

State Archives Digitizes Constitutional Convention Papers

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With funding provided by the California Supreme Court Historical Society, the State Archives recently completed a project to digitize the working papers of the 1878-1879 Constitutional Convention.

Totaling over 18,000 pages, the working papers have long been largely inaccessible for research. These working papers reflect the work of delegates who convened in Sacramento from September 1878 to March 1879. Their work resulted in the creation of the 1879 Constitution, which still serves as the legal foundation for state government.

The papers include several sections that relate directly to the history of the state's judicial system. In the Committee Files, one can find records concerning the deliberations of the Judiciary and Judicial Department. Much of the work of the convention focused on the creation of articles for the new constitution. Within the Proposed Amendments and Articles Files, there are records relating to the judiciary. Amendment 3, for example, concerns the Supreme Court solely. The Minutes of the proceedings are also a rich source for information about the judiciary. Other portions of the collection, of course, contain documents relating to myriad legal issues.

The digitized collection, which will be available via the Internet at the State Archives Web site (www.sos.ca.gov/archives), consists of several parts, including the working papers, a user's guide, a finding aid, and two indices, a subject index and document type index. The working papers are organized into several distinct parts, including administrative files (3 file folders), committee files (12 file folders), memorials (5 file folders), reports (12 file folders), petitions (45 file folders), resolutions (5 file folders), amendments and articles (82 file folders), printer's drafts of articles (10 file folders), and minutes (126 file folders).

First-time users of the collection would do well to look at the comprehensive finding aid to the collection. This finding aid, prepared by State Archives staff, provides a wealth of information about the records and the political context of their creation. It includes a background summary relating to the convention, a listing of all elected delegates with their age, birthplace, residence, occupation, political party affiliation, and district represented, a listing of each committee with its respective representatives, a chronological chart depicting the dates when each article was reported, debated, amended, and adopted, and a record series-level description of the papers, which includes the number of file folders, identification number, and a summary description of the contents.

Two indices are included as well in the finding aid: convention resolutions are indexed numerically by number and provide subject, author, and date introduced; amendments are indexed numerically by number and provide subject, author, and date introduced.

If users have a particular subject to focus their research, it will be valuable to consult the subject index, which was especially created by State Archives staff in preparation for the digitizing of the records. The index is arranged alphabetically by subject term and includes the subject, identification number, and box, folder, and page references where the subject material is located. Note that many of the subject terms do not include a page reference since not all the documents in the collection contain page numbers. In addition to scrolling through the index to search for a topic, a user can enter a subject term in the box at the top of the page.

Users who want to search the collection by type of document should consult the document type index. This index, arranged by type of document, includes a link to an identification number, and other information as needed. Minutes, for example, which are organized chronologically by date, are broken down to the folder level with corresponding span dates.

A division of the Secretary of State's office, the State Archives is charged with selecting, managing, and preserving the historical records of state government. Holdings currently total about 105,000 cubic feet of records or about 252 million pages. Among the collections are 3000 linear feet of maps, drawings and architectural records, 675 linear feet of photographs, 650 linear feet of moving images, 150 linear feet of sound recordings, over 250 linear feet of microfilm and a small but growing collection of electronic records.

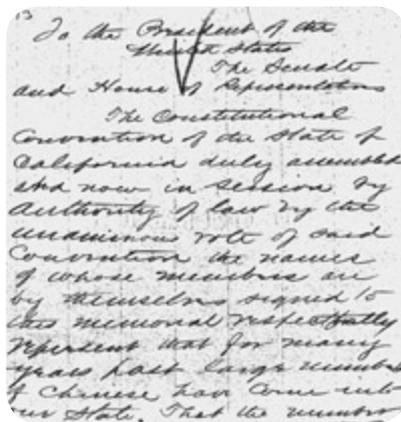
The State Archives has sizeable holdings from nearly all state agencies, including the state legislature, the state supreme and appellate courts, and constitutional offices. These records date to the 1850s. Included are the records of former governors Earl Warren, Goodwin Knight, Pete Wilson and Gray Davis, and the so-called Spanish archives, applications and maps for land deeded to private parties during the Spanish and Mexican eras, which date to the 1760s. Local government records transferred by cities and counties over the years include the records relating to the assassination of Robert F. Kennedy (1968) and the mass murder trial of Juan Corona (early 1970s). The State Archives also maintains all original laws, executive orders and proclamations dating to 1850.

Research of the collections can be divided into four distinct groups: the legal community, including legislative intent companies, the courts, law firms, district attorneys and litigants who are interested in court case files or bill files that may provide evidence of a law's purpose; academic researchers, including professors, teachers and students focused on a particular subject; genealogists who use census records, property records, military

records and licensing records to develop family histories; and general researchers pursuing a variety of particular topics.

LearnCalifornia is another resource that makes regular use of our collections. This innovative Web site, active since 2000, provides an on-line resource about California history and government for teachers and students. Resources include lesson plans, summaries of key events, background information about significant individuals, and selected records and images from the State Archives. The site received over 4.5 million hits in fiscal year 2007–2008.

Recent publications that have made use of the records include Ethan Rarick's *California Rising: The Life and Times of Pat Brown* (2005), Anthony Kirk's *A Flier in Oil: Adolph B. Spreckels and the Rise of the California Petroleum Industry* (2005), Clare McKanna's *Race and Homicide in Nineteenth-Century California* (2002), David Vaught's *Cultivating California: Growers, Specialty Crops, and Labor, 1875-1920* (1999), Kurt Schuparra's *Triumph of the Right:*



A memorial to the President and Congress regarding Chinese immigration

The Rise of the California Conservative Movement, 1945-1966 (1998), Wendy Kline's *Building a Better Race: Gender, Sexuality and Eugenics from the Turn of the Century to the Baby Boom* (2001), and Ed Cray's *Chief Justice: A Biography of Earl Warren* (1997).

Numerous books, articles and television shows have made use of the Robert F. Kennedy records, including Dan Moldea's *The Killing of Robert F. Kennedy: An Investigation of Motive, Means, and Opportunity* (1995), William Klaber and Philip Melanson's *Shadow Play: The Murder of Robert F. Kennedy, the Trial of Sirhan Sirhan, and the Failure of American Justice* (1997), and

The History Channel's production, *Conspiracy: The Robert F. Kennedy Assassination* (2004).

Unexplored topics at the State Archives to date include the Juan Corona mass murder trial, the evolution of state government's treatment of mental patients, urbanization in twentieth-century Southern California, the rise of large-scale water projects and the story of Japanese-American internment during World War II. ★

2009 STUDENT WRITING COMPETITION CALL FOR ENTRIES



The complete announcement, as sent to California law schools and universities,
is posted on the Society's Web site, www.cschs.org.



DEADLINE: JUNE 30, 2009

AWARD: The winning author will receive a prize of \$2,500 and publication in the Society's journal, *California Legal History*. Second and third place winners may also be chosen, and all winning papers will be posted on the Society's Web site.

TOPIC: Original, unpublished scholarly writing on any aspect of California legal history, ranging from the Supreme Court itself and its justices and decisions, to local events of legal historical importance—including biography, significant trials, independent state interpretation, the California Constitution, and judicial administration, as well as areas of law such as criminal law, civil rights, family law, tort liability, environmental law, and taxation—in any time period from 1846 to the present.

On the leading position and nationwide influence of the California Supreme Court, see the article on "Followed Rates" by Jake Dear and Edward W. Jessen: http://lawreview.law.ucdavis.edu/issues/41-2_Dear.pdf

JUDGES: The entries will be judged by a panel of legal historians.

ELIGIBILITY & GUIDELINES: The submission must be written during the student's enrollment in a school of law or as a graduate student in history, political science, government, public policy, or a related field. For further information please see the announcement on the Society's Web site.

SUBMISSIONS & QUESTIONS: Please send to the CSCHS Student Writing Competition Chair at smsth@aol.com. ★