1

Record

In Convention

Assembly Chamber

State Capitol

Sacramento

Thursday Feb. 20th 1879

Convention met pursuant

to Adjournment

President Pro tem in the Chair

The Roll was 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			LARUE	124		SHAFTER	122	
AYERS	2		FILCHER	29		LAVIGNE	57		SHOEMAKER		
BARBOUR	3		FINNEY			LEWIS	58		SHURTLEFF	84	
BARNES			FREEMAN	120		LINDOW	58		SMITH of Santa Clara.	85	
BARRY	4		FREUD	30		MANSFIELD	59		SMITH of Fourth District.	85	
BARTON	5		GARVEY	31		MARTIN of Alameda.			SMITH of San Francisco.	86	
BEERSTECHER	6		GLASSCOCK	32		MARTIN of Santa Cruz.	60		SOULE	87	
BELCHER			GORMAN	33		McCALLUM	61		STEDMAN	88	
BELL	7		GRACE	123		McCOMAS	62		STEELE		
BERRY			GRAVES			McCONNELL	63		STEVENSON	89	
BIGGS	8		GREGG			McCOY	64		STUART	90	
BLACKMER	9		HAGER	34		McFARLAND	127		SWEASEY	91	
BOGGS	10		HALE	125		McNUTT	65		SWENSON	92	
BOUCHER	11		HALL	35		MILLER			SWING	93	
BROWN	12		HARRISON	36		MILLS	66		TERRY		
BURT	13		HARVEY	37		MOFFAT	67		THOMPSON	94	
CAMPBELL	14		HEISKELL	38		MORELAND	68		TINNIN	95	
CAPLES	15		HEROLD	39		MORSE	69		TOWNSEND	96	
CASSERLY	16		HERRINGTON	40		MURPHY	126		TULLY	97	
CHAPMAN	17		HILBORN	41		NASON	70		TURNER	98	
CHARLES	18		HITCHCOCK	42		NELSON	71		TUTTLE	99	
CONDON	19		HOLMES	43		NEUNABER	72		VACQUEREL	100	
COWDEN			HOWARD of Los Angeles.			NOEL	73		VAN DYKE	101	
CROSS	20		HOWARD of Mariposa and Merced.	44		O'DONNELL			VAN VOORHIES	102	
CROUCH	21		HUESTIS	45		OHLEYER	74		WALKER of Marin.	103	
DAVIS	22		HUGHEY	46		O'SULLIVAN	75		WALKER of Tuolumne.	103	
DEAN	23		HUNTER	47		OVERTON			WATERS	104	
DOWLING	24		INMAN	48		PORTER	115		WEBSTER	105	
DOYLE	25		JOHNSON	49		PROUTY	76		WELLER	106	
DUDLEY of San Joaquin and Amador.			JONES	50		PULLIAM	77		WELLIN	107	
DUDLEY of Solano.			JOYCE	51		REDDY			WEST	108	
DUNLAP	117		KELLY	52		REED			WICKES	109	
EAGON	119		KENNY	53		REYNOLDS	78		WHITE	110	
EDGERTON			KEYS			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	118		ROLFE	81		WINANS		
EVEY	28		LAMPSON			SCHELL	82		WYATT	113	
FARRELL	116		LARKIN	55		SCHOMP	83		MR. PRESIDENT	114	

AYES

NOES

3/

Leave of absence.

Leave of absence for four days was granted to Mrs. Laine.

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

Resolution

By Mr. Heiskell:

Whereas, E B Willis and P. K. Stockton have in their possession a full and complete Stenographic report of the debates and proceedings of this Convention and

Whereas, It may be advisable in the near future for the State to possess itself of said report, and

whereas, in such an event, the lack of an official sanction by this body of said report would greatly impair ~~the~~ its value and usefulness, therefore be it

Resolved, That the said E. B. Willis and P. K. Stockton be and they are hereby declared official reporters of the Constitutional Convention of California held in the years 1878-79, subject to the following restrictions:

1st In the event of the State desiring to possess itself of a long hand copy of said report, it shall be the duty of the said Willis and Stockton, jointly or severally, to furnish the same to the State and to receive therefor a compensation which shall not exceed $10 per day each for the time spent in taking said report and 20 cents per folio for transcribing the same into long hand. It shall

be the further duty of the said Willis and Stockton, or either of them, in the event of the publication of said report by the State, to furnish each member of this Convention, ~~if desired, practicable~~ a long hand copy of his ~~speeches~~ and ~~interventions~~ for revision and correction before being published for publication.

Unless the State shall hereafter purchase the said report of the proceedings and debates of this Convention, as above provided, no claim of the said Willis and Stockton, or either of them against the State for services already rendered in this Convention shall have any binding effect or be other than void.

6) [illegible]

On motion of Mr Biggs the resolution was made the Special order for Friday Feb. 21st 1879 at 2 o'clock P. M.

Amendmt to rules.

Mr. O'Sullivan in accordance with notice offered the following amendment to rule 33:

	The previous question shall ~~by~~ be put when demanded by five members, but shall only include the amendments then pending, and the section and Article under consideration shall be open to further amendment, ~~[illegible]~~.

Lost.

7)

Resolution

By Mr. Cross:

Resolved: That a Committee of ~~Eleven~~ nine be appointed to prepare and report to the Convention an address to the people of the State, carefully reviewing the Constitution presented by this Convention, and indicating the material changes made in the existing Constitution: and that such address be made public in such manner as this Convention shall direct.

Mr Van Dyke moved that the resolution together with resolutions heretofore presented and laid on the table, be made the Special Order for Friday, Feb. 21st 1879 at 10 o'Clock a.m.

So ordered.

8/

Amendment No. 5-35 - resumed.

Sec. 16.

Messrs Heiskell, Hunter, Moreland and Rue and Tully demanded the Previous question which was ordered by the Convention.

Upon concurring in the recommendation of the Committee in striking out Section 16 the ayes and noes were demanded by Messrs. Filches, Barton, Tinnin, Burt and Kelley.

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

Ayes 70

Noes 47

10

Sec. 17

The committee recommend the following amendment

[SEC. 17. When the term of any officer or Commissioner is not provided for in this Constitution, the term of such officer or Commissioner may be declared by law; and, if not so declared, such officer or Commissioner shall hold his position as such officer or Commissioner during the pleasure of the authority making the appointment; but in no case shall such term exceed four years.]

Concurred in.

Sec. 18

The committee recommended that Section 18 be stricken out.

Concurred in.

The committee recommended the following new Sec.

~~SEC. 19.~~ Eight hours shall constitute a legal day's work on all public work.

11)

Mr. La Rue moved to amend by striking out "public" and insert "State"

Messrs. Hunter, Brown, Holmes, Dean and La Rue demanded the previous question, which was ordered by the Convention

(11) The amendment of Mrs. La Rue was rejected. 11½

When answering with the committee the ayes and noes were demanded by Messrs. Ayres, Joyce, Condon, Grace, and White.

The roll was called and the amendment answered in the following vote:—

12

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

Ayes 99 / 69

Noes 17

131

The committee recommended the following new section

~~SEC. 20.~~ No person shall, on account of sex, be disqualified to enter upon and pursue any lawful business, vocation, or profession.

Messrs. Rinyard, Murphy, Farrell, Estes and Condon demanded the previous question, which was ordered by the Convention.

The Amendment of the Committee was concurred in.

The Committee recommended the following new Section:

~~SEC. 21.~~ Nothing in this Constitution shall prevent the Legislature from providing, by law, for the payment of the expenses of this Convention, including the per diem of the Delegates for the full term of said Convention.

Messrs. Beerstecher, Wilkes of Solano, White, Burt and Brown demanded the previous question which was ordered by the Convention upon concurring in the amendment of the Committee the ayes and noes were demanded by Messrs. Hilborn, Burt, Shafter,

Bleckmes and Burston

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

16)

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

AYES 93 / 94

NOES 22 / 22

1/92 1/21

1/93

17

Mr. Moreland offered the following new Section:

Sec. Elections of all officers provided for by this constitution except at the election in the year 1879, shall be held on the even numbered years, next before the expiration of the respective terms. The terms of such officers shall commence on the first Monday in January next following this election

Mr Mayer moved to amend by striking out the "Monday" and insert the first Tuesday

after the first monday
in January."

adopted.

The ~~amendment~~ Section as
amended was ~~carried~~
~~unanimously~~ adopted.

Mrs. McConnell
offered the following
new Section:

19

Section —.

As every freeman, to preserve his independence (if without an estate) ought to have some profession, calling, trade, or farm, whereby, he may honestly subsist, there can be no necessity for, nor use in, establishing offices of profit, the usual effect of which are, dependence and servility, unbecoming freemen, in the possessors, or expectants. Creating faction, contention, and discord among the people. But if any man is called into public service to the prejudice of his private affairs, he has a right to a reasonable compensation, and whenever an office, through increase of fees, or otherwise, becomes so profitable as to occasion many to apply for it, the profits ought to be lessened by the Legislature

H Brackenridge

Rejected

20)

Messrs. Dean, Hunter, Brown, LaRue and White demanded the previous question which was ordered by the convention.

Upon voting upon the article engrossed for a second reading the ayes and noes were demanded by Messrs O'Sullivan, Joyce, Kenny, Willis and Maguire

21)

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

Ayes 91

Noes 32

22)

Notice.

By Mr Vacquerel.

10 members

Mr President.

I hereby give notice that on to-morrow February 27. 1879. I will move to reconsider the vote by which the article on Miscellaneous subjects was ordered engrossed for a second reading

A Vacquerel

Preamble & Bill of Rights.

Mr. Wyatt moved to suspend the rule and dispense with the reading by section.

So ordered.

23

Mr. Van Dyke offered the following amendment to Section three.

Add to section.

"and the state of California is an inseparable part of the American Union"

Messrs. West, Van Dyke, Campbell, Hinkle and Moreland demanded the previous question which was ordered by the convention.

Upon the adoption of the amendment the ayes and noes were demanded by Messrs. Van Dyke, Schell, Brown, Freeman and Stewart the roll was called and the amendment adopted by the following vote

24

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	41		SHAFTER	62	
AYERS	1		FILCHER	24		LAVIGNE	42		SHOEMAKER		
BARBOUR	2		FINNEY			LEWIS	43		SHURTLEFF	63	
BARNES			FREEMAN	25		LINDOW	44		SMITH of Santa Clara.	64	
BARRY	3		FREUD	26		MANSFIELD			SMITH of Fourth District.	65	
BARTON	4		GARVEY		4	MARTIN of Alameda.			SMITH of San Francisco.	66	
BEERSTECHER	5		GLASSCOCK		5	MARTIN of Santa Cruz.	45		SOULE	67	
BELCHER			GORMAN	27		McCALLUM	46		STEDMAN	68	
BELL	6		GRACE	28		McCOMAS	47		STEELE		
BERRY			GRAVES			McCONNELL	48		STEVENSON	69	
BIGGS	94		GREGG			McCOY			STUART	70	
BLACKMER	7		HAGER	29		McFARLAND			SWEASEY	71	
BOGGS		2	HALE	30		McNUTT	93		SWENSON		18
BOUCHER	8		HALL		6	MILLER			SWING		19
BROWN		3	HARRISON			MILLS	49		TERRY		
BURT	9		HARVEY	31		MOFFAT	50		THOMPSON	72	
CAMPBELL	10		HEISKELL		7	MORELAND		12	TINNIN	73	
CAPLES	11		HEROLD	32		MORSE	51		TOWNSEND	74	
CASSERLY	12		HERRINGTON	33		MURPHY	52		TULLY	75	
CHAPMAN	13		HILBORN	34		NASON	53		TURNER	76	
CHARLES	14		HITCHCOCK		8	NELSON	54		TUTTLE	77	
CONDON	95		HOLMES		9	NEUNABER			VACQUEREL	78	
COWDEN			HOWARD of Los Angeles.			NOEL		13	VAN DYKE	79	
CROSS	15		HOWARD of Mariposa and Merced.	35		O'DONNELL			VAN VOORHIES		
CROUCH	16		HUESTIS	36		OHLEYER	55		WALKER of Marin.	80	
DAVIS	17		HUGHEY			O'SULLIVAN		14	WALKER of Tuolumne.		20
DEAN			HUNTER		10	OVERTON			WATERS	81	
DOWLING			INMAN	91		PORTER		15	WEBSTER	82	
DOYLE	18		JOHNSON	37		PROUTY	56		WELLER	83	
DUDLEY of San Joaquin and Amador.			JONES	38		PULLIAM		16	WELLIN	84	
DUDLEY of Solano.			JOYCE			REDDY			WEST	85	
DUNLAP			KELLY		11	REED			WICKES	86	
EAGON	19		KENNY	39		REYNOLDS	57		WHITE	87	
EDGERTON			KEYS			RHODES	58		WILSON of Tehama.	88	
ESTEY of Contra Costa and Marin.	20		KLEINE			RINGGOLD		17	WILSON of First District.	89	
ESTEE of First District.	21		LAINE			ROLFE	59		WINANS		
EVEY	22		LAMPSON	40		SCHELL	60		WYATT	0	21
FARRELL	23		LARKIN			SCHOMP	61		MR. PRESIDENT	90	

Ayes 94

Noes 21

upon the adoption of the article Messrs. Martin of Santa Cruz, Winans, Larkin, Freeman and Dunlap, demanded the previous question which was ordered by the Convention.

The roll was called and the article adopted as a part of the Constitution by the following vote:—

26

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

AYES 101

NOES 20

On motion of Mrs Hayes the articles as adopted was referred to the Committee on Revision and adjustment.

Executive Department.

Mr Burstiches moved to suspend the rules and dispense with the reading of the articles by sections.

Do ordered.

Messrs. Burstiches, Stewart, Wales, Moffatt and Dean, demanded the previous

question, which was ordered by the Convention.

The roll was called and the article was adopted as a part of the Constitution by the following vote:

29

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

AYES 107

NOES 11

The article as adopted was referred to the Committee on Revision and adjustment

Recess

The hour having arrived the Convention took a recess till two o'Clock P.M.

Afternoon Session

Convention re-assembled at 2 o'Clock P.M.

President Hoge in the Chair.

Quorum present.

Petition

31

Mr. Cross presented a petition relative to "Flying Store-Keepers" Laid on the table.

Notice.

By Mr Timmin

~~Strike out County~~

I hereby give notice that I will on tomorrow move to reconsider the vote by which the Convention adopted the article on Executive Department

Feby 20th 1879 ~~W. J. Timmin~~

Pardoning Power article read a second time by sections, the roll was called

32)

and the articles adopted by the so as a part of the constitution by the following vote:—

331

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

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

AYES 78

NOES 23

21

20

34)

Referred to the committee on Revision and adjustment

Militia.

The article was read a second time by sections.

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

AYES 106

NOES 5

Referred to the committee on Revision and adjustment

Relative to Chinese

Read a second time by Sections:

Mrs. Drennan moved to strike out section four.

Upon the motion to strike out the ayes and noes were demanded by Messrs Conlon, Doyle, Joyce, Larkin and White.

Messrs Larkin, Daniels Dean, Holmes and Joyce

37

demanded the previous question, which was ordered by the convention.

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

AYES 65

NOES 60

62 60

61

Mr. Estes moved to strike out section five.

Messrs Tilly, Hunter, Holmes, Brown and Dean demanded the previous question, which was ordered by the convention.

Upon the motion to strike out the ayes and noes were demanded by Messrs. Beersheba, Harrison, Condon, Joyce and McCallum.

The roll was called and the motion to strike out prevailed by the following vote:—

40

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

AYES 64

NOES 56

pairs — La Rue aye — with Shoemaker — no

41)

~~The Messrs.~~ Bearstches, Brown, Harrison, Tully and Dean, demanded the previous question, which was ordered by the Convention.

The roll was called and the article as amended was adopted as a part of the Constitution, by the following vote.

42)

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

Ayes 104

Noes 17

43

The Articles were Referred to the Committee on Revision and ~~Bill of Rights~~ Adjustment.

Notice

By Mr. Casserly.

I hereby give notice that on tomorrow the 21st instant I will move to reconsider the vote by which the Preamble and Bill of Rights was finally passed

E. Casserly

Washington
Feb. 20th 1849

44)

Article — Corporations

The article was read second time, by sections.

Mr. Jones offered the following amendment to section three.

add to sec 3 "unless such director or trustee shall show that such embezzlement or misappropriation happened without any fault or neglect on his part and that he used the utmost diligence to prevent the same."

45)

Messrs Beerstecher, Brown, Barton, Larkin and Condon, demanded the previous question, which was ordered by the convention upon the adoption of the amendment the

ayes and noes were demanded by Messrs. Joyce Condon, Kenny, Larkin and White.

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

46

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

AYES ~~30~~ 44

NOES ~~44~~ 70

70

Messrs. Larkin, Tully, Condon, Doyle, and Brown demanded the previous question, upon which the ayes and noes were demanded by Messrs. Burt, Shurtleff, Knights, Larkin and Knights.

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

Ayes 58 59

Noes 57

59 54
58 55
56
57

Paired — Gross — aye — with Casserly — no.

49

The Roll was called and the Articles adopted as a part of the Constitution by the following vote:-

50)

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

AYES 85

NOES 34

paired Cross-aye-with Casserly-no

Feb. 20

57) The Article was Referred to the Committee on Revision and adjustment.

Notices

By Mr. Wilson of ~~[illegible]~~ Dist. 1st.

Mr President

I respectfully give notice that I will on tomorrow move the Convention to reconsider the vote by which the Article on Chinese was ~~read a second time~~ finally passed, ~~and read a second time.~~

20 Feb 1879 } S M Wilson of First Dist.

By Mr. Moreland

32

Mr. President: I hereby give notice that I will on to-morrow move to reconsider the vote whereby the bill on Chinese was adopted; also, to reconsider the vote by which Section 4 thereof was stricken out.

Woodard

At 4 o'Clock and 35 Minutes P. M. Mrs Bailey moved to adjourn

Lost

53)

Article —

Legislative Department

The Article was Read a second times, by sections.

adjournment

At five oclock and fifteen minutes P.M. on motion of Mr Wyatt this convention adjourned

2/20/79