1)

In Convention
Assembly Chamber State Capitol

Sacramento

Thursday Nov. 14th 1878

Convention met
pursuant to adjournment

President Hoyt in the chair

Roll called and
the following member
were absent

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	2		LAVIGNE	141		SHOEMAKER	2	
AYERS	2		FILCHER	1		LEWIS			SHURTLEFF	3	
BARBOUR	159		FINNEY	4		LINDOW	8		SMITH of Santa Clara.	4	
BARNES	3		FREEMAN	5		MANSFIELD	9		SMITH of Fourth District.	5	
BARRY	4		FREUD	6		MARTIN of Alameda.	70		SMITH of San Francisco.	6	
BARTON	5		GARVEY	7		MARTIN of Santa Cruz.	1		SOULE	7	
BEERSTECHER	6		GLASSCOCK	8		McCALLUM	2		STEDMAN	8	
BELCHER	7		GORMAN	9		McCOMAS	3		STEELE	9	
BELL	8		GRACE	40		McCONNELL	4		STEVENSON	110	
BERRY			GRAVES	1		McCOY	5		STRONG		
BIGGS			GREGG	2		McFARLAND	6		STUART		
BLACKMER	9		HAGER	3		McNUTT	7		SWEASEY	1	
BOGGS	10		HALE	4		MILLER			SWENSON	2	
BOUCHER	1		HALL	5		MILLS	8		SWING	2	
BROWN	2		HARRISON	6		MOFFAT	9		TERRY	3	
BURT	3		HARVEY	7		MORELAND	80		THOMPSON	4	
CAMPBELL			HEISKELL	8		MORSE	1		TINNIN	5	
CAPLES	4		HEROLD	9		MURPHY	2		TOWNSEND	6	
CASSERLY	5		HERRINGTON	50		NASON	3		TULLY	7	
CHAPMAN	137		HILBORN	1		NELSON	4		TURNER	8	
CHARLES	6		HITCHCOCK	1		NEUNABER	5		TUTTLE	9	
CONDON	7		HOLMES	2		NOEL	6		VACQUEREL	120	
COWDEN	8		HOWARD	3		O'DONNELL	7		VAN DYKE	1	
CROSS	136		HUESTIS	4		OHLEYER	8		VAN VOORHIES	2	
CROUCH	9		HUGHEY	5		O'SULLIVAN	9		WALKER of Marin.		
DAVIS	20		HUNTER	6		OVERTON	90		WALKER of Tuolumne.	3	
DEAN	1		INMAN	7		PORTER	1		WATERS	4	
DOWLING	2		JOHNSON	8		PROUTY	2		WEBSTER	5	
DOYLE	3		JONES	9		PULLIAM	3		WELLER	6	
DUDLEY of San Joaquin and Amador.	4		JOYCE	60		REDDY	4		WELLIN	7	
DUDLEY of Solano.	5		KELLY	1		REED	5		WEST	8	
DUNLAP	138		KENNY			REYNOLDS	140		WICKES	9	
EAGON	6		KEYS	2		RHODES	6		WHITE	130	
EDGERTON	7		KLEINE	3		RINGGOLD	7		WILSON of Tehama.	1	
ESTEY of Contra Costa and Marin.	8		LAINE	4		ROLFE	8		WILSON of First District.	2	
ESTEE of First District.	9		LAMPSON	5		SCHELL	9		WINANS	3	
EVEY	30		LARKIN	6		SCHOMP	100		WYATT	4	
FARRELL	1		LARUE	7		SHAFTER	1		Mr. PRESIDENT	135	

Ayes _____

Noes _____

Leave of Absence

Indefinite leave of absence was granted to Mr. Spring on account of sickness, and to Mr. Walker of Marin for three days.

On motion of Mr. Freed the reading of the journal was dispensed with, and the same approved.

Petitions and Memorials.

By Mr. Ayers a Petition and Memorial from the Order of Good Templers, praying for a Local Option Provision in the Constitution

By Mr. Kelley, a petition on the same subject

4)

Both referred to the Committee on Miscellaneous Subjects

~~Reports~~

Report.

By Mr. Caples.

Hon Joseph P. Hazel.

The undersigned a minority of your committee on Right of Suffrage while concurring in most of the conclusions of the majority, most earnestly dissent from their recommendation providing that the Legislature shall have power to extend the elective franchise.

Under our form of Government the original

5) Supreme paramount authority is in the people. — that is to say — in those holding the ballot, and limitation or extension of the ballot is an act affecting original authority, and can be legitimately performed only by the sovereign people, exercising the rights of a principal in ratifying or rejecting the act of the agent. — But waiving the legal principle involved and considering the question from the plain point of reason and common sense the first reflection is that, the right to vote carries with it the co-relative obligation of citizenship. But

6) A little reflection will convince all candid minds that the discharge of such obligations are utterly incompatible with the moral, social and physical condition of women in civilized society.

An other and serious objection to the proposition is that it would surround the Legislature by a lobby influence detrimental and injurious to all just and wise legislation.

This radical innovation in our electoral system is not demanded by the sober, conservative people.

7) but by a few professional agitators, and schismatic propagandists whose stock in trade would be indefinitely replenished by the adoption of the recommendation of the majority of your committee.

And the future legislature hall would be but an other name for a beleaguered fortress, behind whose paper ramparts your statesmen and law makers would vainly seek shelter from the attacks of crinoline and silk sophistry and blandishment, smiles and tears.

Graceful styles and winning wiles,
Charmes replete, your hero greet
In dulcet strains, the siren reigns.

But we present an objection to the whole scheme of female

(6)

suffrage, an objection as broad as humanity, as deep as human affection, and as comprehensive as human aspirations, — viz. that it would slowly but surely — necessarily and inevitably drag woman down from the lofty sphere which is her birth right and her realm by the patent eternal of nature and nature's God, when we attempt to reverse nature's laws, we only violate them and speedily and surely reap the penalty of that violation, and when woman leaves the domain which is hers by divine rights and comes down — down into the Political arena — and paddles her own canoe, in the <u>Pastoral</u>

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fool runs for constable, is elected alderman, and finally goes to the legislature to warm a contested seat — will any body ask — are her garments as white as of yore, when she proudly sat upon her legitimate throne commanding our reverence and loving devotion.

Let us not desecrate the temple wherein our noblest, highest, holiest aspirations are chronicled in that sweetest word of human tongue — home.

James Caples.

Both referred to the committee on Miscellaneous Subjects.

Right.

Mr. Capers presented a minority report from the Committee on Right of Suffrage.

The report together with the report of majority and the proposed article on Suffrage were ordered printed.

Mr. Noel in accordance with notice given on yesterday, moved

to amend rule one to read as follows.

PAGE.	
	Rule 1.
1	The convention shall meet
2	each day of sitting at
3	nine Oclock. A. M. unless
4	it shall adjourn to some
5	other hour
6	

Mr. Grace moved to lay on the table.

D. GHIGLIOTTI

Lost

Mr. Blackmer moved to amend by substitute "nine o'clock and thirty minutes" for "nine o'clock".

The previous question was demanded by Messrs Howard, Wyatt, Evey,

Rhodes, and Blackmer, and ordered by the Convention.

The ~~motion~~ amendment of Mr. Blackmer was rejected.

on the adoption of the amended rule of Mr. Noel, the ayes and noes were demanded by Messrs Condon, Lane, Larkin, Joyce and Dean.

DEGLIOTTI

The Roll was called and the amendment ~~rejected~~ lost by the following vote. Two thirds having failed to vote in the affirmative.

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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	26		LAVIGNE		25	SHOEMAKER		41
AYERS	1		FILCHER	27		LEWIS			SHURTLEFF	64	
BARBOUR	2		FINNEY	28		LINDOW		26	SMITH of Santa Clara.	65	
BARNES		2	FREEMAN			MANSFIELD		27	SMITH of Fourth District.	66	
BARRY	3		FREUD	29		MARTIN of Alameda.		28	SMITH of San Francisco.	67	
BARTON	4		GARVEY		11	MARTIN of Santa Cruz.		29	SOULE	68	
BEERSTECHER		3	GLASSCOCK		12	McCALLUM	47		STEDMAN	69	
BELCHER		4	GORMAN	30		McCOMAS	48		STEELE	70	
BELL	5		GRACE		13	McCONNELL	49		STEVENSON		42
BERRY			GRAVES	31		McCOY	50		STRONG		
BIGGS			GREGG		14	McFARLAND		30	STUART		
BLACKMER		5	HAGER		15	McNUTT	51		SWEASEY		43
BOGGS	6		HALE	32		MILLER			SWENSON		
BOUCHER	7		HALL		16	MILLS		31	SWING		44
BROWN	8		HARRISON	33		MOFFAT	52		TERRY	71	
BURT	9		HARVEY	34		MORELAND	53		THOMPSON	72	
CAMPBELL			HEISKELL	35		MORSE	54		TINNIN		45
CAPLES	10		HEROLD		17	MURPHY			TOWNSEND		46
CASSERLY		6	HERRINGTON	36		NASON	55		TULLY		47
CHAPMAN	11		HILBORN			NELSON		32	TURNER	73	
CHARLES	12		HITCHCOCK	37		NEUNABER	56		TUTTLE	74	
CONDON	13		HOLMES		18	NOEL	57		VACQUEREL		48
COWDEN	14		HOWARD	38		O'DONNELL			VAN DYKE	75	
CROSS	15		HUESTIS	57	19	OHLEYER	58		VAN VOORHIES	76	
CROUCH	16		HUGHEY		20	O'SULLIVAN		33	WALKER of Marin.		
DAVIS	17		HUNTER	39		OVERTON		34	WALKER of Tuolumne.	77	
DEAN	18		INMAN	40		PORTER		35	WATERS	78	
DOWLING	19		JOHNSON	41		PROUTY	59		WEBSTER	79	
DOYLE	20		JONES		21	PULLIAM		36	WELLER	80	
DUDLEY of San Joaquin and Amador.		7	JOYCE	42		REDDY		37	WELLIN	81	
DUDLEY of Solano.	21		KELLY		22	REED			WEST	82	
DUNLAP		8	KENNY			REYNOLDS		38	WICKES	83	
EAGON		9	KEYS	43		RHODES	60		WHITE	84	
EDGERTON		10	KLEINE		23	RINGGOLD		39	WILSON of Tehama.	85	
ESTEY of Contra Costa and Marin.	22		LAINE	44		ROLFE	61		WILSON of First District.		49
ESTEE of First District.	23		LAMPSON		24	SCHELL		40	WINANS		50
EVEY	24		LARKIN	45		SCHOMP	62		WYATT		51
FARRELL	25		LARUE	46		SHAFTER	63		Mr. PRESIDENT		52
										1	1
										86	57

Ayes 86

Noes 57

Mr Noel in accordance with notice given yesterday moved to amend rule 2 so as to read as follows.

Rule 2.

The Convention shall take a recess each day from twelve O'Clock M. to ~~two~~ half past one O'Clock P.M.

Mr. Condon moved to strike out "half past one O'Clock" and insert "one O'Clock."

On motion of Mr Tinnin the matter was laid on table.

~~In accordance with Mr Steadman moved to take up this~~

19) ~~On motion of~~ Mr. Steadman called up the notices given by him to amend rules 21 & 32 ~~were taken~~ ~~up~~

On motion of Mr Timmin ~~moved to lay~~ the subject was laid on the table.

~~so ordered~~

~~Carried~~

On motion of Mr. Estee the Convention resolved itself into Committee of the whole - President Hoge in the chair - to further consider the article on Corporations.

at o'clock and minutes P. M. The committee arose, reported progress, and asked leave to sit again

Recess.

~~at~~ the hour of twelve o'Clock M. having arrived the Convention took a recess ~~until two o'Clock~~ for two hours.

Afternoon Session

Convention re-assembled at two o'Clock P. M. President Hoge in the Chair

Quorum present

Mr. Huestis gave notice

3 O'Clock P.M., ~~avail himself of the Extraordinary privilege accorded by Amended Rule, of~~ ~~moving~~ move in Committee of the Whole the previous question ~~on~~

whole, move the

~~at~~ the hour of twelve o'Clock M. having arrived the Convention took a recess ~~until two o'Clock~~ for two hours.

Afternoon Session

Convention re-assembled at two o'Clock P. M. President Hoge in the Chair

Quorum present

Mr Huestis, Gave Notice that at 3 O'Clock PM, this day, he would ~~avail himself of the Extraordinary privilege accorded by Amended Rule, of~~ ~~Moving~~ move in Committee of the Whole the previous question ~~on~~

Whole, move the

previous question in the pending question.

On motion of Mr. Estes the Convention resolved itself into Committee of the whole - President Hope in the chair - to further consider the article on corporations

At four o'Clock and twenty five minutes P.M. the Committee rose reported progress, and asked leave to sit again

18) ~~On motion of Mrs Grace~~

At four o'Clock and thirty
on motion of Mr Grace
minutes P.M. the Convention
adjourned

D. Cicchetti

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Crawford

Jerome C. Morris

11/14/78