALKER of Marin.		
DAVIS	/		HUNTER	/		OVERTON		/	WALKER of Tuolumne.		
DEAN			INMAN		/	PORTER	/		WATERS	/	
DOWLING			JOHNSON		/	PROUTY			WEBSTER	/	
DOYLE	/		JONES			PULLIAM		/	WELLER		/
DUDLEY of San Joaquin and Amador.	/		JOYCE	/		REDDY	/		WELLIN		/
DUDLEY of Solano.		/	KELLY		/	REED	/		WEST	/	
DUNLAP		/	KENNY	/		REYNOLDS		/	WICKES	/	
EAGON		/	KEYS		/	RHODES	/		WHITE	/	
EDGERTON		/	KLEINE	/		RINGGOLD	/		WILSON of Tehama.		/
ESTEY of Contra Costa and Marin.	/		LAINE	/		ROLFE		/	WILSON of First District.		
ESTEE of First District.		/	LAMPSON		/	SCHELL		/	WINANS		/
EVEY	/		LARKIN	/		SCHOMP		/	WYATT	/	
FARRELL	/		LARUE	/		SHAFTER			MR. PRESIDENT		/

AYES 75

NOES 60

Mr. Estes was granted two days leave of absence.

By Mr. Martin of Santa Clara, No 136

Relating to the publication of the laws.

Referred to the committee on Legislative department.

By Mr. Mills - No 137

Relating to State and Municipal Indebtedness

Referred to the Committee on State and Municipal Indebtedness

By Mr. Mills. No 138

Relating to the Militia.

Referred to the committee on Military Affairs

By Mr. Moreland. No 139

~~Limiting~~ To limit the amt of State tax

Referred to the Committee on Revenue and Taxation

No 140

Regarding Banking Institutions

Referred to the Committee on Corporations other than Municipal

By Mr. Morse - No 141

Providing a State Board of Health

Referred to the Committee on Miscellaneous Subjects

By Mr Nason No 142

Relating to administering on estates

Referred to the Committee on Miscellaneous subjects

Mr. O'Donnell was granted leave of absence until Monday next at 2. o'Clock P.M.

By Mr. Mason — No 143

Relating to the Legislative Department

Referred to the Committee on Legislative department

By Mr. O'Sullivan. No 144

Relating to Land Tenures and limitation of ownership

Referred to committee on Land and Homestead exemption

No 145

Relating to Rivers and lakes in this state

LT2

Referred to the Committee on wates & wates rights

By Mr. Reed No 146

Relating to the elective franchise

Referred to the committee on Privileges and Elections

No. 147

Declaration of Rights

Referred to committee on Preamble and bill of rights

By Mr. Rhodes. No 148.

Creating a Board of supervise certain corporations.

Referred to Committee on miscellaneous subjects

By Mr. Shoemaker. No 149

Relating to vancies in office

43) 149

No 150.

Relating to the veto power both referred to the Committee on Executive Department

No 151

Relating to taxation Referred to the Committee on Revenue and Taxation

No 152

Relating to taxing Corporations,

No 153

Relating to Salaries of state Officers

~~The two~~

The two last referred to the Committee on Legislative Department

By Mr Shurtleff no 154

Relating to the Preamble

~~Preamble~~

Referred to the Committee on Preamble and Bill of Rights

By Mr. Smith of Santa Clara, No 155

Relating to restrictions on the Legislature

Referred to the Committee on Legislative Department

No 156

Relating to redemption from tax sales.

Referred to the Committee on Revenue & Taxation

By Mr. Smith of 4th Dist. No 157

Relating to the Judiciary

Referred to the Committee on Judiciary and Judicial Department

No 158

Relating to Private Corporations.

Referred to the Committee on Corporations other than Municipal

By ~~Mr Smith of~~

By Mr. Steadman No 159

Relating to taxing Banks.

Referred to the Committee on Revenue and Taxation

No 160

Relating to the appropriation of money by the Legislature.

Referred to the Committee on Legislative Department

By Mr Strong No 161

Prohibiting towns, cities and counties from becoming stockholders in corporations

Referred to the committee on City, County and Township organizations

By Mr Stewart No 162

Relating to Suffrage.

Referred to the com. on Right of Suffrage.

By Mr. Thompson No 163

In relation to the Laws of Labor

Referred to the committee on Miscellaneous Subjects

47

By Mr. Tully No 164
Relating to an Educational test of votes.
Referred to the Committee on Education.

No. 165
Relating private property for public use
Referred to the Committee on Miscellaneous Subjects

By Mr. Vacquerel - No 166
Relating to Taxation
Referred to the committee on Revenue + Taxation

No 167
Relating to bill of Rights.
Referred to the Committee on Preamble and Bill of Rights

48

By Mr. ~~Van Dyke~~ No 168
Relating to liens.
Relating to the
Committee on Miscellaneous subjects

~~By Mr. Van Dyke~~

By Mr Van Voorhies, No 169
Relating to corporations
Referred to the committee on Corporations other than municipal.

No 170
Relating to Suffrage
Referred to the Committee on Right of Suffrage

By Mr. Webster, No 171
Relating to the Preamble.

No 172
Relating to the Bill

49) of rights

Both referred to the Committee on Preamble and bill of Rights

By Mr. Willin No 173

Relating to the water of Lake Bigles.

Referred to the Committee on Water and Water Rights

No 174

Relating to the Chinese

Referred to the Committee on Chinese

By Mr. West. No 175

Relating to Criminal Prosecutions

Referred to the

30

Committee on Judiciary and Judicial Department

By Mr. Hicks, No 176

Relating to the control of the state over corporations.

Referred to the Committee on Corporations other than municipal.

By Mr White - No 177

Relating to interest of money.

Referred to the Committee on Miscellaneous Subject

No 178

Relating to the Legislative Department.

Referred to the Committee on Legislative Department

51

at ~~twelve~~ ~~four~~ three o'clock and fifty minutes P.M. Mr. Dudley of Solano moved to adjourn until Monday the 14th inst at 2 P.M.

Mr. Walters moved to amend by inserting tomorrow at 10 o'clock A.M.

Lost.

The Convention refused to ~~adj~~ adjourn until Monday

Mr. Campbell gave the following notice:

Notice is hereby given that tomorrow or as soon thereafter as I can with reference to the order of the business I shall move to amend the 60th rule of the Convention by striking out the

words and figures" except rules 50. 51, 52, 53 and 55

Also I shall move to repeal rule 71

Alex Campbell

Mr. Irving at ¾ o'clock and fifty five minutes P.M. moved to adjourn — lost.

Mr. Barton called up the amendment of which he gave notice yesterday as follows:—

	Resolved that rule Second relating to recess be amended so as to extend the time from twelve O'clock M. to two O'clock P.M.

adopted

53

At four o'clock P.M. Mr. Barbour moved to take a recess for three days.

Mr. Waters moved to adjourn

Lost

On the 8th motion of Mr Barbour the ayes & noes were demanded by the requisite number, and the motion was lost by the following vote

54

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS		1	FAWCETT		19	LAVIGNE		38	SHOEMAKER		50
AYERS		2	FILCHER		20	LEWIS	34		SHURTLEFF		51
BARBOUR	1		FINNEY		21	LINDOW	35		SMITH of Santa Clara.		
BARNES	2		FREEMAN		22	MANSFIELD	36		SMITH of Fourth District.	52	
BARRY		3	FREUD		23	MARTIN of Santa Cruz.		39	SMITH of San Francisco.		52
BARTON		4	GARVEY	18		MARTIN of Alameda.			SOULE		53
BEERSTECHER	3		GLASSCOCK	19		McCALLUM	66	40	STEDMAN	53	
BELCHER	4		GORMAN		24	McCOMAS		41	STEELE	54	
BELL	5		GRACE		25	McCONNELL		42	STEVENSON		54
BERRY	6		GRAVES	20		McCOY			STRONG		67
BIGGS		5	GREGG	21		McFARLAND			STUART	55	
BLACKMER	7		HAGER	22		McNUTT	37		SWEASEY		
BOGGS			HALE	23		MILLER			SWENSON		55
BOUCHER		6	HALL	24		MILLS	38		SWING		56
BROWN		7	HARRISON		26	MOFFAT		43	TERRY	56	
BURT		8	HARVEY		27	MORELAND		44	THOMPSON	57	
CAMPBELL	8		HEISKELL	25		MORSE		45	TINNIN		
CAPLES		9	HEROLD	26		MURPHY			TOWNSEND		
CASSERLY			HERRINGTON		28	NASON	39		TULLY		57
CHAPMAN	9	1	HILBORN		29	NELSON	40		TURNER	58	
CHARLES	10		HITCHCOCK	27		NEUNABER		46	TUTTLE		58
CONDON		10	HOLMES			NOEL	41		VACQUEREL	1	59
COWDEN	11		HOWARD		30	O'DONNELL			VAN DYKE	59	
CROSS		11	HUESTIS		31	OHLEYER		47	VAN VOORHIES	60	
CROUCH		12	HUGHEY	28		O'SULLIVAN		48	WALKER of Marin.	61	
DAVIS		13	HUNTER		32	OVERTON	42		WALKER of Tuolumne.		
DEAN	12		INMAN	29		PORTER	43		WATERS		60
DOWLING		14	JOHNSON	30		PROUTY			WEBSTER		61
DOYLE		15	JONES			PULLIAM	44		WELLER	62	
DUDLEY of Solano.		16	JOYCE		33	REDDY	45		WELLIN	63	
DUDLEY of San Joaquin and Amador.	13		KELLY	31		REED	46		WEST		62
DUNLAP		17	KENNY	32		REYNOLDS	47		WICKES		63
EAGAN	14		KEYS		34	RHODES	48		WHITE		64
EDGERTON	15		KLEINE		35	RINGGOLD	49		WILSON of Tehama.		65
ESTEE of First District.	16		LAINE		36	ROLFE		49	WILSON of First District.		
ESTEY of Contra Costa and Marin.	16		LAMPSON	33		SCHELL	50		WINANS	64	
EVEY		18	LARKIN			SCHOMP	51		WYATT		66
FARRELL	17		LARUE		37	SHAFTER			MR. PRESIDENT	65	

AYES 66

NOES 66

5-5)

At four o'clock and six minutes P.M. Mr. Shoemaker moved to adjourn on which the ayes and noes were demanded. and the Convention refused to adjourn by the following vote

5-6

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	1		FAWCETT	21		LAVIGNE	38		SHOEMAKER	50	
AYERS	2		FILCHER	22		LEWIS		35	SHURTLEFF	51	
BARBOUR	3		FINNEY	23		LINDOW		36	SMITH of Santa Clara.		
BARNES		1	FREEMAN		16	MANSFIELD		37	SMITH of Fourth District.		53
BARRY	4		FREUD	24		MARTIN of Santa Cruz.	39		SMITH of San Francisco.	52	
BARTON	5		GARVEY		17	MARTIN of Alameda.			SOULE		
BEERSTECHER	6	2	GLASSCOCK		18	McCALLUM		38	STEDMAN		54
BELCHER	7	67	GORMAN	25		McCOMAS	40		STEELE		55
BELL		3	GRACE	26		McCONNELL	41		STEVENSON	53	
BERRY	10		GRAVES		19	McCOY			STRONG		56
BIGGS		4	GREGG		20	McFARLAND			STUART	54	
BLACKMER	8		HAGER		21	McNUTT		39	SWEASEY		
BOGGS		68	HALE		22	MILLER			SWENSON	55	
BOUCHER	9		HALL		23	MILLS		40	SWING	56	
BROWN	10		HARRISON	27		MOFFAT	42		TERRY		57
BURT	11		HARVEY	28		MORELAND	43		THOMPSON		58
CAMPBELL	12		HEISKELL		24	MORSE	44		TINNIN		
CAPLES	13		HEROLD	29		MURPHY			TOWNSEND		
CASSERLY			HERRINGTON	30	25	NASON	45		TULLY	57	
CHAPMAN	14		HILBORN	31		NELSON		41	TURNER		59
CHARLES	15		HITCHCOCK		25	NEUNABER	46		TUTTLE		60
CONDON		5	HOLMES			NOEL		42	VACQUEREL	58	
COWDEN		6	HOWARD	32		O'DONNELL			VAN DYKE	59	
CROSS	16		HUESTIS		26	OHLEYER	47		VAN VOORHIES	60	
CROUCH		7	HUGHEY		27	O'SULLIVAN	48		WALKER of Marin.		61
DAVIS		8	HUNTER	33		OVERTON		43	WALKER of Tuolumne.		
DEAN		9	INMAN		28	PORTER		44	WATERS	61	
DOWLING	17		JOHNSON		29	PROUTY			WEBSTER	62	
DOYLE		10	JONES			PULLIAM		45	WELLER		62
DUDLEY of Solano.	18		JOYCE		30	REDDY		46	WELLIN		63
DUDLEY of San Joaquin and Amador.		11	KELLY		31	REED		47	WEST	63	
DUNLAP	19		KENNY		32	REYNOLDS		48	WICKES		64
EAGAN		12	KEYS		33	RHODES		49	WHITE	64	
EDGERTON		13	KLEINE	34		RINGGOLD		50	WILSON of Tehama.	65	
ESTEE of First District.			LAINE	35		ROLFE	49		WILSON of First District.		
ESTEY of Contra Costa and Marin.		14	LAMPSON		34	SCHELL		51	WINANS		65
EVEY	20		LARKIN	36		SCHOMP		52	WYATT	66	
FARRELL		15	LARUE	37		SHAFTER			Mr. PRESIDENT		66

Ayes 60

Noes 68

1
65
1
67

at four o'clock and fifteen minutes P. M. Mr. Edgerton moved to adjourn until Monday next at one o'clock P. M.

Mr. White moved to amend by substituting tomorrow at ten o'clock A. M., on which the ayes and noes were demanded. The roll was called with the following result—

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	1		FAWCETT	23		LAVIGNE	46		SHOEMAKER	63	
AYERS	2		FILCHER	24		LEWIS		27	SHURTLEFF	64	
BARBOUR		1	FINNEY	25		LINDOW		28	SMITH of Santa Clara.		
BARNES		2	FREEMAN	26		MANSFIELD	47		SMITH of Fourth District.		41
BARRY	3		FREUD	27		MARTIN of Santa Cruz.	48		SMITH of San Francisco.	65	
BARTON	4		GARVEY		14	MARTIN of Alameda.			SOULE	66	
BEERSTECHER		3	GLASSCOCK		15	McCALLUM		29	STEDMAN		42
BELCHER		4	GORMAN	28		McCOMAS	49		STEELE		43
BELL	5		GRACE	29		McCONNELL	50		STEVENSON	67	
BERRY		5	GRAVES	30		McCOY			STRONG	68	
BIGGS		6	GREGG		16	McFARLAND			STUART	69	
BLACKMER	6		HAGER		17	McNUTT		30	SWEASEY		
BOGGS		7	HALE		18	MILLER			SWENSON	70	
BOUCHER	7		HALL		19	MILLS		31	SWING	71	
BROWN	8		HARRISON	31		MOFFAT	51		TERRY		44
BURT	9		HARVEY	32		MORELAND	52		THOMPSON		45
CAMPBELL		8	HEISKELL		20	MORSE	53		TINNIN		
CAPLES	10		HEROLD		21	MURPHY			TOWNSEND		
CASSERLY			HERRINGTON	33		NASON	54		TULLY	72	
CHAPMAN	11		HILBORN	34		NELSON		32	TURNER		46
CHARLES	12		HITCHCOCK	~~35~~	52	NEUNABER	55		TUTTLE	73	
CONDON	13		HOLMES			NOEL		33	VACQUEREL	74	
COWDEN		9	HOWARD	36		O'DONNELL			VAN DYKE	75	
CROSS	14		HUESTIS	37		OHLEYER	56		VAN VOORHIES		47
CROUCH	15		HUGHEY		22	O'SULLIVAN	57		WALKER of Marin.		48
DAVIS	16		HUNTER	38		OVERTON		34	WALKER of Tuolumne.		
DEAN		10	INMAN	39		PORTER		35	WATERS	76	
DOWLING	17		JOHNSON		23	PROUTY			WEBSTER	77	
DOYLE	18		JONES			PULLIAM		36	WELLER	~~78~~	~~49~~
DUDLEY of Solano.	19		JOYCE	40		REDDY	58		WELLIN	78	~~49~~
DUDLEY of San Joaquin and Amador.			KELLY		24	REED		37	WEST	79	
DUNLAP	20		KENNY		25	REYNOLDS		38	WICKES	80	
EAGAN		11	KEYS	41		RHODES		39	WHITE	81	
EDGERTON		12	KLEINE	42		RINGGOLD		40	WILSON of Tehama.	82	
ESTEE of First District.			LAINE	43		ROLFE	60		WILSON of First District.		
ESTEY of Contra Costa and Marin.		13	LAMPSON		26	SCHELL	61		WINANS		50
EVEY	21		LARKIN	44		SCHOMP	62		WYATT	83	
FARRELL	22		LARUE	45		SHAFTER			Mr. PRESIDENT		51

Ayes 82

Noes ~~83~~ 82

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and the President declared the convention adjourned until tomorrow at ten o'clock a.m.

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