1)

On Convention

Assembly Chamber
State Capitol.
Sacramento
Saturday Feb 1st 1879

Convention met pursuant to adjournment

President Hoge in the chair

Roll called and the following members 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			LARUE	119		SHAFTER		
AYERS	2		FILCHER	30		LAVIGNE	58		SHOEMAKER		
BARBOUR	3		FINNEY			LEWIS	59		SHURTLEFF	84	
BARNES			FREEMAN			LINDOW	60		SMITH of Santa Clara.	85	
BARRY	4		FREUD	31		MANSFIELD	61		SMITH of Fourth District.	86	
BARTON	5		GARVEY	32		MARTIN of Alameda.			SMITH of San Francisco.	87	
BEERSTECHER	6		GLASSCOCK	33		MARTIN of Santa Cruz.	62		SOULE	88	
BELCHER	7		GORMAN	34		McCALLUM			STEDMAN		
BELL	8		GRACE	35		McCOMAS	63		STEELE	89	
BERRY			GRAVES			McCONNELL	64		STEVENSON	90	
BIGGS	9		GREGG	36		McCOY	65		STUART	91	
BLACKMER	10		HAGER	37		McFARLAND	66		SWEASEY	92	
BOGGS			HALE			McNUTT	67		SWENSON	93	
BOUCHER	11		HALL			MILLER			SWING		
BROWN	12		HARRISON	38		MILLS	68		TERRY	94	
BURT	13		HARVEY	39		MOFFAT	69		THOMPSON	95	
CAMPBELL	14		HEISKELL	40		MORELAND			TINNIN	96	
CAPLES	15		HEROLD			MORSE	70		TOWNSEND	97	
CASSERLY			HERRINGTON			MURPHY	120		TULLY	98	
CHAPMAN	15		HILBORN			NASON	71		TURNER	117	
CHARLES	16		HITCHCOCK	41		NELSON	72		TUTTLE	99	
CONDON	17		HOLMES	42		NEUNABER	73		VACQUEREL	100	
COWDEN	18		HOWARD of Los Angeles.	43		NOEL			VAN DYKE	101	
CROSS	19		HOWARD of Mariposa and Merced.	44		O'DONNELL			VAN VOORHIES	102	
CROUCH	20		HUESTIS	45		OHLEYER	74		WALKER of Marin.		
DAVIS	21		HUGHEY	46		O'SULLIVAN	118		WALKER of Tuolumne.	103	
DEAN	22		HUNTER	47		OVERTON			WATERS	104	
DOWLING	23		INMAN	48		PORTER			WEBSTER	105	
DOYLE	24		JOHNSON	49		PROUTY	75		WELLER	106	
DUDLEY of San Joaquin and Amador.			JONES			PULLIAM			WELLIN	107	
DUDLEY of Solano.			JOYCE	50		REDDY	76		WEST	108	
DUNLAP	25		KELLY	51		REED	77		WICKES	109	
EAGON			KENNY	52		REYNOLDS	78		WHITE	110	
EDGERTON			KEYS	53		RHODES	79		WILSON of Tehama.	111	
ESTEY of Contra Costa and Marin.	26		KLEINE	54		RINGGOLD	80		WILSON of First District.	112	
ESTEE of First District.	27		LAINE	55		ROLFE	81		WINANS	116	
EVEY	28		LAMPSON	56		SCHELL	82		WYATT	113	
FARRELL	29		LARKIN	57		SCHOMP	83		Mr. PRESIDENT	114	

Ayes _____

Noes _____

Leave of absence.

Leave of absence for one day was granted to Mr. Dudley of Solano, for three days to Mr. Walker of Marin, for four days to Mr. Herrington.

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

Mr. Davis called up amendment to rule 43 proposed by Simon on Jan 30 last.

Amendment lost.

4)

Petitions

Messrs Lane, Morse and Burt

~~and Shafter~~, presented petitions requesting the exemption of certain property, used for charitable, educational, and church purposes, from taxation.

Laid on the table, to be considered with the article on revenue and taxation.

General File

Amendment No 444 - Consideration resumed.

Upon the adoption of the amendment of Mr. Hager the ayes and noes were demanded by Messrs Greer, Condon, Larkin, Burbons and Joyce

The roll was called and the amendment rejected by the following vote:

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

Ayes 43

Noes 78

78

Messrs Agnew, West, Melly Larkin and Howard of Los Angeles demanded the previous question

The convention refused to order the main question.

Mr. Johnson offered the following —

After the word "have" on line 10, insert "free passes on all railroads and they shall have" and on line 15 before the word "Courts" insert "Superior", and on line 20 after the word "Courts" insert "Superior"

Rejected

7)

Mr Gregg offered the following:—

	Amend Sec 22 By striking out all after the word "incompetency" in line 46=

Rejected.

Mr Campbell offered the following:—

Strike out "process of the Courts" on line 15, and insert in lieu thereof "have power to issue subpoenas and all other necessary process."

adopted

Mr Vacquerie offered the following:

8)

To add in line 26 after the word Commission the following

Or shall fail to run a train daily on each line, or branch, or section now in operation.

Rejected.

Upon the adoption of the section reported by the committee of the whole as amended the ayes and nays were demanded by Mssrs Tilley, Kyle, Grace, Sampson & West.

The roll was called and the section adopted by the following vote:-

9)

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

Names.	Ayes	Noes	Names.	Ayes	Noes	Names.	Ayes	Noes	Names.	Ayes	Noes
ANDREWS	1	1	FAWCETT			LARUE	Paired		SHAFTER		
AYERS	2	2	FILCHER	27		LAVIGNE	50		SHOEMAKER		
BARBOUR	3	3	FINNEY			LEWIS		9	SHURTLEFF		15
BARNES	0		FREEMAN			LINDOW	67		SMITH of Santa Clara.	72	
BARRY	4	4	FREUD	28		MANSFIELD	52		SMITH of Fourth District.	73	
BARTON	5	5	GARVEY	29		MARTIN of Alameda.			SMITH of San Francisco.	74	
BEERSTECHER	6		GLASSCOCK	Paired		MARTIN of Santa Cruz.		10	SOULE	75	
BELCHER		1	GORMAN	30		McCALLUM			STEDMAN		
BELL	7		GRACE	31		McCOMAS	53		STEELE	76	
BERRY			GRAVES			McCONNELL	54		STEVENSON		16
BIGGS		2	GREGG	32		McCOY	55		STUART	77	
BLACKMER	8		HAGER	33		McFARLAND		11	SWEASEY	78	
BOGGS			HALE x	92		McNUTT	56		SWENSON	79	
BOUCHER	9		HALL			MILLER		12	SWING	80	
BROWN	10		HARRISON	34		MILLS		13	TERRY		17
BURT	11		HARVEY		5	MOFFAT	57		THOMPSON		18
CAMPBELL	12		HEISKELL	35		MORELAND			TINNIN	81	
CAPLES	13		HEROLD			MORSE	58		TOWNSEND		19
CASSERLY			HERRINGTON			MURPHY	59		TULLY		20
CHAPMAN	~~14~~	28	HILBORN			NASON	60		TURNER		21
CHARLES	15		HITCHCOCK			NELSON	61		TUTTLE	92	~~22~~
CONDON	16		HOLMES	36		NEUNABER	62		VACQUEREL		23
COWDEN	17		HOWARD of Los Angeles.	37		NOEL			VAN DYKE		24
CROSS	18		HOWARD of Mariposa and Merced.	38		O'DONNELL			VAN VOORHIES		25
CROUCH	1	3	HUESTIS	39		OHLEYER	63		WALKER of Marin.		
DAVIS	19		HUGHEY	40		O'SULLIVAN	64		WALKER of Tuolumne.	82	
DEAN	20		HUNTER	41		OVERTON			WATERS		26
DOWLING		4	INMAN	42		PORTER			WEBSTER	83	
DOYLE	21		JOHNSON	43		PROUTY			WELLER	84	
DUDLEY of San Joaquin and Amador.			JONES		6	PULLIAM			WELLIN	85	
DUDLEY of Solano.			JOYCE	44		REDDY	65		WEST	86	
DUNLAP	22		KELLY		7	REED	66		WICKES	87	
EAGON			KENNY	45		REYNOLDS	67		WHITE	88	
EDGERTON			KEYS	46		RHODES	68		WILSON of Tehama.	89	
ESTEY of Contra Costa and Marin.	23		KLEINE	47		RINGGOLD	69		WILSON of First District.		27
ESTEE of First District.	24		LAINE		8	ROLFE	70		WINANS	90	
EVEY	25		LAMPSON	48		SCHELL	71		WYATT	91	
FARRELL	26		LARKIN	49		SCHOMP		14	Mr. PRESIDENT		28

Ayes 92

Noes 28

~~93~~ 1 ~~27~~ 1

91 1 28

92

10)

Paired

Messrs. Glassock aye - with Dudley of Solano - no; - Laine - aye - with Shoemaker - no.

The committee recommended that section 21 be stricken out.

Concurred in.

The following recommended by the committee of the whole as a new section ~~The following~~

[SEC. 25. Every railroad corporation and other incorporate company or association existing under the laws of this State, or doing business therein, at the time of the adoption of this Constitution, shall accept the provisions of this article in good faith before being entitled to claim or have the benefit of any future legislation thereunder.]

The Convention refused to concur.

11)

Mr Vroeyneret offered the following:-

Amend section 19 by adding in line 4 after the word offices the following:-

"other than Railroad Commissioner"

adopted.

Mr Laine offered the following.

Amend sec. 18 by striking out the word "or" in the line after the word Company. and inserting the word "nor" in lieu thereof, and by adding at the end of the section

the following i-ness. "Except such interest in the business of transportation as clearly flows from the ownership of stock therein."
adopted.
Messrs. Holmes, McCormas, Lane, Larkin and Dean.
demanded the previous question which was ordered by the convention.
The article was then ordered engrossed for a second reading.

13)

Amendment No. 434

Relating to Chinese.

Amendments of Committee of the whole read.

Section one.

The following amendment was reported by the Committee of the whole.

[SECTION 1. The Legislature shall prescribe necessary regulations for
2 the protection of the State, and the counties, cities, and towns thereof, from
3 the burdens and evils arising from the presence of aliens, who are or who may
4 become vagrants, paupers, mendicants, criminals, or invalids afflicted with
5 contagious or infectious diseases, and aliens otherwise dangerous or detri-
6 mental to the well-being or peace of the State, and to impose conditions upon
7 which such persons may reside in the State, and to provide the means and
8 mode of their removal from the State upon failure or refusal to comply with
9 such conditions; *provided*, that nothing contained in the foregoing shall be
10 construed to impair or limit the power of the Legislature to pass such other
11 police laws or regulations as it may deem necessary.]

Mr. Williams offered the following:

strike out the word "other" in line 10 and insert the

word other between the words "or" and "regulations" in line 11.

Adopted.

Messrs Murphy ~~of~~ Freed Joyce Reddy and Dineen demanded the previous question.

~~which was ordered by~~

~~The~~ The convention refused to order the main question.

Mr Smith of 4th Dist. offered the following.

Insert in lines before the word "contagious" the word "incurable"

C. A. L. a

15

Messrs Waters, Murphy Larkin, Hunter & Reddy demanded the previous question which was ordered by the convention.

The amendment of Mr Smith was rejected

The amendment of the committee of the whole was ~~adopted~~. concurred in

Sec. 2

The following report for section 2.

[No corporation now existing or hereafter formed under the laws of this State, shall, after the adoption of this Constitution, employ, directly or indirectly, in any capacity, any Chinese or Mongolian. The Legislature shall pass such laws as may be necessary to enforce this provision.]

16)

Concurred in

Sec. 3

The following was reported for section 3

[SEC. 3. No Chinese shall be employed on any State, county, municipal, or other public work, except in punishment for crimes.]

Concurred in

Sec. 4

The committee of the whole recommended that section 4 be stricken out.

Upon concurring in the report of the committee of the whole

17) a

the ayes and noes were demanded by messrs. Ayres, Freud, Joyce, Wellin and Farrell.

The roll was called and the report of the committee of the whole concurred in by the following vote:—

176

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

AYES 58

NOES 53

(8) Sec. 6

The following was reported for sec. 6

[SEC. 6. No alien ineligible to become a citizens of the United States shall be permitted to catch fish in any waters under the jurisdiction of this State; nor to purchase, lease, own, or hold any real property in this State and all contracts of conveyance or lease of real property to any such alien shall be void.]

Omitted in

Sec. 7

The following was reported for section Seven

19)

[SEC 7. The presence of foreigners ineligible to become citizens of the United States is declared herein to be dangerous to the well-being of the State, and the Legislature shall discourage their immigration by all the means within its power. Asiatic coolieism being a form of human slavery, is forever prohibited in this State, and all contracts for coolie labor are null and void. All companies or corporations, whether formed in this country or any foreign country for the importation of such labor, shall be subject to such penalties as the Legislature may prescribe. The Legislature shall delegate all necessary power to the incorporated cities and towns of this State, for the removal of Chinese without the limits of such cities and towns, or their location within prescribed portions of those limits, and it shall also provide the necessary legislation to prohibit the introduction into this State of Chinese after the adoption of this Constitution. This section shall be enforced by appropriate legislation.

Concurred in

Sec. 8.

The Committee recommended Sec. 8 be stricken out.

~~Upon the the question of Concurring in the recom.~~

20) Upon the question of concurring in the recommendation of the committee of the whole, the ayes and noes were demanded by Messrs Ringgold Willey, Farrell, Harrison and Smith of San Francisco

The roll was called and the recommendation of the committee was concurred in by the following vote:—

21)

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

Ayes 77

Noes 35

76 37
77 36
35

22)

The committee recommended that section nine be stricken out.

Upon the question of concurring in the recommendation of the committee the ayes and noes were demanded by Messrs Rolf - Joyce - Smith of San Francisco - Bell and Harrison.

The roll was called and the recommendation of the committee concurred in by the following vote:

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	40		SHAFTER		
AYERS	2		FILCHER	20		LAVIGNE		17	SHOEMAKER		
BARBOUR		1	FINNEY			LEWIS	41		SHURTLEFF	58	
BARNES			FREEMAN			LINDOW		18	SMITH of Santa Clara.		
BARRY		2	FREUD	4	10	MANSFIELD	42		SMITH of Fourth District.		
BARTON		3	GARVEY	21		MARTIN of Alameda.			SMITH of San Francisco.		26
BEERSTECHER		4	GLASSCOCK	22		MARTIN of Santa Cruz.	43		SOULE	59	
BELCHER	3		GORMAN			McCALLUM			STEDMAN		
BELL		5	GRACE		11	McCOMAS	44		STEELE	60	
BERRY			GRAVES			McCONNELL	45		STEVENSON	61	
BIGGS	4		GREGG	0	12	McCOY	46		STUART	62	
BLACKMER	5		HAGER	23		McFARLAND	47		SWEASEY	63	
BOGGS			HALE	24		McNUTT	48		SWENSON		27
BOUCHER	6		HALL			MILLER	49		SWING	64	
BROWN	7		HARRISON		13	MILLS			TERRY	65	
BURT	8		HARVEY	25		MOFFAT	50		THOMPSON	66	
CAMPBELL	9		HEISKELL	26		MORELAND			TINNIN	67	
CAPLES	10		HEROLD			MORSE	51		TOWNSEND	68	
CASSERLY			HERRINGTON			MURPHY		19	TULLY	69	
CHAPMAN			HILBORN			NASON	52		TURNER		28
CHARLES	11		HITCHCOCK			NELSON		20	TUTTLE	70	
CONDON		6	HOLMES	27		NEUNABER		21	VACQUEREL		29
COWDEN	12		HOWARD of Los Angeles.	28		NOEL			VAN DYKE	71	
CROSS	13		HOWARD of Mariposa and Merced.			O'DONNELL			VAN VOORHIES		
CROUCH	14		HUESTIS	29		OHLEYER	53		WALKER of Marin.		
DAVIS	15		HUGHEY	30		O'SULLIVAN		22	WALKER of Tuolumne.	72	
DEAN		7	HUNTER	31		OVERTON			WATERS	73	
DOWLING		8	INMAN	32		PORTER			WEBSTER	74	
DOYLE			JOHNSON	33		PROUTY			WELLER	75	
DUDLEY of San Joaquin and Amador.			JONES	34		PULLIAM			WELLIN		30
DUDLEY of Solano.			JOYCE		14	REDDY		23	WEST	76	
DUNLAP	16		KELLY	35		REED	54		WICKES	77	
EAGON			KENNY		15	REYNOLDS		24	WHITE		
EDGERTON			KEYS	36		RHODES	55		WILSON of Tehama.		
ESTEY of Contra Costa and Marin.	17		KLEINE		16	RINGGOLD		25	WILSON of First District.	78	
ESTEE of First District.	18		LAINE	37		ROLFE	56		WINANS	79	
EVEY	19		LAMPSON	38		SCHELL	57		WYATT	80	
FARRELL		9	LARKIN	39		SCHOMP			Mr. PRESIDENT	81	

Ayes 81

Noes 30

24)

The article was then ordered engrossed, for a second reading.

At 12 o'Clock and 45 minutes P.M. Mr. Estee moved to adjourn to Monday Feb. 3d 1879 at 2 o'Clock P.M. upon which the ayes and nays were demanded by Messrs Larkin Hamlin, Wyatt, Tuttle and Condon.
The ayes were called and the motion carried by the following vote

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

Ayes ~~72~~ ~~73~~ 32

Noes ~~32~~ ~~32~~ 72

2/1/79

(2/2 · Sunday)

At 12 o'clock and 50 minutes P. M. on motion of Mr Bimmin the convention adjourned

(Sd) [illegible]

2/1/'97

(2/2-Sunday)