San Francisco September 28.th 78

To the Honorable Members of the
Constitutional Convention of
California.

The great evils, that in our present time are pressing not only on the poor, but on all classes of society, have their origin not in the fault, crime or corruption of single persons, or not even in corporations of corrupt ones, but in the defectiveness of our laws and institutions.

The remedy for said evils can therefore never be gained by a change of persons in office, but only by a radical change of our organic laws.

This truth I wish to impress especially upon the mind of the delegates elected by the Workingmens-Party of California. If the leader or president of this Party means really to work for the benefit and welfare of the People, he is certainly on a very wrong line by stumping for Ben Butler.

The defects under which society suffers, can only be corrected by establishing a real self-government, the Constitution of which

is built upon the principles, laid down in the following sketch, which to investigate carefully I, as the speaker of thousands of well meaning citizens of California, earnestly request your Honorable Body.

Very respectfully

E. Steinle

Sketch of the framework for a new Constitution of California.

We, the People of California, in order to establish justice, promote the general welfare and secure our rights and liberties do ordain and establish this Constitution for the State of California:

Art. I

General Principles.

Sect. 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying

and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness.

Sec: 2. All political power is inherent in the People. The citizens of a free, republican State must never depend from the qualities and the good will of single persons, but must carry on all public affairs and business themselves and retain all governmental power in their own hands.

Sec: 3. All offices of power for single men shall be forever abolished.

Sec: 4. The whole Body politic of citizens, divided into districts, shall rule all political actions.

Act. II

The People of California.

Sec: 1. The People of this State are divided into 4 classes:

a, citizens

b, Persons, who intend to become citizens.

c, Persons, who do not want to become citizens

d, Persons, who cannot become citizens.

Sec: 2. Citizens are:

a, All persons born in this State over 18 years old, without distinction

of race or sex.

6, All inhabitants of this State, who are citizens of the U. S. by birthright, or who have lawfully acquired the right of citizenship in this or any other State of the Un. States.

Art. III

Conduct of Public affairs.

All political ~~power~~ action, conducting of public affairs and business is done

1, By the whole Body politic of citizens.

2, By the House of State Agents of the People.

3, By the Boards of Municipal Agents of the People.

Art. IV

Political Action of the People.

Sec. 1. It shall be the duty of every citizen and of every aspirant to citizenship to take an active part in the political action of the People of Cal. The neglect of this duty shall be fined in several degrees; in the end by the loss of right of citizenship.

Sec. 2. The State of California shall be divided into districts, each of which containing 500 citizens and an undefined number of aspirants to citizenship.

Sec. 3. One of these districts shall be the political headquarter of the whole Body politic of citizens of the State of California.

Sec. 4. The members of each district shall be bound to convene once in a month, in order

a, To frame instructions for the Agents of the People.

b, To receive and investigate accounts from persons in office or in the service of the People.

c, To hear and investigate complaints against public agents or persons in the service of the People, and in case of fault to properly punish or revoke them from their positions.

d, To hear proposals for new laws, rules or regulations, laid before them by the House of Agents, and to accept or reject them.

No law of general importance shall be valid before it is voted upon by the Body politic of citizens and approved by a majority.

e, To elect new Agents or persons for offices, emptied by former incumbents.

Sec. 5. Candidates for citizenship have the right to partake in discussions, but cannot vote.

Sec. 6. Every district shall elect from its members 3. permanent Secretaries.

The corresponding secretary shall communicate all important actions to the headquarter of

the State.
The presiding officer shall be elected for each meeting.

Sec. 7. Each district shall choose and hold in place one member for the House of Agents.

Sec. 8. In all litigious cases of general interest, in which the Agents of the People or their executive comittee could not agree, the Body politic of citizens is the last instance and the supreme judge.

Art V

The House of State Agents.

Sec. 1. The House of Agents of the People shall be composed by the delegates, elected from each district of citizens.

Sec. 2. The House of Agents shall combine in itself the legislative, the executive and the judicial power.
The division of power, viz. the division of the Legislature in Senate and Assembly, the offices of Governor and of professional judges of courts shall be abolished.

Sec. 3. The House of Agents shall select persons for public offices and form comites from its members for conducting all branches of public affairs and businesses.

Sec. 4. For the framing and establishing of laws,

rules and regulations the Agents of the People shall be governed by the following observations and principles:

The fundamental evil, under which the societies of men in all civilized State-Organisations suffer, lies in the fact, that a small minority of the People holds the riches of the country in their hands, and that in consequence thereof the great majority is poor and suffering from misery and starvation.
With wealth is always power and dominion, and with poverty want of liberty and servitude connected.
With the continuance of the said fundamental evil a democratic republic, a free State, a self-government of the People is an impossibility.
The sources of this evil are:

a, Want of intelligence of the great mass of the People.
b, Want of laws to prevent slanderers of the People to spread superstition and thereby damage the intelligence of the People.
c, Want of laws to prevent persons to hold uncontrolable positions of power.
d, Want of energie, strong will and of political activity of the majority of citizens.
e, Want of laws, by which the accumulation of the riches of the country in the hands of a few is prevented.

In order to uproot the said evil, the House of Agents shall frame and propose to the People

a, a law, by which the most liberal provisions are made for all public

institutions of instruction and education; for increasing the salaries of teachers; for the supply of books and utensils, used by the pupils; for the establishment of institutions for the instruction and practical education of farmers, mechanics and artists of all kinds.

For all cases education and instruction is entirely free of any expense for pupils and students.

b, a law, that all persons, who pretend:

To be astrologers,
to be able to predict the future,
to be in connection with spirits or ghosts,
to have any knowledge of one or more supernatural beings;
to be able to inform the People about one or more such supernatural beings;

who also pretend,

that there are letters or scriptures, often called holy scriptures, of such supernatural beings, or that such letters or scriptures are written by men inspired by a god or spirit or any other so called supernatural being: shall be compelled, to bring irrefutable proof for their assertions before an impartial commission, elected by the People; or they shall not be allowed to practice for money or other compensation, to teach in public institutions, or to

receive salaries for their practicing.

c, a law, by which all the Real Estate of California is declared public property.

No single person can be proprietor of land or real estate.

For agricultural purposes, for raising of stock, for the erection of any kind of building the land must be rented through the House of Agents.

The present owners of real estate property will either be left in the right of using the same as far as it is cultivated or covered with buildings, or they, or their heirs shall be properly indemnified for giving up the same to the state. *)

d, a law, by which a progressive income tax is levied, so that an income of $ 1000. a year or less is entirely free of tax.

An income of from $ 1000 – 3000 yearly shall be taxed with one per cent.

An income of from $ 3000 – 5000 yearly with 5 p.c.

Every income over $ 5000 a year shall be taxed in such a way, that $ 5000 is taxed with 5 p.c.; every 100 dollars over 5000 with 75 per cent.

Out of the money received by the rent of real estate and by the income tax, large general State funds shall be created for School and educational purposes, and for all loan institution,

*) See note at the end of page 13.

from which every good standing citizen shall have the right to borrow money in order to commence any kind of honest, legal business; the inventory of which shall be held as security. In all such cases only small interest shall be charged. In certain cases, to be defined by the resp. comite from the house of Agents no interest at all shall be charged.

Sec: 5. The House of Agents shall further provide for the establishment of State Savings banks. These and all other funds are to be held under the constant control of the People.

Sec: 6. They shall establish rules and laws, according to which the public affairs in the different counties, townships and communities are conducted in a similar way as for the State, by Agents of the People, elected from the districts. These Agents shall constitute themselves as Boards of Municipal Agents.

Sec: 7. The House of Agents shall enact a law to the effect, that all persons chosen to an office shall remain in and hold that office, until they resign, or until they are revoked from their positions by the People for want of trust, or for infidelity or crime.

Sec: 8. They shall provide for the formation of Military companies in each district, which shall be held constantly under the control of the People.

Every officer in the Militia is subject to the same rules and laws as all persons

in office in the service of the People.

Sec: 9. They shall provide for the establishment

a, of institutions, in which are old or sick persons, unfit to work, are well cared for.

b, of institutions for insane persons, for drunkards or for vagabonds, unwilling to work from their own free will.

c, of institutions for the confinement and correction of criminals.

Sec: 10. Capital punishment shall be forever abolished, because the commitment of crimes is the natural consequence of the faults of our political, social or educational institutions, and therefore more the fault of society in general than of single persons.

Sec: 11. The House of Agents shall be in regular convention 3 month every year, from Jan. 1st — April 1st and each member shall receive $ 10. per day during the time of session.

Sec: 12. After the adjournement of their sessions the secretaries and the comitees for conducting public affairs shall remain in action.

Art. VI

The Boards of Municipal Agents.

Sec. 1. For conducting public business in the various counties, townships and communities the citizens shall elect persons, who shall constitute Boards of Municipal Agents.

These Boards shall appoint persons for offices and form comites for the conduct of all public affairs and business.

The offices of Major, Auditor, the courts, Board of Supervisors are therefore to be abolished and replaced by comites from the Boards of Agents, and by Juries, selected by the People.

Sec. 2. Police officers shall be appointed by the Boards of Agents.

Sec. 3. The establishment of laws, rules and regulations by the Boards must be laid before the People to be voted upon.

Art. VII

General rules and observations.

Sec. 1. The Constitution of California shall be revised and according to the progress

of time improved every 10 years, if it is not resolved by the People to do this at an earlier period.

Sec. 2. Every person, residing in this State shall have the right to express his opinions freely by word and by press.

Sec. 3. No person, residing in this State, who is not a citizen, or has not declared his intention to become a citizen, shall be allowed to do any business in this State for supporting himself or his family, or to make money.

Sec. 4. No Chinese or Mongolian can become a citizen of the Un. States, and therefore cannot be permitted to do any business or labor in this State for the purpose of making money.

*) Note to Sec. 4 Art. V page 9:

This means not at all and by no means, communism. To possess personal property as the main instrument of individual liberty shall be one of the most sacred rights of men. But personal or individual property is only and can only be what is created by the mental or physical powers of individuals. What is given by nature, as air, water and soil is common property.

Immediately

Immediately after the acceptance of this Constitution by the People, the delegates, who framed the same shall convene in Sacramento and act as the Agents of the People.

Their first business shall be to constitute themselves as the House of State Agents, appoint secretaries and form comites for the different branches of public business.

They shall at once act on the division of the State into districts, appoint the headquarter and regulate the political action of the People.

The districts shall immediately after they are established elect persons for the Boards of Municipal Agents and notify through the corresponding secretary of the political headquarter of the State all persons, who hold public offices under the old Constitution, that they have to quit their positions.

Honorable Members of the Constitutional Convention!

Many alterations, additions and By-laws will be required to this framework. But if you will only hold on to the principles set forth in Section 4th of Article X, than there is no doubt, provided such a Constitution is accepted by the People, that in a short time the inhabitants of our State will be a union of happy human beings.

With the best wishes for your success of forming a Constitution by which this aim will be gained, and by which you will give a glorious example to the whole civilized world, I sign

Very respectfully

E. Steinle.

Communication from E. Stevens