(1)

In convention -
Assembly Chamber, State Capitol

Sacramento, Monday
Oct. 14th 1878

Convention met pursuant to adjournment

President Hoge - in the chair

Roll called, and the following members were present.

(2) Roll call Oct. 14th, 1878 -

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

Names.	Ayes	Noes	Names.	Ayes	Noes	Names.	Ayes	Noes	Names.	Ayes	Noes
ANDREWS	1		FAWCETT	32		LAVIGNE	58		SHOEMAKER	88	
AYERS	2		FILCHER	33		LEWIS	60		SHURTLEFF	89	
BARBOUR	3		FINNEY	34		LINDOW	61		SMITH of Santa Clara.		
BARNES			FREEMAN	35		MANSFIELD	62		SMITH of Fourth District.	90	
BARRY	4		FREUD	36		MARTIN of Alameda.		1 da	SMITH of San Francisco.	91	
BARTON	5		GARVEY	37		MARTIN of Santa Cruz.	63		SOULE	92	
BEERSTECHER	6		GLASSCOCK	a		McCALLUM	64		STEDMAN		1 day
BELCHER	7		GORMAN	38		McCOMAS	65		STEELE	93	
BELL	8		GRACE	39		McCONNELL	66		STEVENSON	94	
BERRY			GRAVES	a		McCOY	67		STRONG	95	
BIGGS	9		GREGG	40		McFARLAND	68		STUART		Exc.
BLACKMER	10		HAGER	a		McNUTT	69		SWEASEY	96	
BOGGS	11		HALE	41		MILLER	70		SWENSON	97	
BOUCHER	12		HALL	a		MILLS			SWING	98	
BROWN	13		HARRISON	42		MOFFAT	71		TERRY	99	
BURT	14		HARVEY	43		MORELAND	72		THOMPSON	100	
CAMPBELL	15		HEISKELL	44		MORSE	73		TINNIN	101	
CAPLES	16		HEROLD	45		MURPHY		1 da	TOWNSEND	102	
CASSERLY			HERRINGTON	46		NASON	74		TULLY	103	
CHAPMAN	17		HILBORN	47		NELSON	75		TURNER	104	
CHARLES		1 day	HITCHCOCK	48		NEUNABER	76		TUTTLE	105	
CONDON	18		HOLMES	49		NOEL	77		VACQUEREL	106	
COWDEN	19		HOWARD	50		O'DONNELL			VAN DYKE	107	
CROSS	20		HUESTIS	51		OHLEYER	78		VAN VOORHIES	108	
CROUCH	21		HUGHEY	52		O'SULLIVAN	79		WALKER of Marin.	Ex	
DAVIS	22		HUNTER	2		OVERTON			WALKER of Tuolumne.	109	
DEAN			INMAN	170		PORTER	80		WATERS		Ex
DOWLING	23		JOHNSON		2 da	PROUTY	81		WEBSTER	110	
DOYLE	24		JONES			PULLIAM	82		WELLER	a	
DUDLEY of San Joaquin and Amador.		a	JOYCE	53		REDDY	83		WELLIN	111	
DUDLEY of Solano.		1 da	KELLY	54		REED	84		WEST	112	
DUNLAP	25		KENNY		1 da	REYNOLDS			WICKES	113	
EAGON	26		KEYS	55		RHODES			WHITE	114	
EDGERTON	27		KLEINE	56		RINGGOLD	85		WILSON of Tehama.	115	
ESTEY of Contra Costa and Marin.	28		LAINE		3 da	ROLFE	86		WILSON of First District.	a	
ESTEE of First District.	29		LAMPSON	57		SCHELL			WINANS	116	
EVEY	30		LARKIN	58		SCHOMP	87		WYATT	117	
FARRELL	31		LARUE	119		SHAFTER			MR. PRESIDENT	118	

~~AYES~~ _____

~~NOES~~ _____

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(3) Leave of Absence

Leave of absence was granted to Mr. Charles ~~for 1 day~~ Mr. Dudley of San Joaquin, Mr. Martin of Alameda, Mr. Kenny, Mr. Steadman ~~and~~ Mr. Walker of Marin ~~and~~ Mr. Dudley of Solano ~~and~~ Mr. Murphy ~~and for one day each~~ Mr. Stewart for one day each.

Mr. Waters was granted leave of absence for the remainder of the week, Mr. Laine for three days and Mr. Johnson two days.

The Journal of Saturday last was read and approved.

(4)

Mr. Tinnin offered the following Resolution

1	~~Resolution by W. J. Tinnin~~ of ~~Trinity~~ Resolved That the Sergeant at Arms be instructed to furnish accredited Newspaper Reporters ~~occupying seats on d~~ assigned desks on the floor ~~with~~ two copies of all papers and documents ordered printed by the Convention.

adopted

(5)

Mr. McBoumell was granted leave to offer a Constitution prepared by him in subdivided parts and each part was referred to the appropriate Committee without printing

6

General Orders

Mr Nall offered the following amendment to Rule 52 —

PAGE.

Rule 52

Propositions and resolutions mentioned in the last foregoing Rule shall embrace but one subject; they shall be read once by title when introduced and then reffered, without debate, to an appropriate Committee

Nalle.

which was adopted

Mr. Williams in accordance with notice given on Saturday last that he would today move the adoption of certain resolutions and their modification or if necessary the revocation of those rules which prevent their enforcement if adopted - now called the matter up and the same were ordered printed and made the Special Order for tomorrow at 2 o'clock P.M.

Mr. Neat moved to amend clause 8. of Rule 73, so as to read

On Education to consist of thirteen members -

Referred to the committee on Rules -

Mr. Noll offered the following resolution -

Resolved that Rule 71 be and the same is hereby repealed, but nothing herein contained shall be construed to prevent the printing of any resolutions or propositions heretofore ~~[illegible]~~ presented.

Referred to the committee on Rules -

9/ The Notice of

Mr. Campbell ~~under notice~~, given heretofore ~~on Saturday last~~ that he would

as soon as possible move to amend Rule 60 by striking out the words and figures "except rules 50, 51, 52, 53, and 55" also to repeal

Rule 71. was ~~now~~ under the General Rule referred to the Committee on Rules —

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Notice by Mr. Edgerton

Mr. Edgerton gives notice that he will on tomorrow move the following amendment to Rule 71.

"But no propositions so far as the same contains matter in the existing Constitution shall be printed, nor shall any proposition which is in substance the same as one already printed —

Laid over one day

The notice of Mr. McCallum given on Saturday last that he would on today move to strike out Rule 60 and ~~make~~ offer a substitute therefor was referred to the committee on Rules -

Mr. Hastings in accordance with notice previously given ~~that he would~~ moved to reconsider the vote of Saturday last by which the report of the Committee on Mileage and Contingent Expenses was adopted

On motion of Mr. Noel the same was laid on the Table -

12 Resolutions and Propositions

On motion of Mr. ~~Dudley~~ White ~~No. 7~~

~~of~~ this Order of Business - ~~Introduction of Resolutions and Propositions relating to the Constitution~~ was now taken up and the following Resolutions and Propositions offered - ~~No. 239~~

By Mr. Barbour Resolution No. 42 Relative to submitting separate propositions. Mr. Barbour moved that the same be referred to the Committee of the whole - Lost -

On motion of Mr. Campbell the same was referred to the Committee on Judiciary and Judicial system -

No. 241

By Mr. Beerstecher Relative to warehouses Referred to Committee on Miscellaneous subjects -

Also

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No. 241 Relative to Taxation
Referred to committee
on Revenue & Taxation

No. 242 By Mr. Blackmer
Relative to Education
Referred to committee
on Education

also
No. 243 Relative to the law of succession
Referred to committee
on Miscellaneous subjects

No. 244 By Mr. Brown
Relative to Legislative
Department
Referred to committee
on Legislative Department

No. 245 By Mr. Caplice -
Relative to the Jury
Referred to the Committee
on Judiciary and Judicial ~~system~~ Report

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also

No. 246 - Relating to same subject
Same reference

No. 247

By Mr. Chapman - Relative to Education
Referred to committee on Education

also

No 248 - Relative to Taxation
Referred to committee on Revenue and Taxation

No. 249

By Mr. Coad on Relative to the Judiciary
Referred to the Committee on Judiciary and Judicial System

also

No. 200

Relative to the Pardoning Power - Referred to ~~the~~ Committee on Pardoning Power

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No. 251 By Mr. Dowling Relative to Legislative Department -

Also No. 252 Relative to same subject — Each referred to Committee on Legislative Department

No 253 By Mr. Farrell - Relative to Legislative Department -

Referred to Committee on Legislative Department

Also No 254

Relative to Education

Referred to Committee on Education

No. 255 By Mr. Fawcett

Relative to the Legislative Department

Referred to Committee on Legislative Department

Also

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No. 256

Relative to Preamble and Bill of Rights

Referred to Committee on Preamble and Bill of Rights

No. 257 By Mr. Trend

Relative to fines

~~Referred to Committee on Preamble and Bill of Rights~~ –

also

No. 258 –

Relative to Special Legislation

Each — Referred to Committee on Preamble and Bill of Rights.

No. 259 – By Mr. Grace

Relative to Legislative Department

Referred to Com – on Legislative Department

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No. 260

By Mr. Hannington

Relative to Revenue and Taxation

Referred to Com. on Revenue & Taxation

Also

No. 261

Relative to Legislative Department

Referred to Com. on Legislative Dept.

No 262

By Mr. Holmes.

Relative to Public Roads and Highways

Referred to Com. on Judiciary and Judicialy ~~Dept~~ system Dept.

18

No. 263

By Mr. Hughes -
Relative to the judiciary
Referred to committee on
judiciary and judicial
~~system~~ system.

also No. 264

Relative to the Bill of
Rights
Referred to committee
on Preamble and Bill
of Rights

No. 265 By Mr. Joyce
Relative to the Executive
Department -
Referred to Committee
on Executive Department

No. 266 -

By Mr. Kline Relative to the Chinese

Referred to Committee on Chinese

No. 267

By Mr. La Rue

Relative to Education

Referred to committee on Education

also No. 268

Relative to the Legislative Department

Referred to committee on Legislative Department

No. 269

By Mr. Ludow

Relative to ~~the~~ Divorce

Referred to Committee on Legislative Department

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also No. 270 - Relative to Executive Department
Referred to com - on Executive Department

No. 271
By Mr. Mainfield
Relative to Revenue and Taxation
Referred to committee on Revenue and Taxation

also No. 272
Relative to the Judiciary
Referred to committee on Judiciary and Judicial ~~System~~ Department.

No. 273 By Mr. Martin Santa Cruz.
Relative to Miscellaneous subjects - Referred to Committee on Miscellaneous subjects

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Also. No. 274

Relative to the Judicial Department

Referred to committee on Judiciary and Judicial ~~system~~ Department

No. 275

By Mr. McCallum

Relative to the Judiciary

Referred to Committee on Judiciary and Judicial ~~system~~ Department

No. 276

By Mr. Moreland

Relative to the appointment of assessors and collectors of Revenue

Referred to Committee on Revenue and Taxation

No. 277 By Mr. Newnam

Relative to Rights of Suffrage Referred to Committee on Right of Suffrage

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Also No. 278

Relative to the militia
Referred to committee on
Military affairs

No. 279 By Mr. O'Donnell -
Relative to corporations
Referred to committee
on Corporations other
than municipal

No. 280 By Mr. O'Sullivan
Relative to the Legislative
Department
Referred to committee
on Legislative Department

Also No. 281
Relative to miscellaneous
subjects.
Referred to committee
on Miscellaneous subjects

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No. 282

By Mr. Porter -
Relative to apportionment and Representation
Referred to Committee on Apportionment and Representation

No 283

By Mr. Shoemaker
Relative to Schedule to the Revised Constitution
Referred to Committee on Schedule -

Also No. 284

Relative to Legislative Department
Referred to Committee on Legislative Department

No. 285

By Mr. Smith of ~~Kern~~ 4th Dist.
Relative to the regulation of Water Rights Referred to Committee on Water & Water Rights

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No. 286

By Mr. Smith of San Francisco
Relative to Executive Department
Referred to Com. on Executive Department

No. 287

By Mr. Emerson —
Relative to taxation
Referred to committee on Revenue and Taxation

No. 288

By Mr. Thompson
Relative to Salaries
Referred to committee on Legislative Department

No. 289

By Mr. Townsend
Relative to Revenue & Taxation
Referred to Com. on Revenue and Taxation

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Also No 290

Relative to Legislative Department
Referred to Committee on Legislative Department

No. 291

By Mr. Dolly
Relative to the Judiciary
Referred to Committee on Judiciary and Judicial Department

No. 292

By Mr. Sutte
Relative to the Chinese
Referred to Committee on Chinese

Also No. 293

Relative to Taxation
Referred to Committee on Revenue & Taxation

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No. 294

By Mr Vacquel

Relative to the Pardoning Power

Referred to Committee on Pardoning Power —

No. 295

By Mr. Nellis

Relative to the Right of Suffrage

Referred to Committee on Right of Suffrage

Also No. 296

Relative to Taxation

Referred to com. on Revenue and Taxation

No. 297

By Mr Wickes

Relative to Education

Referred to com on Education

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No. 298 By Mr. White
Relative to corporations other than municipal
Referred to committee on Corporations other than municipal -

Also -

No. 299
Relative to Executive Department
Referred to committee on Executive Department -

No. 300
By Mr. Barton
Relative to Swamplands District - Referred to Committee on Agriculture

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Nos 301. 302. and 303.
By Mr. Shoemaker (by leave)

Each relative to Legislative Department and each referred to Committee on Legislative Department

No. 304
By Mr. O'Donnell

Relative to Corporations

Referred to Committee on Corporations other than Municipal

Adjournment and forty five minutes at ~~three~~ o'clock P.M.

On motion of Mr Noel the Convention adjourned until tomorrow morning at 10 o'clock a.m.

10/14/78