1)

In Convention
Assembly Chambers, State Capitol
Sacramento
Friday Jan 14 1878

Convention met pursuant to adjournment
President Hoge in the chair

Roll called and
the following members
were absent

1)

On Convention

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Convention met pur-

suant to adjournment

President Hoge in the Chair

Roll called and

the following Members

were absent

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	1		FAWCETT	25		LARUE	49		SHAFTER	70	
AYERS	102		FILCHER	26		LAVIGNE	50		SHOEMAKER		
BARBOUR			FINNEY			LEWIS			SHURTLEFF	71	
BARNES			FREEMAN			LINDOW	51		SMITH of Santa Clara.	72	
BARRY	2		FREUD	27		MANSFIELD	52		SMITH of Fourth District.	73	
BARTON	101		GARVEY	28		MARTIN of Alameda.			SMITH of San Francisco.	74	
BEERSTECHER	3		GLASSCOCK	29		MARTIN of Santa Cruz.	53		SOULE	75	
BELCHER	4		GORMAN	30		McCALLUM	54		STEDMAN	76	
BELL	5		GRACE	103		McCOMAS	55		STEELE	77	
BERRY			GRAVES			McCONNELL	99		STEVENSON	78	
BIGGS	6		GREGG			McCOY			STUART	79	
BLACKMER	7		HAGER			McFARLAND	56		SWEASEY	80	
BOGGS	8		HALE	107		McNUTT	57		SWENSON	81	
BOUCHER	9		HALL			MILLER	58		SWING	106	
BROWN	10		HARRISON	31		MILLS			TERRY		
BURT	11		HARVEY	32		MOFFAT	59		THOMPSON	82	
CAMPBELL	12		HEISKELL			MORELAND	60		TINNIN	83	
CAPLES	13		HEROLD			MORSE	1		TOWNSEND		
CASSERLY			HERRINGTON	33		MURPHY			TULLY	84	
CHAPMAN			HILBORN	34		NASON	61		TURNER	100	
CHARLES	14		HITCHCOCK	35		NELSON			TUTTLE	85	
CONDON	15		HOLMES	36		NEUNABER	62		VACQUEREL	86	
COWDEN	1		HOWARD of Los Angeles.	37		NOEL			VAN DYKE	87	
CROSS			HOWARD of Mariposa and Merced.			O'DONNELL			VAN VOORHIES	88	
CROUCH	16		HUESTIS	38		OHLEYER	63		WALKER of Marin.		
DAVIS	17		HUGHEY	39		O'SULLIVAN			WALKER of Tuolumne.	89	
DEAN			HUNTER	40		OVERTON			WATERS	90	
DOWLING	18		INMAN			PORTER			WEBSTER		
DOYLE	19		JOHNSON			PROUTY			WELLER	98	
DUDLEY of San Joaquin and Amador.			JONES	41		PULLIAM	64		WELLIN	91	
DUDLEY of Solano.	109		JOYCE	42		REDDY			WEST	92	
DUNLAP	105		KELLY	43		REED	65		WICKES	93	
EAGON			KENNY	44		REYNOLDS	104		WHITE	94	
EDGERTON	20		KEYS	45		RHODES	66		WILSON of Tehama.		
ESTEY of Contra Costa and Marin.	21		KLEINE	46		RINGGOLD	67		WILSON of First District.		
ESTEE of First District.	22		LAINE			ROLFE	68		WINANS	95	
EVEY	23		LAMPSON	47		SCHELL			WYATT	96	
FARRELL	24		LARKIN	48		SCHOMP	69		Mr. PRESIDENT	97	

Ayes _____

Noes _____

3)

Leave of absence.

Leave of absence was granted for one week to Mr. Finney, to Mr. Wilson of 4th Dist. for balance of week and indefinite leave to Messrs. McCoy and Eagon.

On motion of Mr. Beerstecher the reading of the Journal was dispensed with and the same approved.

Amendment to Rules.

Notice By Mr. Wyatt

I hereby give notice that on tomorrow I shall move to Amend Rule 2 so that it shall read as follows.

The Convention shall take a recess each day from half after twelve o'clock M to two o'clock P.M. and on Tuesday, Wednesday and Friday from five o'clock P.M to seven o'clock P.M

4)

Laid over for a day

Motions

Mr. Wellin moved to take from the table resolutions offered by ~~him~~ him on Saturday last relative to absentees.

Mr. Grace moved to indefinitely postpone the motion which motion prevailed

Mr. McFarland moved to take up amendment to rules 56 & 58 offered by him one days since.

Mr. Howard of Los Angeles moved to lay the whole

subject on the table
so ordered.

Committee of the whole

on motion of Mrs Steel the
Convention resolved itself
into a committee of the
whole — President Hoge in the
Chair — to further con-
sider the article on Suffrage.

At 12 o'Clock and 25
minutes P. M. the Committee
arose, reported progress
and asked leave to sit
again

Recess

The hour of recess

6/ Evening arrived the Convention took a recess till two o'Clock P.M.

Afternoon Session

The Convention re-assembled at two o'Clock P.M.

President Hoge in the chair.

Quorum present.

Committee of the whole.

On motion of Mr Steadman the convention resolved itself into Committee of the whole President Hoge in the chair — to further consider the article on Suffrage.

at 3 o'Clock and 36 minutes P.M. the committee arose reported the article back with amendments.

In convention.

Mr. McCallum moved that 480 copies of the article on Suffrage be printed with the amendments made in Committee of the whole.

The President appointed Mrs. I. J. Kenny on the committees on Water and water rights, and on Mining in place of J. M. Strong deceased.

Committee of the whole.

On motion of Mrs. Timmin the convention resolved itself into Committee of the whole - President Hoge in the Chair - to consider the following article reported by the Committee on Water and Water rights

8

Amendment. **No. 514.**

INTRODUCED BY THE COMMITTEE ON WATER AND WATER RIGHTS.

NOVEMBER 22D, 1878.

READ, AND ORDERED TO LIE ON TABLE UNTIL THE REPORT OF THE MINORITY IS SUBMITTED.

WATER AND WATER RIGHTS.

SECTION 1. All water appropriated, or that may hereafter be appropriated, for sale or rental, is hereby declared public and subject to the control of the State.

SEC. 2. The unappropriated waters of the lakes and rivers of this State are declared to be public property, and may be appropriated by individuals, associations, or corporations, subject to such conditions and restrictions as the Legislature may impose.

SEC. 3. The Legislature shall enact laws permitting the appropriators of water and the owners or occupants of land to construct levees, ditches, canals, flumes, and aqueducts, or run their water through natural channels, for agricultural, mining, manufacturing, milling, domestic, drainage, reclamation, or sanitary purposes, across the land of others.

Walts

9

at 5 o'clock and 6 minutes P.M. the committee arose, reported progress and asked leave to sit again

Adjournment

at 5 o'clock and six minutes P.M. on motion of Mr. Wyatt the Convention adjourned

52
54
3
162

117
60
177
162
339