5 Preserve Copy

Bader 31st Day

(23)

State of California
Department of State,

545

Sac. Oct 26th 1878.

To the President and Members of the Constitutional Convention.

Gentlemen,

In response to the resolutions passed by the Convention on the 18 and 22d insts, calling upon me for information in respect to the Corporations formed under the laws of this State, I have the honor to reply as follows.

Nonp

1st

I am not aware of any law requiring Corporations going out of existence to furnish to the office of the Secretary of State any statement evidencing that fact, and there is no official data in my office that would furnish information on that point, therefore "the number of Corporations now existing in the State of California," as required by the first subdivision of the Resolution cannot be ascertained.

As the possibility of answering

Spc State Report, 10-26-78 Corporations p. 1 of 11

the second and third subdivision of the Resolution, rests upon the possibility of answering the first, it follows that neither the capital stock nor the places of business of Corporations ~~now~~ existing can be stated.

Note

Assuming that the Resolution requires only the number ~~No.~~ of articles of Incorporation on file in this office, I shall give that information to the best of my ability

The number of Articles of Incorporations on file is 19,475: and their classification is as follows:

7

2

547

~~Classification of Corporations.~~

Newspaper. Co's
Artesian Well "
Race Track "
Aerial Navigation "
Homestead. asso's.
Rail Road. "
State & County Fair. "
District. " "
Ice. Co's
Oil. "
Acids.
Quicksilver "
~~Town.~~
~~City.~~
Fruit. "
Wood. "
Hotel "
Insurance "
Wine "
Ship building "
Arts.
Sewing Machine "
Iron "
Flume "
Building "
Peat "

Nonp

~~[illegible]~~

Toll Roads
Lead
Assaying.
Steam.
Commercial
Land
Bathing
Coal
Park ass's
Cigar.
Horticultural.
Rope
Reclamation.
Glove.
Reduction works
Cloth
Real Estate Bureau's
Wool.
Fertilizing.
Watch.
Fire Co's
Jewelry.
Gas
Medical
Stage Co's
Stone
Transportation.
Wharfs.

Map

549

Irrigating.
Liquor.
Chemical.
Linen
Warehouse.
Soda Water.
Iron
Theatre
Brick Co's
Paving.
Tobacco.
Packing.
Raisins
Furniture.
Powder
Water
Labor Exchange's
Sugar
Marble.
Boat Clubs.
Sulphur.
River
Cemeterys
Ditch's
Express Co's
Cement.
Schools.

Norfe

See State Report 10-26-78 Corporations p. 5 of 11

550

Co-operative Co's
Lime.
Mills
Street Rail Roads
Danger Signal Co's
Glass works Co's.
Grainger asso's.
Hall "
Sportsmans clubs.
Jockey "
Vineyard asso's
Fire Arms Co's
Levering asso's
Ferry Co's
Oyster Co's
Canning Co's
Wood Co's
Ship building
Banks.
Churches.
Mining.
Carriage & Wagon Co's
Mills.
Laundrys.
Botanic Garden Co's
Electric Power Co's
Wire Works.
Bridge Building

Nonp

11 6 5

557

Steamboat building Co's
Poultry & Game dealers. Co's.
Hack & Cab. asso's.
Dredging. Co's
Musical. asso's
Live Stock. asso's.
Telegraphic. Co's
Brewing. "
Tunnel. "
Canal. "
Lumber "
Printing "
Publishing "
Cemetery "
Colleges.
Societies.
Agricultural. asso's.
Mechanical.

Nonp.

12

Memo

Gal. 224

532

The Resolution in its second and third subdivisions, calls for a statement of the "aggregate amount of the Capital stock of all said Corporations, and the aggregate amount of said Capital stock of each class thereof", and a "detailed statement of the principal places of business and location of the principal offices of all said Corporations".

Note

I most respectfully submit to your Honorable body, that a compliance with so much of the Resolution as is above quoted is impossible with the clerical force at my disposal. The aggregate of the certificates of Incorporation on file in the office of the Secretary of State, number 19475. These certificates are recorded in forty three large volumes without regard to their classification, All of my predecessors adopted this practice and it has been followed by me. I am also requested to give a "detailed statement of the amount of Capital stock actually paid up by all said Corporations.

Prior to the adoption of the

Codes, the only corporations organizing under the laws of this State which were required to make any statement in respect to the amount of their Capital Stock actually paid up, and to furnish evidence thereof to the Secretary of State, were the following to wit; Rail Road Companies and Steam Navigation Companies.

Plank and Turnpike Road Companies, and Bridge Companies were required to file a showing of this character with County clerks and to furnish the Secretary of State with a certificate that they had complied with the law.

Nap.

The long list of other Companies having the right to incorporate and whose Certificates of Incorporation occupy the great bulk of the Books appropriated to their record in my office, were not required to furnish the Secretary of State with any evidence in respect to the payment of any portion of the Capital Stock. The Codes require "the Articles of Incorporation of any rail-road, wagon road, or telegraph association"

to state "that at least ten per cent of the Capital stock subscribed has been paid in to the Treasurer of the intended Corporation". All others seem to be exempt from the requirement.

Neither the books of the office nor the Indexes to the contents thereof, have been so kept as to enable any one to segregate the Certificates of such Incorporation Companies as have been required by law to exhibit the amount of Capital Stock paid in, from certificates not required to make such showing, hence it must be manifest to the Convention that a vast amount of clerical labor would be required to comply with its request in this particular, as each and every Certificate would have to undergo a critical examination.

New

Amending

The statutes of the State define my duties with unmistakable particularity, and the Legislature in making appropriations to meet the current expenses of my office has dealt with me with rigid exactness. There is no urgent necessity fund at my disposal, to meet

extraordinary calls upon my clerical force, If I were to detail a sufficient force to perform the duties required by the resolution, other duties imposed by the Statutes would necessarily be left unperformed,

I assume that the information sought by the Convention is important in the interest of the People of the State, to enable the Convention to act understandingly upon some ~~of~~ contemplated provision of the fundamental law, In this aspect, and being most desirous to facilitate by any means in my power the purposes of the Convention, I most respectfully request the appointment of a select Committee to confer with me in respect to the best mode that can be adopted to lay before the Convention the information which it seeks

I have the honor to Remain
Your obt Servant

Thomas Beck
Sec of State

Nat.

(2)

Annual report
of Secty State