Item No 116 No
~~Proposition~~

~~October 10 1878~~

In relation to
Compulsory Education

October 10/78

Read & referred
to Committee on
Education

Thornton
ass Sec

Nov 6/78

Reported back with
recommendation
that it be not adopt-
ed — E H Smith
Ass't Secy

Thomas Harrison
San Francisco

Proposition No

For incorporation in the Article on Education

Section — It shall be the duty of the legislature to provide for a system of compulsory education for all children under the age of fourteen, such education to be entirely secular; and for this purpose it shall provide for the creation of a special fund for the purpose of giving such assistance to indigent children as will enable them to partake of the benefits of such system.

Thomas Harrison
San Francisco

Proposition for a limitation of the power of the Legislature.

Resolved That ~~the Committee on Legislative Department be instructed to inquire into the expediency of inserting~~ there shall be embodied in the Constitution, to be framed by this Convention, a section to the following effect, to wit:—

Section — The Legislature shall have no power to pass special laws authorizing any named minor to sell, lease, or encumber his or her property, or providing for the sale of the real estate of any named minor or other person laboring under legal disability, by any executor, administrator, guardian, trustee

or other person, or establishing, locating, altering the course or affecting the construction of roads, or the building or repairing of bridges or establishing, altering or vacating any street, avenue, or alley of any city and county, city or town, or extending the time for the assessment or collection of taxes or otherwise validating any assessment or collection of taxes from the due performance of his official duties, or giving effect to informal or invalid bills or deeds, or legalizing, except as against the State, the unauthorized or invalid acts of any officer

or granting to any individual, company, or corporation the right to lay down railroad tracks in the streets of any City and County, City or Town, or ~~the~~ establishing fees of public officers, or exempting any property of any named person, or corporation from taxation; but for ~~all~~ such cases the Legislature shall provide by general laws; and ~~to~~ in all cases where a general law can be made applicable no special law shall be enacted.

Am to 115

(1)

Relative to limitation of powers of Legislature

Memorial for a limitation of the powers of the Legislature

Submitted Oct. 10. 1878 by J. B. Hall

Oct 10/78

Read & referred to Com on Legislative Department

Thornton Ass Sec

Nov 11. 78

Reported back with substitute Am to 501

Thornton Asst Sec

Leg Dep

J B Hall

Proposed provision touching the future power of the Legislature in respect to certain corporations.

Resolved. That the ~~Committee on Corporations~~ following section be incorporated ~~into the~~ ~~other than Municipal~~ ~~inquire into the expediency of incorporating~~ into the Constitution to be framed by this Convention ~~a section to be in these words~~, to wit:—

Section. The power heretofore held by or reserved to the Legislature of this State under the Constitution and Laws over ~~and~~ or in respect to Corporations other than municipal thereunder organized and existing before and at the time this Constitu-

tion takes effect is neither denied or abridged, altered or impaired in any manner or to any extent whatever by any Article, Section, Clause or other matter or thing in this Constitution expressed or to be implied therefrom.

Res No 114

Relative to Power of Legislature over Corporations

Oct 10/78

Read & referred to Com on Corporations other than Manufg

Thornton

Ass Secy

Oct 30/78

Reported back with recommendation that no further action be taken. Thornton

Ass't Secy

Hall

(2)

Resolution in respect to the power of the Legislature over certain Corporations.

Submitted by J. R. Hall

Oct: 10. 1878

74

Cor

~~Proposition~~ Item No 117 No 117

~~October 10th 1878~~

In relation to Educational system

October 10 1878

Read & referred to Committee on Education

Thornton
Ass Sec

Nov 6/78
Reported back with recommendation that it be not adopted

E F Smith
ass't Sec'y

Thomas Harrison
San Francisco

Proposition No

For incorporation in the Articles on Education.

Section — It shall be the duty of the legislature to provide by appropriate legislation, for the giving of lectures in the public schools of this State, at least once every week upon the subject of labor, and its paramount importance in the affairs of men in every walk of life

Thomas Harrison

San Francisco

Am to 118

Am to 118

Proposition to amend
Sec 2 Art 1 of
Declaration of
Rights

Oct 10/08

Read & referred
to Com on Preamble
& Bill of Rights
Thornton
Ass Rec

Oct 24. 08
Reported back by the
Com, without recommen
dation
Thornton
Offered by Ass Rec
Joel A Harvey

Proposition to amend Sec 2 Article 1 of the Constitution relative to Declaration of Rights

Amended so as to read as follows:

Sec 2

All free governments are created for the benefit of the people, and by their authority, and all laws should be so framed as to promote the welfare of the governed, therefore the burdens of the State ought to be, and of right should be so imposed as to bear uniformly and equally on all its citizens

Am Ao 119

Proposition to amend article 7 of the Constitution in relation to Militia

Oct 10. 78

Read & referred to Com on Military Affairs

Thornton
Ass Sec

Nov 5. 78

Reported back with substitute Am Ao 485

Thornton
ass sec

Proposed by
Joel A Harvey

Proposition to amend article 7 of the Constitution in relation to Militia by addition of the following Sections

Sec 4 The militia shall in all cases, except treason, felony or breach of the peace be privileged from arrest during their attendance at musters and elections, and in going to and returning from the same.

Sec 6 No person having conscientious scruples against bearing arms, shall be compelled to do militia duty in time of peace.

Sec 7 The Legislature shall provide by law for the exemption of members of voluntary military Companies from jury duty and from the payment of poll tax or head tax of any description.

Am No 120

In Relation to

Militia

Oct 10/98
Read & referred
to Com on Military
Affairs

Thornton
Asst Sec

Nov 5/98
Reported back
with substituted
am No 485.

Thornton
Asst Sec

Heiskell

Legislative Department

Amendment —

in
Relation to the
Militia of the
State

By
T D Heiskell

Reported back
recommend that it
be not adopted

100
min of

The Legislature shall not appropriate any money for the organization or maintenance of the militia of this State

Am No 125

Relative to Pardoning Power

Oct 10th 78

Read & referred to Com on Pardoning Power

Thornton
as see

Oct 30 78

Reported back but not adopted

Thornton
as see

Herold

Pardoning Power

101

Pardons

Pardoning Power

Resolved

That the Pardoning Power be investet in a Committee of three.

Am No 122

Relative to Corporations

Oct 10/08

Read & referred to Com on Corporations Other than Municipal

Thornton

Ass Sec

Oct 30 08

Reported back with recommendation that no further action be taken

Thornton

Ass Sec

Herrold

Read in Com E

102

Corp

Corporation

Corporations

Resolved that all corporations depending on the patronage of the publick, be restrickted from charging exhorbitant rates and therfore resolved that under no consideration such corporations be permillet to derive from such investment against no more than nine percent per anum on the cash capital so investet

Am No 123

Limiting the power of Legislature

Oct 10/78

Read & referred to Committee on Legislative Department

Thornton

Ass Sec

Nov 11. 78

Reported back with substitute Am No 501

103 Thornton

Leg Dept Asst Secy

Herrington

Mr President

I offer the following, limiting the powers of the Legislature under the new Constitution and suggest that it be made a section of an Article therein to be known as

Legislative Department

Sec — The Legislature shall have no power:

1 To make any appropriation for a longer period than four years:

2 To create any forfeiture which shall be determinable by any process inferior to a judicial inquiry and determination by a court of competent jurisdiction in which the existence of the dereliction of person or property the condition upon the occurrence of which the forfeiture attaches shall be judicially declared;

3 To grant or authorize the payment of any private claim for loss or hardship suffered in the fulfilment or discharge of any contract public office or duty; or for the relief of the principal or sureties upon any bond or obligation for the fulfilment of any contract with the State or any municipality or political subdivision thereof or for the faithful discharge of any obligation or official duty arising under any law of the State;

4 To pass any special law whatever.

But this section shall not be construed to

prohibit the enactment of local laws of a general nature.

(D M Berrington)

Am No 124

Rights of Aliens

Oct 10 78

Read referred
to Com on Preamble
& Bill of Rights

Thornton
Ass see

Oct 24. 78

Reported back by the
Com. without recom-
mendation

Thornton
Ass see

104

By Herrington

Mr President

I offer the following, defining the rights of Aliens under the new Constitution and suggest that it be made a Section of an Article therein to be known as

Bill of Rights

Dec — Aliens who by the Laws of the United States can become citizens thereof and who are or may hereafter become bona fide residents of this State shall have the same rights in respect to possessing enjoying and inheriting property as native born citizens; but Aliens who by the laws of the United States are prevented becoming citizens thereof shall not take by purchase, gift, devise or inheritance any estate or interest in real property; and all property real and personal owned by such alien at the time of his death shall at the death of such alien escheat to and vest in the State of California and shall be disposed of and the proceeds applied to the support of Common Schools under such regulations as the Legislature shall prescribe But this Section shall not apply to property acquired by such alien prior to the adoption of this constitution if owned by him at the time of his death

(D W Herrington)

Am Ao 125

Concerning the Appropriation of the Public Funds

Oct 10/78

Read & referred to Committee on Legislative Deptmt

Thornton

Ass Sec

Nov 11. 78

Reported back with Substitute Am to 501

Thornton

Ass Sec

10

Huestis

Introduced by

W. F. Huestis

Resolved that the following be incorporated in the Constitution.

Article ____

Concerning the appropriation of the public funds.

Sec ____ No appropriation of the public funds shall ever be made, except for the actual expenses of the Government, and the support of Institutions controlled by the State; and no appropriation shall ever be made for the maintenance, support, or benefit of any Corporation, private enterprise, or Sectarian Institution.

Am to 126

Taxation

Oct 10/48

Read & referred
to Com on Revenue
& Taxation

Thornton

Ass Sec

Nov. 18, 1848

Reported back with
Substitute Amend-
ment No 510.

J. M. Wright
Asst. Secretary.

Hughey

By Hughey of San Francisco

Taxation

Art — Sec —

All lands of this state shall be graded in Quality, as to tillage, or grazing or desert, which gradation shall be done by a proper board of Appraisers in each County. The Legislature shall pass all suitable acts in relation to the said board

Art — Sec

All lands of the same grade shall be taxed at the same valuation whether improved or not improved

Improvements on land shall be taxed seperately from the land

Art — Sec —

Church property to the value of Five thousand (5000) Dollars, shall be Exempt from taxation

Am. to 127

Extra Compensation to public Officers

Oct. 10 1848

Read & referred to Com. on Legislative Department

Thornton

Ass Sec

Nov. 11. 1848

Reported back with substitute Am. to 501

C. Thornton

Asst Secy

L. S. Sec

Johnson

A Proposition to amend Article 4th of the Constitution, by adding the following:

No extra compensation shall be made to any officer, public agent, employé or contractor after the services shall have been rendered or the contract entered into, nor shall any money be paid out of any fund whatever by way of additional compensation to any of said persons, nor shall any money be appropriated or paid on any claim the subject-matter of which shall not have been provided for by pre-existing law.

Am to 128

Eight hour Law

Oct 10/98
Read & referred to
Com on Capital
& Labor
Thomson
Ass Sec

Nov 13 98
Reported back with the
recommendation that
it be not adopted
Thomson
Ass Sec

Joyce

Joyce

108
Cap. & Labor

PAGE.

PAGE.

Be it Resolved

That the Committee on Capital and Labor are hereby recommended to embody in their report the following provision

That all State County Municipal Town and Corporation other than Municipal Corporation work be done by the day and that eight hours labor be a days work

By Joyce

Am No 129

Joyce

Regulating Number of Senators

Oct 10/78

Read & referred to Com on Legislative Department

Thornton

Ass Sec

Nov 11. 78

Reported back with substitute Am No 501

Thornton

Asst Secy

Joyce

PAGE.

Be it Resolved

That the committee on Legislation are hereby recommended to report the following amendment to Article 4 — Section 6 of the present Constitution

The number of Senators shall not be less than forty nor more than fifty and that the same shall be devided into two classes

The seats of the first class shall be vacated at the expiration of the second year

The ~~second~~ ~~class~~ seats of the second class to be vacated at the expiration of the forth year so that one half shall be chosen biennially — The same to commence from the first Election after the adoption of this Constitution

By Joyce

Am No 130

Chinese

Oct 10/78

Read & referred to Com on Chinese

Thornton

Ass Sec

Oct 31/78

Reported back with Substitute Am No 454

Thornton

Ass Sec

Kenney

Proposition No

Kenny B. F.

Relating to Chinese

~~Reported back~~

~~Not adopted~~

110

Chinese

To Committee on Chinese

Resolved —

No alien ineligible to become a citizen of the United States shall ever be permitted to catch fish either by hook, net or seine, in the waters of California, or any place under its jurisdiction

B F Kenny

Ans. No 137

Chinese Immigration

Oct 10/78

Read & referred to Com on Immigration

Thornton

Ass sec

Oct 10/78

Reported back with recommendation that it be not adopted and referred to Committee of Whole

Thornton

Ass sec

Kleine

Oct 24/78 Substituted by Annual Report recommended by the Com

To the Committee on Immigration

111

Immigra

Oct. 10. 78

Charles R Kleine

San Francisco.

Charles R Kleine of San Francisco
Chinese immigration
Resolved that a per Capita tax of
250 Dollars shall be levied upon each
Coolie immigrant arriving in Californ

Arm No 132
~~Proposition~~ No

In relation to
Compulsory
Education

Oct 10 78
Read & referred
to Com on Education
Thornton
Ass Sec

Read 112
Ed
Committee
Warren
Ch

Offered by
Raymond
Lavigne

Oct. 10. 78.

Resolved that a system of Compulsory Education for children ~~betwe~~ under the age of fourteen years should be adopted and all books used in the Public schools, Academies, Colleges and universities of this State shall be furnished free of charge to the pupils of said schools, academies Colleges and Universities under the Control of this State

Am No 133

Veto power of Governor

Oct 10/78

Read & referred to
Com on Executive
Department

Thornton

Ass Sec

Nov 2. of 8

Reported back with
Substituted Am No 468

Thornton
ass sec

1-1 B

Dept

Lewis

A Proposition to amend Sect 17 Art 4 by adding the subjoined.

The Governor shall have power to disapprove of any section in a bill passed by the Legislature or any part of said bill and the part or parts of the bill approved shall be the law, and the part or parts disapproved shall be void, unless repassed according to the foregoing rules and limitations prescribed by said section.

David Lewis

By
~~Mr Mansfield~~
Am No 134

Amending sec 26
art 4 present Con
stitution in relation
to Divorce —

Oct 10/78
Read & referred
to Com on Legisla-
tive Department
Thornton
114 Ass Sec
Nov 11. 78
Reported back with
substitute Am No 501
Thornton
Ass Sec

Mansfield

Proposition to amend Sec 26 Article 4 of the present Constitution in relation to divorce —

Resolved

That Sec 26 of Article 4 of the present Constitution be so amended as to read as follows —

No divorce shall be granted by the Legislature of this State — nor by the Courts thereof, except for adultery —

Inoculated
Los Angeles

Am No 135

Relating to Publication of Laws &c

~~Smarton~~

Oct 10. 78

Read & referred to Com on Legislative Department

Thornton
Ass Sec

116 Nov 11. 78

Reported back with substitute Am No 501

L. G. D. Thornton
Ass Sec

Martin

D32.01.34

Amend Sec 21 of article XI of present Constitution so as to read as follows—

All laws, decrees, regulations which from their nature require publication shall be published in the English language only—

E Martin

Oct 10th 1878

Am No 136

State & Municipal
Indebtedness

Oct 10/08
Read & referred
to Com on State
& Municipal Indebtedness
Thornton
Ass Sec

117
Municipal Indebtedness
Miller

By Mr. Miller

State and municipal indebtedness.

Section proposed for adoption in the Constitution

Sec — The State shall not have power to borrow money except for purposes of defense against invasion, or for the suppression of insurrection or rebellion. No County, City, town or other municipal corporation shall have power to borrow money for any purpose, except for supplying cities or towns of more than five thousand inhabitants, with water, and no indebtedness for that purpose shall be incurred until authorized by a vote of a majority of the legal voters of the city or town to be affected thereby: but nothing herein, shall be so construed as to prohibit the legislature, from authorizing the State or any County City or town to pay its existing bonded indebtedness by the substitution or exchange of bonds bearing a lower rate of interest than is now paid upon the existing indebtedness.

Com No 137
Proposed amendment to
Section One of Art VII,
of the present Constitution
of this State; and to
Add an Additional
Section to said Art VII.

Oct 10/98
Read & referred to
Com on Military Affairs
Thornton
Ass Sec

Apr 5. 98
Reported back with
substitute Com No 485
Thornton
Mil Aff Sec

Asked to have same
referred to Committee
On Military Affairs
by. Hiram Mills

Amendment proposed to Art VII. Section 1, of the Constitution of the State of California ~~as follows~~

Add to said Section First the following words; "Or the Constitution of the State of California".

Also add to said Article VII An Additional Section to be known as Section 4, and to read as follows;

Section 4. There shall not be any Independent Military Company, or other armed body of persons, ~~except two~~ other than troops of the United States, but such as are expressly authorized by some law of this State; and all Military Companies or other Armed bodies, other than the troops or military of the United States, at any time organized, or existing in this State shall be subject to the Control of the Governor, as provided by Section Three of this Article, and it is hereby made the duty of the Legislature to fix by law the duties and liabilities of such Companies and Armed bodies of persons

Am No 138

Proposition to limit amount of State Tax

Oct 10/78

Read & referred to Com on Revenue & Taxation

Thornton

Ass Sec

Nov. 18, 1878.

Reported back with substitute Amendment No. 510. J. M. Wright Asst. Secretary.

Moreland

PAGE.

Article —

Section —

The State tax on taxable property, exclusive of the tax necessary to pay the bonded debt of the State, shall not exceed ~~forty~~ cents on the one hundred ~~dollars~~ valuation; and whenever the taxable property of the State shall amount to seven hundred million dollars the rate shall not exceed thirty cents.

Am No 139

Oct. 30. 1/8
Reported back with
Substitute No 444

Thornton
ass see

~~Proposition to limit amount of state tax~~
Proposition in regard to Banking Institutions,

Oct 10 1/8
Read & referred to Com on Corporations

Thornton
ass see

~~120~~
Corp

Over

Moreland

Article -

Section -

It shall be a crime, the nature and punishment of which shall be prescribed by law, for any president, director, manager, cashier or other officer of any banking institution, to receive or assent to the reception of deposits, or create or assent to the creation of debts by such banking institution, after he shall have had knowledge of the fact that it is insolvent, or in failing circumstances; and any officer agent or manager, shall be individually responsible for such deposits so received, and all such debts so created with his assent.

Corporations other than Municipal

- ~~Maclaud~~ -

Am No 141

Right of wife to Administer on Estate of deceased husband

Oct 10 78

Read & referred to Com on Miscellaneous Subjects

Thornton
Ass Sec

Jan. 25 1879
Reported back with substitute amendment No. 535. J. M. Wright
Asst. Secretary.

Recd in Com

Dean

Nason

Offered by
Ed. Nason
Oct 10th

122
mis sub

Proposition to amend Section 14 of Article 10 of the present Constitution by addition of the following

And also giving the surviving wife the right to administer on the Estate of her husband without giving bonds, whenever the property belonging to the estate has been acquired by the joint efforts of herself and husband.

Am No 142

Nov 11 1878

Reported back with substitute Am No 501.

Thornton
Asst Secy

Proposition to amend Sec 2 article 4 of the Constitution relative Legislative Dept

Oct 10 1878

Read & referred to Com on Legislative Department

Thornton
Leg Ass Sec

Proposed by
Edmund Nason
(over)

Proposition to amend Section two (2) of Article four (4) of the Constitution relative to Legislative Department

Amended so as to read as follows

Sec 2 The sessions of the Legislature shall be quadrennial and shall commence at twelve (12) o'clock M on Wednesday next after the first Monday in January next ensuing the Election of its members, unless the Governor of the State shall in the interim convene the Legislature by proclamation. No session shall continue longer than One hundred days.

~~Referred to Committee on~~

~~Land and~~

~~Homestead Exemption.~~

Am No 143

Land Tenures and

Limitations of Ownership.

Oct 10 1878

Read & referred to Com

on Land & Homestead Exemp

Thornton

Ass Sec

O'Sullivan

DEC 14/78

Reported back

with substitute

Ass #524 Smith

ass Sec

Relating to
Land Tenures and Limitation of Ownership.

Resolved, That the following provisions regarding land tenures and limitation of ownership of land, in the future, should be adopted as part of the Constitution of this State:

Section 1. Perpetuities and monopolies are contrary to the genius of a free government, and shall never be allowed; nor shall the law of primo-geniture or entailments ever be in force in this State.

Sec. 2. All lands within the State are declared to be allodial, and feudal tenures are prohibited. Leases and grants of land for a longer term than ten years, in which rent or service of any kind shall be reserved, and all fines and like restraints upon alienation, reserved in any grant of land hereafter made, are declared to be void. No lessee shall sub-let any portion of the land held in his name.

acquire the title in fee

Sec. 3. No persons other than citizens, or those who have declared their intentions to become such, shall ever acquire, or own, either by purchase or otherwise, real property in this State. And in case any alien dies possessed of real property in this State, contrary to this

provision, such property shall escheat to the State. Nor shall any real property lands in this State be held in trust for any alien; but the creation of any trust in lands for the benefit of an alien shall at once escheat the land to the State.

Sec. 4. No person shall forever hereafter be permitted to acquire, in any manner, more than six hundred and forty (640) acres of land in this State. Co-partnerships, joint, or other ownership of lands, shall not be allowed, contrary to this provision. No person who dies possessed of landed property in this State shall have the right to will or devise more than six hundred and forty (640) acres of land to any one heir; otherwise the said will shall be void. Provided, however, that all land over and above the six hundred and forty (640) acres so devised to each lawful heir, of which such deceased person died lawfully possessed, shall be sold to the highest bidders for cash, in quantities not exceeding six hundred and forty (640) acres each, and the proceeds divided equally among the lawful heirs.

Sec. 5. Actual occupation and continuous use, for agricultural purposes, during a period of one year, shall constitute a title to the ownership of land in this State. Tracts of land of over six hundred and forty (640) acres in extent, which shall remain unoccupied and unused for agricultural purposes during a period of one year, shall be open to the occupation and use of ~~any~~ citizens of the United States, in quantities not exceeding one hundred and sixty (160) acres. Provided, if it shall appear that any other person has previous title to such tract of land, the party occupying and using the same shall pay to said person the assessed value of the property.

Sec. 6. No more than one hundred and sixty (160) acres of land shall hereafter be granted or patented by the State, in any manner, to any one person. No grant or patent of lands by the State shall hereafter be made otherwise than upon the basis of actual settlement and use. No land scrip or land location certificates shall ever be issued in this State.

O'Sullivan

Am No 144

Committee on
Water and Water Rights.

Nov 22 78

Reported back with recommendation that no further action be taken
substituted Am #514
Thornton
Asst Sec

Rivers and Lakes the Property of the State

Oct 10 78
Read & referred to Com on Water & Water Rights
Thornton
Ass Sec

O'Sullivan.

Indef Post
Sec.
125
Water & Water
(Over)

Rivers and Lakes the Property of the State.

Resolved, That the persistent attempts to monopolize Nature's free gift to all, water, demand the insertion of the following emphatic declaration in the Constitution:

Section 1. All the rivers and fresh water lakes within the boundaries of this State are common property, and shall be controlled by the Government, for public uses alone.

O'Sullivan.

Nov 13/78
Reported back with
substitute Am No 504
Thornton
ass see

Am No 145

Elective Franchise

Chas F. Reed

Oct 10 /8
Read referred to
Com on Privileges and
Elections
Thornton
ass see

Oct 22. /8
Reported back and
referred to Com on
Right of Suffrage
Thornton
ass see

C. F. Reed (over)

Elective Franchise.

Article

No person shall have the right to vote, or be eligible to office, under the Constitution of this State who shall not be able to read the Constitution of this State, and write his name; Provided however, That the provisions of this amendment shall not apply to any person prevented by physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be sixty years of age or upward at the time this amendment shall take effect

Am No 146

Declaration of Rights

Chas F. Reed

Oct 10 1898

Read & referred to
Com on Preamble
& Bill of Rights

Thornton

As Rec

Oct 24 98

Reported back by the
Com. without recom-
mendation

Thornton

as Rec

C F Reed

Declaration of Rights.

Section

No money shall be drawn from the State Treasury for the benefit of any religious or theological institution

Am No 147

Creatings State

Board of Supervisors

Oct 10/78

Read & referred to Com on Miscellaneous Subjects

Thornton

ass sec

by [illegible] Rhodes

of [illegible]

Oct 18. 78

Reported back and referred to Com on Corporations other than Municipal

Thornton

128 ass sec

Mis sub

Rhodes

(over

Oct 30. 78

Reported back with recommendation that no further action be taken

Thornton

ass sec

PAGE.

Section ____ The five members of the Board to be elected as herein provided shall receive as Compensation for their services, Each the sum of _____ _____ Dollars per annum, payable as the Salaries of other State Officers are paid and the further sum of _____ cents per mile, for every mile necessarily traveled in the performance of their duties.

Each member before entering upon the discharge of the duties of his office shall take the accustomed oath of Office.

10
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12
13
14 Proposed amendments to the Constitution
15 creating a Board to Supervise and prescribe
16 the duties, powers and liabilities of certain
17 Corporations and for other purposes.
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PAGE. 1

Resolved, That the following Sections be appropriately numbered and incorporated into the proposed Constitution

Section ____ A State Board of Supervisors shall be formed to consist of Seven members - The Attorney General and the Surveyor General shall be ex-officio members of such board - One member shall be elected by the qualified voters of the State at large and one member in Each Congressional District by the qualified voters thereof - The five Supervisors to be elected as herein provided shall be elected at the same time as the Governor of the State and shall hold their office for the term of four years and until their successors shall have been elected & qualified

Section ____, No person shall be elected Supervisor who at the time of his election is a Stockholder in or officer or Employee of any Banking Company, Insurance Company, Rail Road Company, or other incorporated Company doing business in this State for profit, When any Supervisor elected as provided in Section ____ of this Article shall become interested, either as Stockholder, Officer or Employee of any Company named in this Section he shall thereby become ineligible as a member of the Board of Supervisors and his seat therein shall then become vacant

PAGE. 2

Section ___ The Governor of the State, shall by appointment fill any vacancy occurring in the Board of Supervisors, but in making such appointment no Congressional District shall be deprived of its representative in the Board — The person so appointed shall hold his office until the next general election and until his successor is elected and qualified

Section ___ The State Board of Supervisors shall have power, and it shall be the duty of the Board

1st, To sit as a State Board of Equalization to equalize and adjust assessments made in the several Counties of the State for the purpose of taxation under regulations to be prescribed by law -

2nd To Supervise the public institutions of the State, and exercise such powers in relation thereto as may be conferred upon the Board by law -

3rd To Examine into and report upon the Condition of all Banking Institutions, Insurance Companies, and other incorporated Companies doing business for profit in the State, exercising therein, among other functions, those of Bank Commissioner, and Insurance Commissioner

4th To fix and determine rates to be charged for freights and fares by all Rail Road Companies within this State and to classify the different commodities carried as freight on such Rail Roads

PAGE.

5th — To prescribe such rules for the government and Controll of such Rail Road and other incorporated Companies, as may be necessary to protect the people of the State against unjust exactions, favoritism, & discrimination

~~6th To file in each of the several Counties of this State~~

6th — To file in the office of the County Clerk of each of the several Counties of this State a schedule of freights and fares as fixed by said Board, as often as the same shall be changed, showing the classifications and rates to be charged for each class, and it shall be lawful for all Rail Road Companies in this State to charge and receive the rates fixed upon by such Board for freight and for passenger fare and none other

7th — The Board shall have such ~~other~~ further powers and shall perform such further duties as may be prescribed by law —

Section ____ The Board of Supervisors shall keep an office at the Capitol of the State and shall meet as often as the public good may require, but not less often than once in each month — It shall organize by electing a President and Vice President from its own members, and a Secretary who may or may not be taken from its own members — Four members shall constitute a quorum to transact business