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Off Convention
Assembly Chamber, State Capitol
Sacramento
Saturday Oct. 19th 1878

Convention met pursuant to adjournment

President Hoge in the Chair

Roll called 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			LAVIGNE			SHOEMAKER	114	
AYERS			FILCHER	6		LEWIS			SHURTLEFF	2	
BARBOUR	117		FINNEY	7		LINDOW	4		SMITH of Santa Clara.	3	
BARNES			FREEMAN	8		MANSFIELD	5		SMITH of Fourth District.	4	
BARRY	2		FREUD	9		MARTIN of Alameda.			SMITH of San Francisco.		
BARTON	3		GARVEY	30		MARTIN of Santa Cruz.	6		SOULE	5	
BEERSTECHER	4		GLASSCOCK	1		McCALLUM	7		STEDMAN	6	
BELCHER			GORMAN	2		McCOMAS			STEELE	7	
BELL	5		GRACE	118		McCONNELL	8		STEVENSON	8	
BERRY			GRAVES	3		McCOY	9		STRONG	9	
BIGGS	6		GREGG	4		McFARLAND	60		STUART	90	
BLACKMER	7		HAGER			McNUTT	1		SWEASEY	1	
BOGGS	8		HALE			MILLER			SWENSON	2	
BOUCHER	9		HALL	5		MILLS	2		SWING	3	
BROWN	10		HARRISON			MOFFAT	3		TERRY	4	
BURT	1		HARVEY	6		MORELAND	4		THOMPSON	5	
CAMPBELL	2		HEISKELL	7		MORSE	5		TINNIN	6	
CAPLES	3		HEROLD			MURPHY			TOWNSEND	7	
CASSERLY			HERRINGTON			NASON	6		TULLY	8	
CHAPMAN	4		HILBORN	8		NELSON			TURNER	9	
CHARLES	5		HITCHCOCK	9		NEUNABER	7		TUTTLE	100	
CONDON	6		HOLMES	40		NOEL	8		VACQUEREL	1	
COWDEN			HOWARD	1		O'DONNELL			VAN DYKE	2	
CROSS	7		HUESTIS			OHLEYER	9		VAN VOORHIES	2	
CROUCH			HUGHEY			O'SULLIVAN	70		WALKER of Marin.		
DAVIS	8		HUNTER	2		OVERTON	1		WALKER of Tuolumne.	3	
DEAN			INMAN	3		PORTER	2		WATERS		
DOWLING	9		JOHNSON	4		PROUTY	3		WEBSTER	4	
DOYLE	20		JONES	5		PULLIAM			WELLER	5	
DUDLEY of San Joaquin and Amador.	1		JOYCE			REDDY			WELLIN	6	
DUDLEY of Solano.	115		KELLY	6		REED	4		WEST	7	
DUNLAP	2		KENNY	7		REYNOLDS	5		WICKES	8	
EAGON	3		KEYS	8		RHODES	6		WHITE	9	
EDGERTON	116		KLEINE	9		RINGGOLD	7		WILSON of Tehama.	110	
ESTEY of Contra Costa and Marin.	4		LAINE	50		ROLFE	8		WILSON of First District.	1	
ESTEE of First District.			LAMPSON	1		SCHELL	9		WINANS	0	
EVEY	5		LARKIN	2		SCHOMP	80		WYATT	2	
FARRELL			LARUE	3		SHAFTER	1		Mr. PRESIDENT	3	

Ayes _____

Noes _____

3)

Leave of absence was granted as follows -

To Messrs McCommas, Nelson Crouch, Miller, Farrall, Huestis, Hale, Van Dyke and Fawcett one day each.

To Messrs ~~To Mrs~~ Ayers + Dean two days each

" Mrs Winans three "

Journal of yesterday read and approved.

The following communication was recieved from the Secretary of State.

State of California
Department of State } Sac Oct 19th 1878.

To the President and Members of the Constitutional Convention.

Gentlemen.

I have the honor to acknowledge the receipt of Resolution No – adopted by Your honorable body on Thursday the 17th inst. requesting me to furnish to the Convention all information in my possession upon the following subjects to wit, First, The number and classification of all Corporations, other than Municipal now existing in the State of California and formed under the laws of this State. Second. The aggregate amount of Capital stock of all said Corporations, and the aggregate amount of Capital stock of each class thereof. Third. A declared statement of the principal place of business and location of the principal office of each Corporation, Fourth. a detailed statement of the Amount of Capital stock actually paid up by said Corporations. The various

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Subjects enumerated in the foregoing Resolution upon which information is sought are recorded in books kept in my office for that special purpose, and in order that the Convention may have the desired information at as early a day as possible, I herewith place at your service the Records of all Corporations on file in my office, and which are in as condensed a form as the information sought by the resolution would warrant.

I have the honor to be
Your obt Servt

Thomas Beck.
Sec of State

Laid on the table on motion of Mr Larkin

Resolutions.
By Mr. Nagel.

Resolved: That the thanks of this convention be returned to the Secretary of State for the promptness and dispatch with which he has complied with the order of the Convention directing him to furnish all information in his possession in relation to Corporations other than Municipal

Resolved: That the accuracy and minuteness of his report is only exceeded by its voluminousness.

Resolved: That five hundred ~~dollars~~ copies of said report be ordered printed and laid on the desks of the members of this convention

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By Mr Tuttle

Resolved: That Five thousand dollars of the money appropriated by this state to defray the expenses of this convention be placed in the hands of Hon Thos Beck, Secretary of State, to defray his expenses while engaged in furnishing the information required by the resolution now under consideration.

Both referred to the Committee on Mileage and contingent expenses.

~~Proposition to amend~~

Proposed amendment

By Mr Wyatt. No 359

Relating to money of the

8)

United States for taxes.

Referred to the committee on Legislative Department

Reports.

By Mr. Reed.

Mr President

The Committee on Corporations to whom was referred Resolution No 304. beg leave to report the same back, and ask that it be referred to the Committee on Miscellaneous subjects.

Also Resolution No 338

And ask that it be referred to the Committee on Revenue & Taxation

Chas F. Reed.

for Committee on Corporations.

Report adopted and the Resolutions so referred

By Mr Wilborn

Mr President.

Your Committee on Mileage and Contingent Expenses to whom was referred Resolution No 49 introduced by Mr Perry, to authorize the Committee on Legislative Department to employ a Clerk, have had the same under consideration and herewith report the same back and recommend that it be adopted.

Also Resolution No 50 introduced by Mr Ester, to authorize the "Committee on Corporations other than Municipal" to employ a Clerk, have had the same under consideration and herewith report the same back and recommend that it be adopted.

Also Resolution No 54 offered by Mr Wilborn, to authorize the Judiciary Committee to employ a Clerk, and herewith report the same back and recommend that it be adopted.

We have also had under consideration Resolution No 53, to allow P. H. Kegan compensation for services as Clerk to the Sergeant at Arms, and herewith report the same back and recommend that it be indefinitely postponed.

Your Committee have also had under Consideration Resolution No 48 introduced by Mr Noel, to authorize the Committee on Enrollment and Engrossment to employ a Clerk and herewith report the same back and recommend that the Resolution lie on the table until such time as the Convention shall decide that this Committee needs the services of a Clerk.

S. G. Hilborn
Chairman

Report adopted and the recommendations of the Committee concurred in

By Mr. Enyon

Mr President

The Committee on Right of Suffrage, report Resolution No 43, introduced by Mr Tully and Resolution No. 87, introduced by Mr Davis, to the Convention, and request that they be referred to the Committee on Legislative Department.

J. A. Eagon.

Chairman.

adopted and the resolution referred.

Proposed Amendments

By Mr Freeman. No 360

Regarding taxation

By Mr. Rhodes No 361

In relation to taxation

12)

Referred to committee on Revenue and taxation

By Mr. Zimmin No 362

To regulate water rights

Also No 362

To regulate water rents

Also No 363

To regulate water privileges.

Referred to the Committee on Water and Water rights

By Mr. Edgerton, No 364

Concerning the Judicial Department.

Referred to the Committee on Judiciary and Judicial Department

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By Mr. Smith of Santa Clara. No 365

Changing the seat of Government.

To committee on Miscellaneous Subjects

By Mr. Schell. No 366

Concerning the Judicial Department.

Referred to the Committee on Judiciary and Judicial Department

By Mr. Dowling - No 367

To eradicate the horrible crime of abortion

Referred to the Committee on Legislative Department

14)

By Mr. Blackmer. No 368

Amendments to art X of the Constitution

Referred to the committee on future amendments

By Mr. Wicks No 369

Against Lottery

Referred to committee on Legislative Department

By Mr. Tuttle. No 370

To provide for annual assessments.

Referred to the committee on Revenue & taxation

By Mr. Vacquerel, No 371

Relative to corporations

Referred to the committee on corporations other than

15 Municipal

Resolution.

By Mrs. Kelley

Whereas The Daily Sessions of this Convention are open and the proceedings thereof are duly reported in the Press of the State, but no adequate means have been provided for ascertaining what may be the conduct of Delegates in the interval between regular Sessions and especially in the night-time.

And Whereas an appropriation for the per diem of a "night-watchman" would be antagonistic to the true Spirit of retrenchment and Reform.

And Whereas an individual member of a tribe, whose peculiar fitness as a diviner of "Ways that are dark" is universally admitted, has entered this Chamber and voluntarily assumed the duties of Night-Watchman.

Resolved That he be permitted to remain undisturbed on his perch to view in his proverbial wisdom the proceedings, in and out of Session, of this Convention

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By Mr. Hilborn

Resolved That our visitors be assigned a Desk among the other Reporters upon the floor,

Proposed amendments.

By Mr. Grant. No 372

In reference to the Legislative Department

Referred to the Committee on Legislative Department

By Mr. Steadman. No 373

To abolish the office of Lieutenant-Governor

Referred to the Committee on Executive Department

By Mr. Cross. No 374

With regard to the establishment of a penal colony

(18)

Referred to the committee in Miscellaneous subjects

~~By Mr Eagon No 375~~

Resolution

By Mr. Eagon.

Resolved: That the controller of State be and he is hereby directed to draw his warrant in favor of James Saultry for one hundred and five dollars for twenty one day services as night watchman, and the State treasurer to pay the same out of the appropriation for the expenses of this convention

19)

Laid on the table
at ten o'clock and forty minutes
a.m. Mr. Beerstecher moved
to adjourn till Monday
Oct 21st at 3 P.M.
Lost

at ten o'clock and forty two
minutes a.m on motion
of Mr. Larkin the con-
vention adjourned

10/19/78

(10/20-Sunday)

5,