1)

On Convention
Assembly Chamber.
State Capitol
Sacramento
Saturday Jan 25 1879

Convention met pursuant to adjournment
President Pro tem Beers
in the Chair.

Roll called and
the following Dem-
bers were found

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

Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.	Names.	Ayes.	Noes.
ANDREWS	1		FAWCETT			LARUE	45		SHAFTER	66	
AYERS	2		FILCHER	23		LAVIGNE	99		SHOEMAKER	113	
BARBOUR			FINNEY			LEWIS	46		SHURTLEFF	67	
BARNES			FREEMAN	108		LINDOW	47		SMITH of Santa Clara.	68	
BARRY	96		FREUD	24		MANSFIELD	48		SMITH of Fourth District.	69	
BARTON	3		GARVEY	25		MARTIN of Alameda.			SMITH of San Francisco.	70	
BEERSTECHER	4		GLASSCOCK	26		MARTIN of Santa Cruz.	49		SOULE	71	
BELCHER	5		GORMAN	27		McCALLUM	50		STEDMAN	72	
BELL	6		GRACE	109		McCOMAS			STEELE	73	
BERRY			GRAVES			McCONNELL	100		STEVENSON	74	
BIGGS	7		GREGG			McCOY	51		STUART	75	
BLACKMER	8		HAGER	28		McFARLAND	52		SWEASEY	76	
BOGGS	9		HALE	110		McNUTT	53		SWENSON	77	
BOUCHER	10		HALL			MILLER			SWING	78	
BROWN	11		HARRISON	29		MILLS	54		TERRY	79	
BURT	12		HARVEY	30		MOFFAT	55		THOMPSON		
CAMPBELL			HEISKELL	31		MORELAND	56		TINNIN	80	
CAPLES	13		HEROLD	32		MORSE	105		TOWNSEND		
CASSERLY			HERRINGTON	33		MURPHY	111		TULLY	81	
CHAPMAN	14		HILBORN	112		NASON	57		TURNER	82	
CHARLES	15		HITCHCOCK	34		NELSON	58		TUTTLE		
CONDON	98		HOLMES	35		NEUNABER	59		VACQUEREL	83	
COWDEN			HOWARD of Los Angeles.	107		NOEL			VAN DYKE		
CROSS			HOWARD of Mariposa and Merced.	36		O'DONNELL			VAN VOORHIES	84	
CROUCH			HUESTIS	37		OHLEYER	60		WALKER of Marin.	85	
DAVIS	16		HUGHEY	38		O'SULLIVAN	61		WALKER of Tuolumne.	86	
DEAN	17		HUNTER	39		OVERTON			WATERS	87	
DOWLING	97		INMAN	40		PORTER			WEBSTER	88	
DOYLE	18		JOHNSON			PROUTY	62		WELLER	89	
DUDLEY of San Joaquin and Amador.			JONES	106		PULLIAM	63		WELLIN	90	
DUDLEY of Solano.	19		JOYCE	41		REDDY	112		WEST	91	
DUNLAP	104		KELLY	103		REED	117		WICKES	92	
EAGON			KENNY			REYNOLDS			WHITE	93	
EDGERTON			KEYS	42		RHODES	64		WILSON of Tehama.	94	
ESTEY of Contra Costa and Marin.			KLEINE	102		RINGGOLD			WILSON of First District.		
ESTEE of First District.	20		LAINE			ROLFE	65		WINANS		
EVEY	21		LAMPSON	43		SCHELL			WYATT	95	
FARRELL	22		LARKIN	44		SCHOMP			MR. PRESIDENT		

AYES

NOES

3)

Leave of absence.

Leave of absence was granted for one day to ~~Mr.~~ Messrs Tuttle, & Scheel, for two days, to Messrs Laine and McCommas; for three days, to Messrs Johnson and Winans; and indefinite leave to Messrs Graves and Overton.

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

Resolution

By Mr. Ayers

Page.	
3	Resolved, That a special committee
4	of three be appointed by the President to draw
5	up a memorial to Congress protesting against
6	the further issuance of scrip which can be
7	located on ~~all~~ vacant Government land, whe-
8	ther surveyed or unsurveyed.
9	

adopted.

On motion of Mr. Beardsley
480 copies of the sections
on Land Exemptions adopted
by the Committee of the
whole were ordered
printed.

Report.

By Mr. Steadman.

5)

Mr President

Your Committee on Labor and Capital have had under consideration Proposition No 37. in relation to the hours of Labor, and have directed me to report the same back to the Convention with a recommendation that it be not adopted.

They have also had under consideration Propositions, Nos 74 and 476. in relation to a State Department of Labor and Labor Statistics, and having made a further report upon the same, have directed me to report them back to the Convention without any recommendation.

All which is respectfully submitted

J. S. Beecher
Chairman

Report from Com
on Labor + Capital

6)

Amendment to rule 24

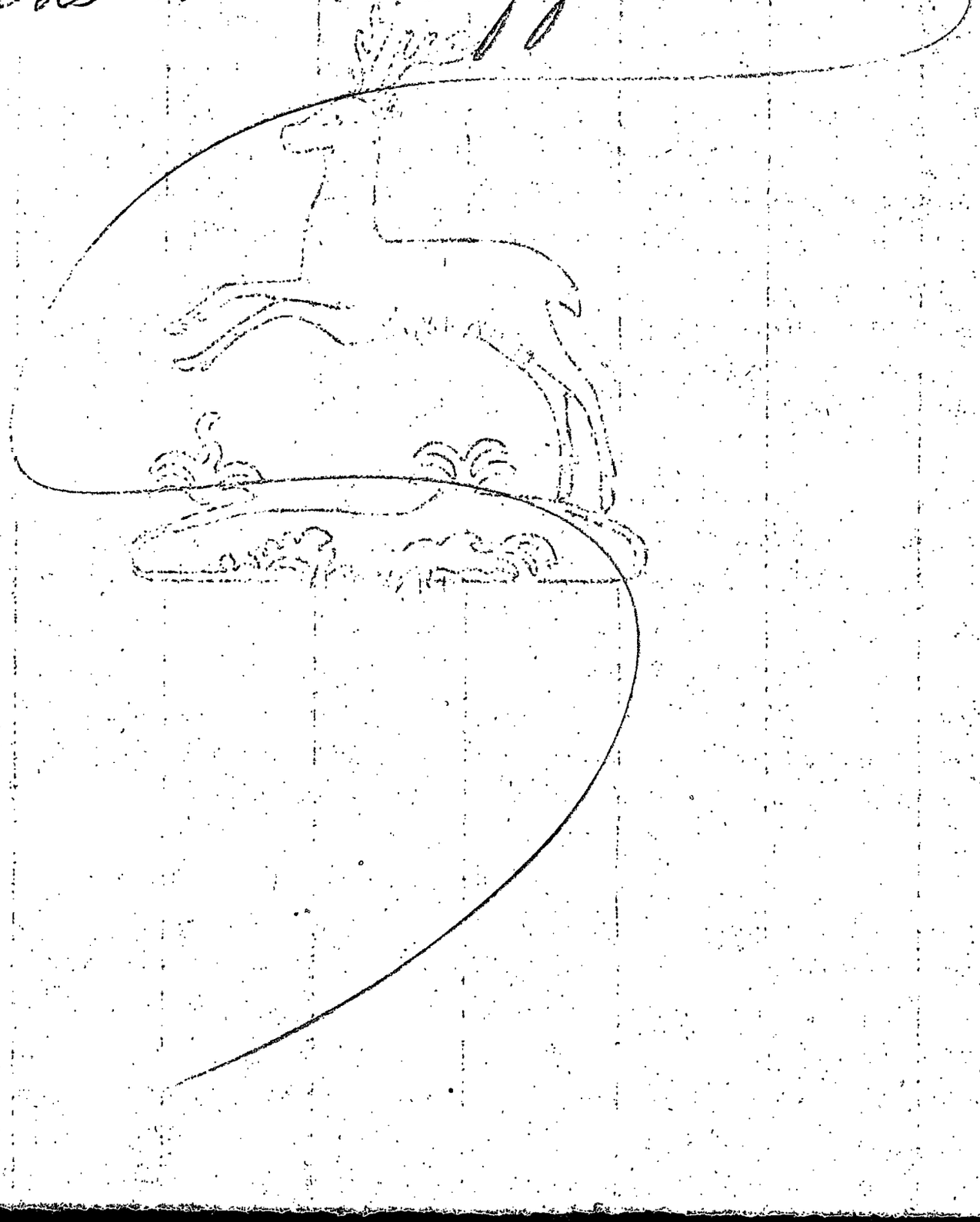
Mr. McCallum in accordance with notice moved to amend rule 24 by striking out the words. "provided further that on all resolutions and propositions relating to the constitution, the final vote shall be taken by ayes and noes."

Messrs Waters, Ewing, White Larue, and Martin of Santa Cruz demanded the previous question, which was ordered by the convention

The ayes and noes were demanded on the adoption of the amendment, by Messrs Farrell, Bell, Harrison Nelson and Smith of San Francisco.

7/ Kun.

The roll was called and the amendment rejected by the following vote, not being two thirds in the affirmative



8

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

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

102

Ayes 63

Noes 39

1/62 1/40 1/63 1/39

9

Committee of the Whole.

On motion of Mrs. Moreland the Convention resolved itself into committee of the whole. President pro tem Belcher in the Chair — to further consider the article on Schedule.

At 1 o'clock and 5-5 minutes P.M. the Committee arose, reported the article back with amendments, and recommend their adoption.

In Convention.

President pro tem Belcher in the Chair.

On motion of Mrs Moreland 480 copies of the articles as scheduled with the amendments adopted in committee of the whole, were ordered printed.

Notice

I hereby give notice that on Monday the 27th day of January 1879 I will move to reconsider the vote by which the convention this day refused to adopt the amendment offered by Mr McCallum to rule 24.

January 25th 1879.

H. C. Ralph

11)

At 12 o'clock M. Mr. Howard of Los. Angeles moved to adjourn.

Lost.

Mr. McCallum moved to take up the articles in Executive Department.

Withdrawn

At 12 o'clock and 5 min P. M. Mr Howard of Los Angeles moved to adjourn.

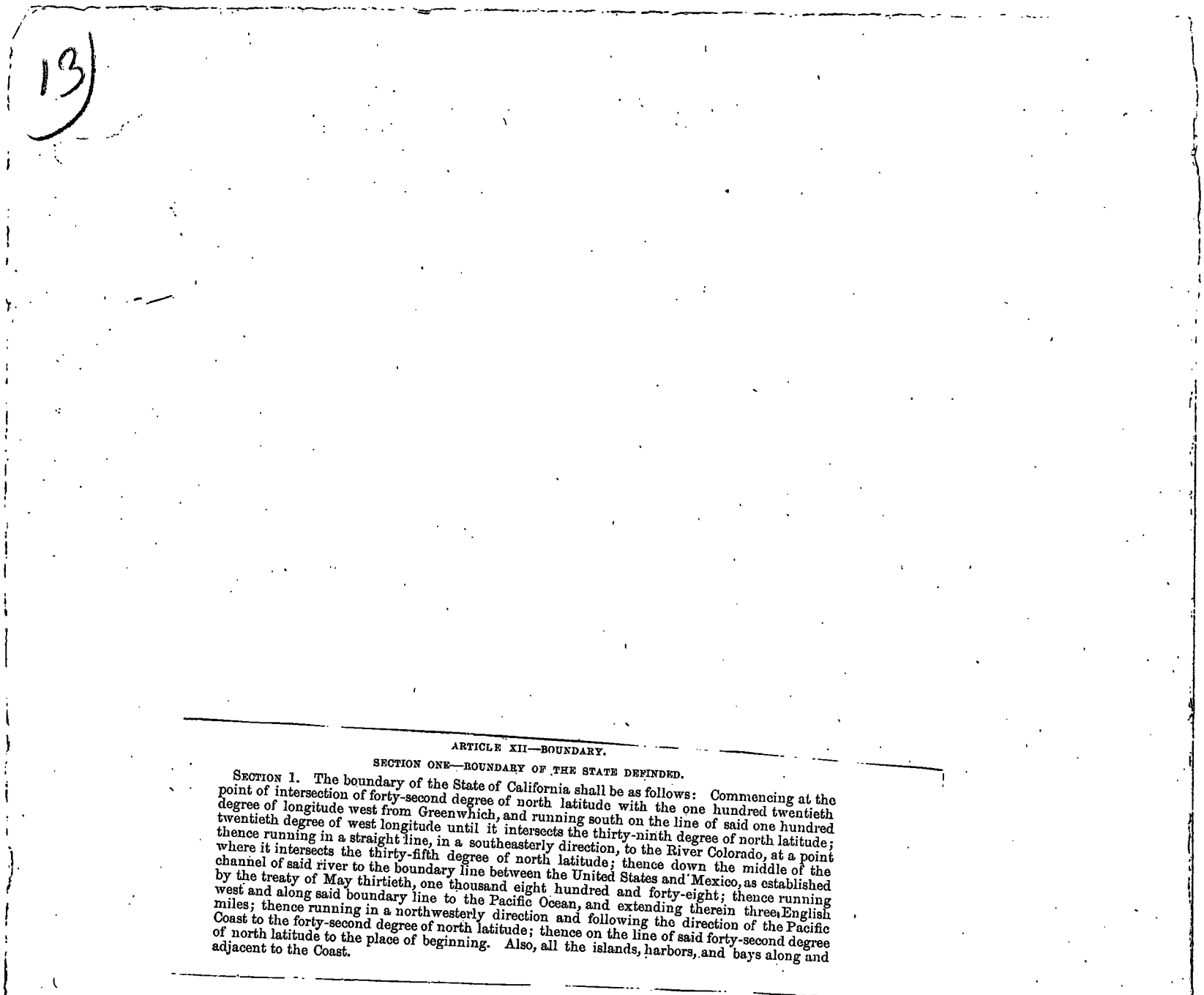
Lost.

12)

Committee of the Whole.

On Motion of Mrs Larkin
the Convention resolved
itself into Committee of the
Whole - President pro tem Beecher
in the Chair. - to consider the
following section in Bonds
~~reported~~ proposed by Mrs.
Keys.

13



ARTICLE XII—BOUNDARY.

SECTION ONE—BOUNDARY OF THE STATE DEFINDED.

SECTION 1. The boundary of the State of California shall be as follows: Commencing at the point of intersection of forty-second degree of north latitude with the one hundred twentieth degree of longitude west from Greenwhich, and running south on the line of said one hundred twentieth degree of west longitude until it intersects the thirty-ninth degree of north latitude; thence running in a straight line, in a southeasterly direction, to the River Colorado, at a point where it intersects the thirty-fifth degree of north latitude; thence down the middle of the channel of said river to the boundary line between the United States and Mexico, as established by the treaty of May thirtieth, one thousand eight hundred and forty-eight; thence running west and along said boundary line to the Pacific Ocean, and extending therein three English miles; thence running in a northwesterly direction and following the direction of the Pacific Coast to the forty-second degree of north latitude; thence on the line of said forty-second degree of north latitude to the place of beginning. Also, all the islands, harbors, and bays along and adjacent to the Coast.

14)

at 12 o'clock and 15 minutes P.M. the committee arose reported the article back recommending its adoption.

In convention.

President pro tem Belcher in the Chair.

Report

By Mr. Dean.

15

Mr President.

The committee on Miscellaneous Subjects. respectfully report. That proposed Amendments Nos. 8. 37. 52. 140. 141. 162. 164. 167. 176. 215, 220. 230. 235. 236. 243. 273. 281. 304. 317. 366. 375. 414. 416. 446. 463. 482. 488. 492. 507. 529. 530. and the several Memorials and Petitions relating to Local Option and Mechanics Liens, have been considered by your Committee and the same are reported back to the Convention. with the recommendation that no further action be taken thereon.

The Committee respectfully submit — 18 — Sections forming an Article on Miscellaneous Subjects and recommend their adoption.

Messrs Dean and Schomp dissent from Sections 16 and 18.; and ——
Mr Lavigne from Sec. 18.

Messrs Farell and Lavigne dissent from Sec 15.

Jas. E. Dean
J. Schomp.
R. Lavigne
D C. Stevenson

(over)

S. J. Farrell.

J. M. Kelley

p. M. Wellin

16/

The report recieved and the proposed article read and ordered printed.

Resolution

By Mr. Moreland

Resolved That the Surveyor General be requested to furnish to this Convention the proper boundary of this State.

Moreland

adopted.

Recess.

The hour having arrived the convention took a

recess till two o'clock P.M.

Afternoon Session

Convention re-assembled at two o'clock P.M.

President Hiram Beckwith in the Chair.

Quorum present.

MISCELLANEOUS

Mr Farrell from the committee on Miscellaneous subjects presented a minority report which was ordered printed.

Committee of the Whole.

On motion of Mr Blackman

18) The Convention resolved itself into Committee of the whole - Mrs. McCallum in the Chair - to consider Amendments No 74 and 276 relative to Labor and Capital, reported adversely by the Committee on Labor & Capital

at 2 o'clock and 55 minutes P.M. the Committee arose.

In Convention

[Mrs. McCallum in the Chair]

adjournment

19) At 2 o'clock and 55 minutes P.M. on motion of Mr. McFarland the Convention adjourned

Jun 25

1/25/79

Jun 25