

ELEVENTH DAY

MORNING SESSION.

TUESDAY, January 30, 1912.

The Convention met pursuant to adjournment, was called to order by the president, and opened with prayer by the member from Holmes [Mr. WALKER].

The journal of yesterday was read.

Mr. BROWN, of Highland: Proposal No. 152, being a proposal to amend the bill of rights, was committed to the committee on Judiciary and Bill of Rights at my suggestion at the time it was introduced. It seems to have gotten over in the committee on Agriculture, which I believe is not right.

The PRESIDENT: This is not a correction to the journal. It would have to come up in its regular order later. Are there further corrections?

Mr. ELSON: I want to call attention to a misspelled word. On page 2, my name is spelled with a "t."

Mr. LAMPSON: I do not desire to correct the journal. It is the next order of business. Mr. President, I present the following resolution in opposition to the single tax.

The PRESIDENT: The proposal is out of order.

Mr. LAMPSON: It is not a proposal. It is simply a memorial.

The PRESIDENT: The order is reversed this morning.

Mr. KERR: I ask unanimous consent to offer a resolution at this time.

The PRESIDENT: If there is no objection, the resolution will be read by the secretary.

The resolution was read as follows:

Resolution No. 52.

Resolved, That the following rules for admission to the hall of the Convention on the occasion of the address of the president, William H. Taft, January 31, 1912, be observed:

First. Admission upon the floor of the Convention shall be in accordance with the Convention rules for regular sessions, except that officers and employes of this Convention, state officers and chief clerks of state departments, shall be admitted.

Second. Admission to the galleries shall be by card only, the number of cards issued shall equal the number of seats and no more. These cards shall be apportioned to the members and secretary of the Convention equally.

Third. The sergeant-at-arms shall apply the foregoing rules of admission to the galleries on January 31, at the opening of the regular session for that day.

Fourth. The sergeant-at-arms shall admit those referred to in paragraph one hereof at the side door of the Convention hall, under such regulation as he shall deem wise.

By unanimous consent the rules were suspended and the resolution was considered at once.

The resolution was adopted.

RESOLUTIONS LAID OVER.

Resolution No. 51 — Mr. Evans, was taken up.

Mr. DOTY: I move that the resolution be referred to the committee on Rules.

The motion was carried.

REPORTS OF STANDING COMMITTEES.

10:50 o'clock a. m.

Attention of the Convention was called to the special order for this hour, being consideration of Resolution No. 35 — Mr. Knight.

Mr. Peck submitted the following report:

The standing committee on Judiciary and Bill of Rights, to which were referred Proposals No. 14—Mr. Riley, No. 99—Mr. Jones, and No. 54—Mr. Elson, having had the same under consideration, reports them back and recommends the passage of the following substitute:

Strike out all after the resolving clause and insert the following:

Article 1, Section 5.

"The right of trial by jury shall be inviolate; but the general assembly may authorize that in civil cases a verdict may be rendered by the concurrence of not less than three-fourths of a jury."

Mr. PECK: Mr. President: All these proposals relate to the same proposition, and cannot be consolidated into one matter. They all relate to trials by jury, and it is all answered in this proposal. You can't make three different reports; this governs them all.

Mr. DOTY: I quite understand the question that the member from Hamilton is speaking about, but so far as this Convention is concerned there have been three proposals offered, and they have been offered together. We simply don't have proposals sent in in that way, and if we are going to keep the business running along straight and clear we must insist upon the reports having each document by itself. Of course it is just as easy for the committee that sends in the report to send in three as it is to send in one—it takes just a little more ink, and a little more time, and they can make the separate reports with just a little more time than it takes to make one.

Mr. PECK: I object to the business of this Convention being tied by this, and I am against this proposal. I am willing to change this. The proposals referred to are returned by the report, and there is no question. Nobody has the right to tie up the business relating to the enactment, and if a fellow has to make a dozen reports we have a dozen reports on one proposition. Some of these sections of the bill of rights have a dozen proposals thereto. Strike out the two proposals, and let it begin at the third.

Proposal No. 54 was read as follows:

Proposal to submit an amendment to article I, section 5, of the constitution. — Relative to the reform of the jury system.

Reform of Jury System.

Resolved, by the Constitutional Convention of the state of Ohio, That a proposal to amend the constitution shall be submitted to the electors to read as follows:

ARTICLE I.

SECTION 5. That the legislature be enjoined to pass a law providing that three-fourths of a jury, in both civil and criminal cases, may render a verdict.

Mr. DOTY: Mr. President: That report is not in proper form. This Convention has sent a certain document to the committee on Judiciary, and we have asked a report on that proposal.

Mr. PECK: There it is.

Mr. DOTY: That is not a report on the proposal. It is an important matter to have the form right so we can work straight. I have no objection to the thing. I only want it to be done in a form that we can understand, and which we can all follow, without confusion, and I only contend for regularity of form, and it is so easy to make them in proper form, and we should have all forms alike. I have no idea of attempting to tell the committee on Judiciary what they are to report, but what I insist upon is that we have our forms for work, and that is all there is to this proposition. It is very easy to do.

Mr. PECK: I can't for the life of me understand what he wants, and I don't believe anybody else does. He seems to want but one thing, so far as this proposal is concerned, and so offers a general objection to the report. The report disposes of the whole matter, and returns the proposal, with eleven reports, and of course it disposes of the matter. There is no question about what he refers to or anything else.

Mr. HARRIS, of Ashtabula: I would like to inquire whether the form for regular reports has been distributed? I am unable from my side to hear all that Judge Peck says, and I am in doubt as to what is involved in this proposition. Do I understand that the report is on the three proposals which have been read, or is it the standing committee's report on the single proposition, or proposal, which they suggest?

Mr. PECK: I would like to have the secretary read the report.

The report was read as follows:

The standing committee on Judiciary and Bill of Rights to which was referred Proposal No. 54—Mr. Elson, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended:

Strike out all after the resolving clause and insert the following:

Article I, section 5.

"The right of trial by jury shall be inviolate; but the general assembly may authorize that in civil cases a verdict may be rendered by the concurrence of not less than three-fourths of a jury."

Mr. HARRIS, of Ashtabula: Is it signed by a majority of the committee?

The SECRETARY: Yes, sir.

Mr. HARRIS, of Ashtabula: I cannot see why the report is not in good form.

Mr. DOTY: That is perfectly easy to see.

The PRESIDENT: Doesn't it say several proposals were introduced to amend the same portion of the constitution?

Mr. LAMPSON: The proper form would be to report one proposal, and if that one expresses what the committee has to report, then other separate reports should be made laying the other proposals on the table. They should not all be included in one report, because we must keep the numbers separate according to the proposals. It seems to me that the substance of what the committee wants to report is consolidated into one report and that is correct, but it should bear the number of a single proposal, and the others should be disposed of.

Mr. HARRIS, of Ashtabula: Then, Mr. President, if I understand this explanation, it is that the committee is going to dispose of the other proposals referring to the same matter in some other way?

Mr. LAMPSON: I think they have undertaken to dispose of them all in this one report.

Mr. HARRIS, of Ashtabula: I think the report should indicate that.

Mr. PECK: It did indicate that, but this learned gentleman wants it changed.

Mr. LAMPSON: Mr. President: We will have to be able by our records to trace the history of each proposal.

Mr. PECK: We returned all the proposals with it and they are there in the secretary's hands.

Mr. BROWN, of Highland: I can see that the report is incomplete. I am a member of that committee. I offer as a suggestion that the report comprehend or take in the present section of the old constitution, which this is meant to replace, and then report that which we wish to replace it with, so each member can know just what the substitute is for in the old constitution. That being the case, I move you, Mr. President, that it be referred back to the committee on Judiciary for correction.

Mr. DOTY: I second the motion.

Mr. PECK: What correction? This was referred to the committee. It contains section 5 of the bill of rights and contains the whole section. What more does it want?

The PRESIDENT: The question is on re-reference to the committee on Judiciary.

The motion was lost.

The PRESIDENT: By consent the report is so changed as to report on one proposal.

Mr. LAMPSON: That is, we place the report on the one proposal and the others can be dispensed with.

Mr. PECK: You are trying these two proposals all the time, and I don't care whether you do or not. My impression is that the proposal is lost as soon as disposed of. The proposal is sufficient.

The PRESIDENT: The question is on agreeing to the report of the committee.

Mr. LAMPSON: Mr. President: I didn't understand that we agreed to the report of the committee.

Mr. PECK: It has to go to the other committee first anyway.

Reform of Jury System—Publication of Debates.

Mr. DOTY: Certainly.

Mr. PECK: The committee on Arrangement and Phraseology.

Mr. LAMPSON: It goes on the calendar for consideration, and after consideration by the Convention, if the Convention wants to agree to the entire report of the committee, it can do so. They may disagree and may prefer the original proposal.

Mr. DOTY: Of course the member from Ashtabula is perfectly correct. If this Convention does not take the report at this time, I suggest there is no question about that. I don't care whether it is taken now or not; I think it should be in proper form. I move a further consideration of the report of the committee be postponed until tomorrow, in order that the amendment may be put in proper form, like any other bill.

The motion was carried.

Mr. Doty submitted the following report:

The standing committee on Rules to which was referred Resolution No. 49—Mr. Brown, of Lucas, having had the same under consideration, reports it back and recommends its adoption.

Mr. BROWN, of Lucas: For some wholly unaccountable reason, I find that some of my friends are assuming that in introducing Resolution No. 49 I perhaps have some political motive. Each day I am more amazed at the unaccountable things that are happening. Recently in Oklahoma, at the opening of the term of court, the judge was sitting at his desk writing when the sheriff called the jury into the room. The court, without looking up from his writing, remarked: "The members of the jury will take their accustomed places." All of the jurors filed into the prisoner's box. That occurrence in Oklahoma is even more unaccountable to me than the suggestion in this particular instance that I may be thinking of politics. I desire, so far as I can, to act wholly in harmony with both the letter and spirit of the law under which this Constitutional Convention is assembled.

Now, a word as to the resolution itself. Hon. Woodrow Wilson is known throughout the country; he has been the distinguished president of Princeton University for many years, and his text-books on the science of government are standards throughout this country. He is now the governor of the state of New Jersey, so that besides knowing something of the theory of government he is somewhat versed in the practice, and rumor has it that he is not averse to even further experience along that line. It seems to me that our experience the other day with the mayors of our large cities was a most valuable one, and it was a pleasure for me to support the resolution inviting them here. I hope you will support this resolution, and I believe a talk from Hon. Woodrow Wilson, upon the matters that will come before us will be useful, instructive and profitable.

Mr. PECK: I have been opposed to this sort of thing. I propose to support this resolution, because I have never heard him, and because I think he has some ideas that would be valuable to us, but I don't propose, so far as I am concerned, that our Convention shall be made a forum for patriotic followers and a nursery of presidential booms.

The resolution was adopted.

Mr. DOTY: I desire to call attention to a special order at this time.

Mr. DEFREES: The time has somewhat passed that was set for the reconsideration of the report of the committee.

The object in the reconsideration of Resolution No. 35 is that there was not very much time given for debate on it, and very little had been given by the individual members to a study of the question. I made the remark here the other day that I was opposed to propositions coming in here without a final hearing. This was presented to this house as an estimate, and you who have had estimates on propositions involving money, gentlemen, know that means nothing very definite. This proposition upon investigation shows it has a tail to it longer than a clothesline, and we want to know something definite. We have taken up the figures as they were presented to us to show this thing is simply a case of extravagant guessing; that the people who brought it in here couldn't tell definitely what it was going to cost, and there would be no way of knowing about it until the Convention adjourned. They went on the supposition or estimate, and that was for one hundred and twenty days. Suppose the Convention lasts more, what does the estimate come to then? The debate was closed without due deliberation. Some figures were presented here that will enlighten the members. I do not think a majority will pass the motion as put before the committee.

Mr. BEATTY, of Wood: Mr. President: At first I did not intend to speak on this subject, but from what I can learn it is a matter that should be given further consideration. The other day when that matter came up here, if I remember correctly, relative to these debates, etc., \$22,000 was given as an estimate of the cost. As my friend says, an estimate is often a low figure, which does not really give what it would exactly cost. We have heard what the debates of the convention of 1873 cost. I have heard it stated here on the floor all the way from \$12,000 to \$30,000. That is what the report of the debates and the publishing cost.

Mr. BOWDLE: May I offer my seat so the speaker can be heard by the house?

Mr. Beatty stepped to the front and continued:

I took the pains to go to the auditor's office and find out what the debates published and the stenographic reports of 1873 cost, which I will here read:

REPORTING AND PRINTING EXPENSES OF CONSTITUTIONAL CONVENTION OF 1873.

Reporting debates	\$3,190 72	
Printing debates.....	2,983 86	
Binding debates	1,509 99	
Indexing debates	2,250 00	\$9,934 57

This is as far as we can find any record of the cost of the report of the debates of the constitutional convention of 1873 and the publishing of them.

Now, we have an estimate brought in here, if I am informed correctly, of \$22,000. Of course the statement will be made that paper and other material today is higher than it was in '72; but, gentlemen, if you will remember correctly, the year 1872 closely followed the civil war and everything was high also. I am going to

Publication of Debates.

vote to have a reconsideration of this question for the reason that I have not found in Northwestern Ohio any one, with possibly the exception of one, that wanted to see the debates published. Almost every one with whom I talk was bitterly opposed to spending the taxpayers' money for publishing these debates. They made this statement: If we wish these debates published why not hire a stenographer or stenographers, and let them publish these debates. While going into the question, for instance, if we were here in session four months, which would be about one hundred six working days, at this estimate of \$22,000, it would cost from \$100 to \$110 a day, I believe, to take down the debates of this Convention, for four months, with the enormous expense of publishing besides. I believe, if I was correctly informed, a statement was made that it would cost about \$10,000 for reporting four months. Now, take one hundred six working days divided into \$10,000, and you can see what the report would amount to, what it would cost you. I went to a court stenographer—I went to two or three—and asked this question: What would a good court stenographer who could take down the debates cost? Mr. Connelly, of Bowling Green, who has taken conventions, and has also reported debates of the Standard Oil Company, said the work of transcribing was \$10 a day. I asked if it could be done by one stenographer, and he said he thought not; that probably two stenographers could take down every debate and transcribe them here, as we are in session but four days; could report and transcribe correctly at a cost probably of \$20 a day. Take the calendar month—that would be \$600 a month, and if we are in session four months that would be \$2,400, and the difference between \$10,000 and \$2,400 is quite a difference. Another thing, if these debates are published and printed here you will have to have more help in the bill room. Two men cannot do it. I don't think five men could do it, and get it out. That would simply mean an additional expense of \$10 a day. It will take more help. I am not objecting to the reporting of the debates if it can be done economically, and we would go at it the same as our own business at home. Here you are spending the money of the state, and I think we should go carefully about it. If you enter into this contract, that estimate of \$22,000—which was stated was only verbal—will probably be exceeded and the expenses of this Convention might exceed the expenses of the last convention and the taxpayers of Ohio had to pay that, and the total expense was \$205,540.62 and the appropriation was \$209,331.06. The convention was in session one hundred eighty days—the convention of 1873. With all this expense we are going to now, where will our appropriation be? Where will that be before we get through? We will only get started.

I hope the delegates of this Convention will consider this matter seriously, and take it under consideration. We are sent here for results; the people sent us here to get a constitution for the state of Ohio, not to see our debates. It is the result they want. Go to the basement here and see the books piled up there, six or seven hundred volumes. I have over home today six or seven hundred volumes of auditors' and secretary of states' reports, and others that I cannot give away. I have to burn them. I have advertised them in the papers. I have sent out 400 sets of Howe's histories which I

took to the Fair Ground and gave to the children as they came in. There are but few people who read the reports. If you pay for 2,500 volumes of these reports, you have four million people to supply from the 2,500, and how many will get the reports?

I could speak longer on this question, but I don't think it is necessary to say more; I ask only for your serious consideration.

Mr. HOSKINS: Where did you get those figures?

Mr. BEATTY, of Wood: From Mr. Beatty, assistant auditor of state, copied from reports of 1872-'3-'4-'5-'6.

Mr. HOSKINS: I have an entirely different set of figures, three times as large as that. I have the figures from the records of 1873-4 and 1875, that aggregate a little more than \$36,000 for both.

Mr. BEATTY, of Wood: You probably got the rest mixed in with this. I don't believe the whole thing was included in this. The printing in the newspapers of the convention afterwards. I don't believe you have that. The advertising matter, I mean. I didn't take the advertising matter. I took the total expense.

Mr. SMITH, of Hamilton: Mr. President: I am very glad this motion to reconsider has been made, and yet, while I am going to vote for it, I feel like apologizing to these gentlemen on the committee who made this report, and especially to the chairman of the committee, Mr. KNIGHT. When he spoke to me it seemed to me a good thing, but I have thought about the matter since then and I wonder who is going to read these debates. I was wondering if you take the whole of this Convention, how many have read these four volumes of the debates of 1872, and those two volumes of the debates of 1851? I wonder how many gentlemen have read one volume? If there is any body of men that are particularly interested in what has gone on in these previous conventions, it is this body of men assembled in this Convention. Yet, I am perfectly within the bounds of truth, I have no doubt, when I say that not one-tenth of the gentlemen here have read one-tenth of the pages of those debates. Mr. President, we are not to be judged here by what we say; we are going to be judged by what we do.

It is true that such conventions usually have their debates printed. I have looked that matter up. That is the case from Oklahoma to Michigan, yet there have been precedents that no man can question on this proposition that debates are not necessary to be printed. Take for instance the first example that flashes in my mind, that great conference of Runnymede, when the barons of England wrested from King John the charter upon which our constitution today is based in many ways. There was no memorandum of what those barons of the king said, and yet that great charter looms up as the biggest thing man has ever done—or at least the first thing man has ever done in the fight for human liberty. Take, Mr. President, the great convention of 1789. There were Washington, Jefferson, Hamilton and Adams. Did they stop in the heat of that great historical moment to discuss how what they said should be printed and cared for? No. They were so much in earnest about doing something they did not consider handing down to posterity what would be said there. It is true, Mr. Madison did keep a memorandum of these debates, but the convention itself never gave it a thought; at

Publication of Debates.

least it never went on record as to the necessity of keeping a record of what was said there. What was said at the adoption of our national constitution? That great constitution under which we live stands out the stronger, it seems to me, as a great deed performed by the people, not to be discolored or clouded in voluminous debates. The people of Ohio are looking to us to do something, not to say a great deal. I am not afraid because we publish these debates that the gentlemen are going to speak more. I have perfect confidence in the members of this Convention. I do not care so much about the expenditure of the money, but I do feel that the twenty or thirty thousand dollars, or whatever amount it is going to cost, could be spent to much better advantage than in perpetuating what we gentlemen say here. Let us, Mr. President, do something here, and let us be judged by what we do and not by what we say.

I hope the motion to reconsider will be carried and the committee will decide it is not necessary to print these debates from day to day. We are going to submit an instrument to the state of Ohio; that is what the people of Ohio are interested in. We do not care to perpetuate verbatim what is said.

The PRESIDENT: The member from Wood [Mr. BEATTY] only temporarily yielded the floor.

Mr. BEATTY, of Wood: A great many in the Convention would like to see these debates published, but it is an enormous expense we are going to. I would like to see a resolution that would employ a stenographer, or employ two stenographers, to take down these debates offered on the floor, and then leave it to the legislature, if they wish to publish them, to have them published afterward. I do not think the people of Ohio care much what we say here in reference to our arguments on a proposal. After we adjourn from here there will be a great many of our delegates take the stump throughout the state of Ohio to argue in favor or against the adoption of the constitution. Their talk will be proof to the people of the state of Ohio.

I find in the small experience I have had in the senate, we expend more money than we really think. We are just starting in and as I am informed we have used up two-thirds of our appropriation, allowing our salaries. We cannot tell how long we will be in session. We do not know but what we will have to go to the emergency board. Therefore I believe it behooves us in this matter to be economical, and show to the people of Ohio we are not here to spend their money. We are here to submit to them our view of what a constitution should be. They are saying now we are too extravagant, that we are too extravagant in employes and our help, that we have one for every two men. If we get very extravagant I do not think our Constitutional Convention will result in anything. I cannot see what benefit this would be to us. Of course, in time they may become valuable, as the instance where a single book brought \$40,000, it might become valuable.

If we have a stenographer report the debates—have the reports taken down at a small expense, if we continue this, and then if we see after we adjourn we want them, we can let the contract to have them published.

I hope this resolution will be reconsidered.

Mr. HARRIS, of Hamilton: I think if the members of this Convention bear in mind that we are trustees to

the people of the state of Ohio in the expenditure of this money, they would act a little more cautiously. If an individual wishes to spend his money without due regard for value received, that is his business, but we, in our capacity as trustees, must lean the other way. I am perfectly willing to waive the objections I made the other day as to the advisability of having a stenographic report of all that is said in this Convention. I was attacking the original resolution solely on the subject of extravagance. I venture to say there is not a member of this Convention who would proceed to enter into a business contract for himself on the same basis that we propose to enter into it for the state of Ohio. There is a very simple procedure which has been outlined already—namely, for this Convention to employ two skilled professional stenographers, at an expense of \$7.50 or even \$10 per day. I am willing we should employ the utmost efficiency. Let these stenographers take down the proceedings of this Convention verbatim, and at the end of the session the Convention itself may then determine whether it is wise to have these debates printed and published in book form. We will then be able to get a fixed bid for so many bound volumes of matter. It will probably be larger than most of us have any idea of. If my memory is correct, Professor Galbreath, in his admirable brochure on Primary Government here distributed, has stated that the proceedings of the convention of '73 cover about 4,800 pages. I mention this simply to give an idea of the magnitude of the task. If, however, you wish to have a daily report of this Convention published for the benefit of the members and those who would like to follow our debates, take one step further and have about 1,500 pamphlets printed daily of our debates. If I am not mistaken the member from Cuyahoga [Mr. Doty], who is a practical printer, stated on the floor of the Convention when the same question arose that the cost of printing twenty-five copies of the journal for each member would not exceed thirty cents per day; is that correct?

Mr. DOTY: Yes, sir.

Mr. HARRIS, of Hamilton: Now, it is very easy to make a calculation as to this maximum cost. Let us assume that we shall have two stenographers and should pay them \$10 per day for one hundred and twenty days, that would be \$2,400 for the stenographers. Let us assume that the cost of printing for the use of the members of twelve hundred copies daily will be 30 cents per member per day; one hundred nineteen members would make \$35.70. We will say \$36.00 a day for one hundred twenty days would be in round numbers \$4,100; and \$4,100 and \$2,400 equal \$6,500, which would represent the maximum charge of the daily printing of the debates, and the cost to this Convention of distributing twelve hundred copies daily. If, then, at the end of our work we find it desirable to have this reconsidered and the debates printed in permanent book form, we can go to half a dozen printers and ask for bids on two thousand or twenty-five hundred copies, or any other number, and learn the fixed price. That is the way every member of this Convention would do if acting in a private capacity, and the greater is the obligation when we are acting in a public capacity. I am foolish enough to believe, in the words of Grover Cleveland, "that a public office is a public trust."

Publication of Debates.

Mr. KNIGHT: Mr. President: If the statements that have been made here this morning as to the probable cost were anywhere near as accurate as those which we gave here the other day for the committee, I should be in favor of the motion to reconsider. Before, however, going to the question of cost, just one word on the other question, on the desirability of publishing or of having a report, a stenographic report, of the proceedings here, for there are two questions, and not one, involved in the discussion of the resolution which we adopted the other day. The first is whether there shall be any report made stenographically, a verbatim report of the proceedings of this Convention. The second, and separable from it, if the Convention so desires, is the question of how and in what form and to what extent shall there be a printed report of this record.

I wish to express myself for a moment only to the first part. I think that no member of this Convention wants to have these debates printed only to see himself in print. Indeed, I believe, and have reason for the belief, that the people of this state and many people outside of the state, want something else beside the naked constitution, or a few amendments that can be shaped by this body, submitted to them without any reason or any knowledge as to how or why that constitution and those amendments were presented. If there are arguments that convince the members of this Convention in favor of or against some proposition, certainly the people of Ohio are entitled to have the benefit of these same arguments. In the next place, I think there is error entirely as to the value of this, the value of the proceedings of the Constitutional Convention, in connection with the arguments which emanate from the body. In all due deference to my old friend on the other side of the room, in his reference to the debates of the constitutional convention of 1787, it has been a matter of universal lamentation among students of American history, among lawyers, among public men in this country, and other men, that the debates were not reported in full in that convention, and every scrap of paper which can be found anywhere which has given any indication as to why certain propositions were offered, and what was said in that convention, has been and is regarded as priceless. I believe that there are reasons which we have for favoring or opposing whatever proposal may come before us. Since last week I have had telegrams and letters, probably from forty different organizations, libraries and other organizations, expressing gratification that the Constitutional Convention of Ohio contemplated preserving to the people what was said and done in regard to the Constitutional Convention—that we were going to preserve the debates of the Convention.

We differ as to whether they should be taken in shorthand and printed. Speaking professionally, as one whose life work has been given to the use of that kind of thing, the debates coming from this body are a help of the highest value now and hereafter to those whom we expect to have follow us and understand something of governmental matters. A good deal that is foolish will be said, and a great deal that is wise will be said here, and I think it is worth recording.

Now, I think the gentleman from Wood county [Mr. BEATTY], in his estimate as to how this thing might be

done, overlooked at least two things. The first is, he overlooked what is by far the largest item in connection with reporting the debates. The figures which he gave there as lower are for the work of the stenographer for taking down the notes. Now the further charge, and the most important in connection with any such price as named, is the charge for reproducing these notes in full.

Mr. BEATTY, of Wood: I said that the stenographer would take the notes down here, take down and transcribe—that would make \$10 a day.

Mr. KNIGHT: Your committee has here bids which are unopened, because we found that the Convention, as early as last Friday, intended and desired to reconsider the matter. There is one bid which is accompanied also by a statement as to the price per folio for reproducing the notes, and I think if we were to consult the National Reporters' Association of the United States we should be told that there are probably not to exceed, at the very outside, forty reporters in the state of Ohio who can take the debates of this body, a running debate for two or three or four hours at a stretch, for the work is different from ordinary stenographic work. I think I am violating no confidence in stating that it is the impression of our own present stenographic force that that statement is correct; that the work is different, and that the work is one which the ordinary stenographer cannot do.

We could give to this Convention some pretty definite figures of the actual cost per day without any costs of any kind for the reporting of the debates. I can say, however, from the oral statement made by at least one, perhaps two, of these proposals that the maximum cost stated here—that the estimate stated here—is larger than that generally based on the oral statements.

Now, as to the figures copied by the gentleman from Wood, as to the cost of reporting of the convention of 1873. If he had taken the trouble to go into the debates of 1873, he would have found at the close of the last volume a certified statement, over the signatures of the proper committee of the convention, as to what it cost to report debates, and he would have found these figures stated there, that the 4,800 pages of one hundred eighty days was \$13,695.78; and in the figures which are given there it will be found—anyone knows that it is extremely difficult after twenty-five years to find out what any one did because there are papers and records which do not show how the money was spent, or the records do not show by whom it was spent. It is just a conclusion as to what was printing and what was reporting.

Mr. BEATTY, of Wood: I am taking the figures from what was paid out.

Mr. KNIGHT: The committee certified that this was paid. They filed their report.

Mr. BEATTY, of Wood: I had the report of what was paid.

Mr. KNIGHT: I only know what the convention certified to. It seems to me the question at this time, the question before the Convention is: Does the Convention want the debates written? That is the first thing. If so, does it want them published? There is more than one way; and more than that, I think the duty of the committee has been considerable. I do hope that nothing will interfere with the proposition to pro-

Publication of Debates.

cure and preserve the stenographic report of the debates of this Convention.

It seems on the best advice that we can get that it is absolutely impracticable to have any other than expert reporters to report our debates. It has to be some one perfectly competent for convention work. I might add that among these proposals here is a proposal from a gentleman who has reported in this form constitutional conventions of two states in the Union, the state of Michigan not being one of them. So we know whereof we speak, so far as figures are concerned.

Mr. STALTER: On Wednesday, January 17, this resolution was introduced, being Resolution No. 22, on page 6 of Wednesday:

Resolved, That a special committee of three be created to consider the subject of reporting and publishing the debates of this Convention.

Resolved, further, That said committee be instructed to report to this body not later than Tuesday, January 23, a method for accomplishing the same, together with the probable cost thereof.

Under this resolution the committee was appointed, and they did file a report, but in conjunction with that report they also introduced another resolution, and that resolution is this:

Resolved, That the debates of this Convention be reported verbatim, and printed and published daily in pamphlet form; that the select committee, composed of Messrs. Knight, Hoskins and Doty, be authorized to enter into a contract for the stenographic report of said debates in the very best manner possible, so that said debates may be printed and published daily, and on the most advantageous terms; and,

Resolved, That the committee on Printing and Publication of the proceedings be authorized to enter into a contract for the daily publication of said debates so that they may be delivered daily to the members, and so that at least twenty copies of each day's debates shall be available for each member, and accredited newspaper reporter, and also for 2,500 copies of the complete debates of the Convention bound in durable form.

Now, under that report they ask this Convention to appoint them a committee to enter into a contract. I myself am in favor of publishing the proceedings and having the proceedings reported, but I am in favor of reconsidering this motion for the reason that I do not believe it is wise for this Convention to delegate its power to three of its members for entering into a contract unless they report that contract to this Convention for approval, and I am in favor of reconsideration that it may be amended so that before a contract is binding on the Convention it should be reported to the Convention for its approval.

Mr. ANTRIM: I want to say a word supplemental to the remarks of the member from Franklin [Mr. KNIGHT], and incidentally in answer to the argument of the gentleman from Hamilton [Mr. HARRIS]. The gentleman from Franklin [Mr. KNIGHT] tells us these

proceedings will be wanted not only in this state but throughout the country, and I quite agree with him. I know I have talked with a great many people throughout the state of Ohio, and I have not found anyone with whom I have talked that is not interested in having the debates and proceedings of this Convention reported, and I am quite sure that there is a great deal of interest manifested in many of the other states of the United States. Just the other day I received a letter from Nevada, from one of the chief politicians of the state, in which he urged me, if I could spare some of the volumes of these debates, to send them to him; that in their state they were very much interested in our Convention. Now, there is no doubt in the world that hundreds and thousands of people in this state are interested in the debates, and a great many thousands of people in the other states of the Union. These two reasons alone are sufficient reasons for us to have them printed, whatever the cost may be.

Now, to give a perfectly concrete case. In my own county—Van Wert county—I am absolutely sure that county wants these debates. We have in Van Wert county 30,000 people. There are eight or ten villages, and one city in the county. These villages and this one city have their excellent schools. We have also a county library, that is supported by the county taxes, and all the people of the county find that they can there readily get the books of this library, because of the branches of the library scattered over the county, and because of the main library, and because of the fact that in nearly all of the schools are to be found the books of this library. The statistics for the past year regarding circulation are just out, and it is found that the circulation for Van Wert county, with its 30,000 people is 90,000. That is, there are three books read during the year there for every man, woman and child in the county. I know, of course, comparisons are odious, but I want to compare this record with the great city of Columbus in which we are now holding our session. The latest statistics for the library of the city of Columbus show that in a city of 185,000 people there were read last year only 280,000 books, which is just one and a half volumes for every man, woman and child in the county. That is, Van Wert county, with 30,000 people read 90,000 books, or three to every inhabitant, and Columbus, one of the cities, read one and a half volumes for every inhabitant in the city. Now, you see from that a rural county is a reading county, and what we can say about that county we can say about all the other rural counties of the state. Van Wert county is not only interested in reading, but it is also interested in debates. You take of the hundred country schools in the county, there is not one where they do not hold debates. There is not one where they do not have volumes on debates. There is not one that would not be interested in our debates if we were to have them printed. The books on debates in the central and branch libraries are very numerous, and the librarians all tell me they are more widely used—more extensively used—than any other books in the libraries. So, for the reason that the country communities of the great state of Ohio are so much interested in debates, and I might say, if there are a possible ten thousand rural schools in the state, if all these schools are interested—and I am sure

Publication of Debates.

they all are interested in debates — it is certainly well worth our while to have them printed

Mr. SMITH, of Hamilton: I am interested in debates, but I never heard of any one interested in debates getting the debates of '51 and '73, and I would like to ask the gentleman if he has any idea of how many times the debates of '51 and '73 were circulated in his county?

Mr. ANTRIM: We heard the gentleman from Franklin say the other day that three or four sets of debates of '73 had been worn out at the State University of Ohio — Ohio State University. That shows that they have been used, and there is no telling how many have been worn out in other portions of the state. These papers may not have been used so much, and for the reason that they are somewhat out of date; but I have an idea that the papers of this year will be used before ten or fifteen years from now. The time when we will use them will be within the next three years, if they are on questions which we consider are live questions that the people all over the state are interested in.

Mr. HARRIS, of Hamilton: Will you state to me more fully, when you refer to the fact that our debates would be of intense interest to people in other states — let me ask if you have read a single line of any debate in any state, or do you know of any person in this Convention who has read the debates on the constitution of any state in the Union?

Mr. ANTRIM: I cannot answer that question regarding anybody else except myself. I will say so far as I am concerned I haven't because we haven't had many constitutional conventions in recent years, and I have been busy with the debates of the constitutional convention of '73.

Mr. HARRIS, of Hamilton: I will state that the state of Michigan held a constitutional convention two years ago, New York a few years ago, and California has annexed its constitution within a few years. I simply call your attention to this.

Mr. BOWDLE: Mr. President: I am glad that the debate on this question was laid over until this morning. Every time I thought of this my temperature rose about two degrees. I don't know just what I would have said if I had been allowed to speak last night. I am glad of the delay, not because some of the honorable members of this Convention have in the course of the last two or three days repented, and have been honorable enough to come up here boldly to the mourner's bench. I am very glad to give them the right hand of fellowship. I hope there are enough of them to prevent the consummation of this piece of reckless and absurd extravagance. There is a fallacy running through the vertebrae of those interested in this scheme. The fallacy is this: They suppose, and want you and me to suppose, that somehow or other we are living back in the days of the ordinance erecting the Northwest Territory. They suppose that the conditions that obtained then obtain now. I mean the conditions as to publicity. There is the fallacy. I think I have put my finger upon the main nerve of the difficulty upon the other side of this question. The great fact —

Mr. KNIGHT: Is it not true that of the number of constitutional conventions that have been held more have published the debates within the last twenty-five

or thirty or forty years than at any previous time when conditions were different?

MR. BOWDLE: True, and that is one of the powerful arguments here why we should not publish our debates. The initiative and referendum, the recall, the election of United States senators, and all of those questions have been duly debated by so many states, and their debates have been so voluminously published that we all know, and can have access to them — they are open to us — and therefore the way is presented to us for this Convention to be economical. If you want to know anything about literature in this great controversy and all the processes that they passed through, you can take down from shelves the literature from any of these states that have been foolish enough to spend their money. I want to profit by the errors in all the controversies. I say, Mr. President, that the great fallacy is in supposing that we live back through the stone-hatchet, cave-dwelling days. That is past. Here is the fallacy. Therefore, the publication of these debates, — these debates from day to day — is not necessary. The fact is this, that if any member of this Convention, on the floor of this house, were to say anything long before — if it were anything important or startling — long before two o'clock, or by four or five, our bureaus of publicity are peddling them on the streets of Columbus, and every state in the United States, including Ohio, knows what is going on. If the gentlemen care for publicity you have the morning papers, and if it does not get in the morning papers, there are the evening papers, but the news gets out by two o'clock. At that time you will have his name and talk and his picture, maybe, in the morning papers, telling all about it. So I say, my friends —

Mr. KNIGHT: Our question is simply this: Whether it is not more desirable to have one correct report than twelve different reports on the same principal thought?

Mr. BOWDLE: I don't know whether it is really or not. I am going to ask you this question: If there should be anything startling in any of the subjects, on initiative and referendum, for instance, or on any subject whatever, and it is reported right or wrong, I will tell you what will be done — I will tell you what will happen — you will find some one from the great big magazines of the country asking the gentleman to write a special article on that subject, and it will figure in the monthly magazine, the literature that goes out, and it will be an accurate report that has not been possible heretofore. So I say the fallacy that runs through this proposition is as to whether we are tied up to the old condition as regards publicity in 1787. If a man fifty years hence wants to know what was said, or rather what the great controversy has been in our Convention — if he wants to get the conditions he could have it, and I will tell you what he has to do; he is not going to spend his time searching through our debates, many of which are relevant and many irrelevant. I will tell you what that sensible gentleman will do. He will go to the public library and take down Poole's Index of Current Literature, and he will find references, or he can take the Fortnightly Review, McClure's, the Cosmopolitan, and many others that contain the current literature of the day, and it will give the modern progressive constitution,

Publication of Debates.

and he will not ask for any debates of this Convention of any of my colleagues, and I think a great deal of the intelligence of my colleagues.

Mr. LAMPSON: Mr. President: We admit that we are not going to dispute his admissions, but he has referred to the cave-dwellers themselves, and in the same talk to 1787, and 50 years ago, and notwithstanding the admission as to the intelligence of this Convention, does he base the reference to the cave-dwellers—does he intend to remind the Convention of the existence in those days of men like Benjamin Franklin, Hamilton, Harrison, Jefferson and the others, the foremost of men, and draw comparisons? Neither were those men perfect, although they were great men; and I want to tell you, so far as publicity is concerned, we cannot get too much publicity of that kind into it—things relating to government, and not relative to the cave-dwelling sort. My point is this, Mr. President, that we are living in different days, and the fact that these are different days—there are so many changes—that is the reason why we are assembled here. It is an effort to break with the past, and I am willing to break with the past at many different angles.

Mr. BROWN, of Highland: Mr. President: In case this reconsideration carries, wouldn't it authorize some form of having the records kept by expert stenographers for the purpose of publication?

Mr. BOWDLE: I am against the expenditure of one nickel of this commonwealth's money on any such schemes. I feel that it will not have the slightest value. It is just possible that in the future there may be some controversy between some of my friends as to what he said on this or that question, and I think it would be just as well for both parties not to have any proof on the subject.

I stand here, Mr. President, opposed to the expenditure of a single dollar of this commonwealth's funds on any such proposition. I want to go home and say—suppose, and I have no doubt we will—suppose we are in convention three or four months, and this constitution should be put in simple language, and I am here to understand this language, and it should be simple English—and when I go home I want to explain it to you. If I have the time I will furnish it in pamphlet form at my own expense, and I don't want to refer to one or two or three volumes, and that is what is bound to happen if we carry this out.

Mr. STAMM: Will you object to the phonograph or the multigraph?

Mr. BOWDLE: This is the most approved suggestion that we have had, and I apprehend that we will get that in the Columbus papers, and they will give your name in full in the evening papers.

Mr. President, I have stated about all I care to. It seems to me we generally do forget the magazine channels for publicity, and other channels that we have today. If a member here by his face shows that he is laboring with some interesting thought or other, the fact is divined by a reporter who is at his side helping him to follow to a successful, complete and satisfactory termination that thought, and while this is being done he stands there and advises that thought, and helps in it, and then we see it in the columns of our papers.

I was reading last Sunday in the Cincinnati Enquirer,

which paper has become in the last six months possibly progressive and liberal—I hope you got that—and the editorial, Mr. President, was on the ridiculous multiplication of books, of which we heard a little the other day. There have been so many, many foolish, inane and absurd things said of things of the earth, on the earth and under the earth. What will it be fifty years hence? I don't want to have to blush, but I shall blush for shame if I felt that I had added to the multiplication by adding the literature covered by this resolution. I therefore submit that this ought to be reconsidered, and reconsidered favorably.

The motion was carried.

Mr. STALTER: I ask for a division of the question. I have the resolution, "*Resolved*, That the debates of this Convention be reported verbatim and printed and published daily in pamphlet form." A second part is "that the select committee, composed of Messrs. Knight, Hoskins and Doty, be authorized to enter into a contract for the stenographic report of said debates," etc.

I feel I would want to vote for the reporting of the debates, but not for that part of the resolution authorizing the committee, as this does, to enter into a contract.

The PRESIDENT: Will the member please send to the desk in writing the amendment?

Mr. STALTER: I am just asking for a division of the question. There are two parts of the question—one the printing and publication, and the other the letting of the contract.

Mr. WALKER: I would like to ask some member of the Convention who can give it a sufficient reason for reporting stenographically the debates unless the entire motive is to have them later published. If we are to have an expense of \$20 a day to have them reported, and then lay them aside that would certainly be a waste of money. I think we ought to have a definite understanding. Personally I should be compelled to vote against any reporting of these debates unless they are to be published. I was led, on the former consideration of this question, to vote affirmatively solely from the appeal made by the school men in the Convention. They insisted it would be a very great aid and there was a demand on the part of the student body of the state for such material as this. This influenced my vote in favor of it. If I felt there would be no very great demand on the part of the student body, I would not favor these being published. I can see no reason for making a stenographic report unless it is with the thought of publication later.

Mr. MOORE: What is now under consideration? In moving for a reconsideration, I believed as my colleague from Wyandot has said the question should be divided. I am opposed to a secret convention. I am in favor of the greatest possible publicity. If the convention of the United States in 1787 had been open to the public and its proceedings had been published it never would have been adopted. Now, we have a constitution made in secret by the enemies of the people. They put upon us a constitution which it is almost impossible to amend. The method they adopted was the method of secrecy. I am opposed to that. I would like to have a record made of every debate in this Convention, and the matter of publication left to the Convention itself. That is a matter of policy. I do not agree with my friend

Publication of Debates.

from Hamilton county altogether; he lives upon a city street where he walks out with comfort and goes to the public library. I can picture in my mind the weary farmer, after putting away the horses, milking the cows and feeding the pigs, coming in and getting ready to go out to the city to consult Poole's Index or something else. Now, he won't do that. The conditions over in Van Wert county are not the conditions in that county only, but they are the conditions in every agricultural district of Ohio. I think in Muskingum county our debates will all be called for. If I have at my disposal a certain number, they will all be taken. I believe every school library will want one. I am opposed to the secret idea in all respects. There are springing up what is called social centers, school houses in the villages or country becoming social centers, where the people gather once a week and discuss the problems of the age. The results of their deliberations do more to form the destinies of this country than any other influence we have. I have sufficient faith that the members of this Convention will not abuse this privilege and I hope the first part of this question as revised, will be adopted by the Convention.

Mr. DOTY: What was the ruling on divisibility?

The PRESIDENT: The chair rules you cannot divide it in that way.

Mr. DOTY: Why?

The PRESIDENT: It seems to me that the two ideas are so confused there that the only clear way to do it would be to propose a substitute amendment.

Mr. KNIGHT: In reference to the point just made about divisibility of the question, there seems to be a misunderstanding as to the proposition why the first resolution was arranged as it was. The explanation was made at the time it was introduced that the committee embodied it in that form because it had already made investigation, but that the committee had no objection to any other provision. I am sure that the committee has no intent of letting a contract without the permission of this house. We expect, and if the house so desires, would welcome an amendment that the bids or form of contract should be submitted to this house for adoption. So far as the committee itself is concerned it has no desire to retain the work which it has already done. Any method of letting the contract is entirely satisfactory to the committee.

Mr. BROWN, of Highland: Mr. President: I move to strike out all of the resolution and insert the following: "That the special committee having the matter in charge be instructed to arrange for the preservation of complete records of the Convention in available form for publication, in case publication is thought advisable, and report the plan and cost of the work to the Convention for approval."

Mr. DOTY: Mr. President: I want to call attention to the importance of the work before the presentation of the substitute. This committee cannot give absolute figures until we open these bids, and our committee has taken the ground, and it is right so far as I am concerned and believe, that we are ready, but we have no right to open the bids; it is not fair. This is a business proposition.

Mr. BROWN, of Highland: Wouldn't it be a good

thing to put before the Convention what it would cost to have these reports kept verbatim?

Mr. DOTY: We can get an idea of what it might cost on what somebody else said—that is, what they will charge, but when it comes to opening these bids on the basis of a business proposition, it is not fair.

Mr. BROWN, of Highland: The resolution is substantially that the committee shall arrange all these things, and make a contingent contract subject to the approval of the Convention, and then you will know what it will cost.

Mr. DOTY: I have prepared an amendment—not to be submitted—I will say that I have prepared it without the solicitation of the two members of the committee. After the word "terms" in paragraph 1—on page 6, of January 23, Resolution No. 35—after the word "terms" insert "but such contract shall not be binding upon this Convention or the state of Ohio until said contract has been reported to and approved by this Convention." I would like to have the substitute withdrawn and this introduced, if you will allow it.

Mr. BROWN, of Highland: My object in introducing the substitute was to get out of any obligations under any resolution to do anything to preserve the records of this Convention. In the amendment that the gentleman from Cuyahoga proposed I think it comprehends that the original resolution shall still stand—that it shall be in pamphlet form, twenty-five more or less—shall still go on, and that the state shall pay the expense of sending them out. I simply want the fact understood and made a copy of these records. I believe it is an egotistical thing on the part of this Convention to flourish and publish and foist upon the people those things which we do here, things that we are not certain the people have any interest in at all. If we have these records, then the legislature, or anybody else, can ask for them and have them published if they deem it advisable. I think we have done all we need to do when we have preserved the records, and that is as far as we should go.

Mr. DOTY: Of course, if Resolution No. 35 is amended with the amendment that I have in this paper, and the Convention agrees to the resolution and this amendment, this, of course, does not prevent the consideration of the other phase, so far as printing and publication is concerned at all. I am not taking that into consideration at all. The committee has asked for propositions from these experts, "expert stenographers," in three ways. We have it for only reporting for the purpose of printing each day; we have it for reporting and printing at the end of the week; we have it for reporting only and preserving; so that our committee will have the three cases, in three different ways, to put before this Convention, and this contract is approved if this amendment is adopted.

Mr. BROWN, of Highland: Let us have that amendment again.

Mr. DOTY: I suggested that if you withdraw that substitute of yours, and if this is inserted, it will accomplish what we want.

We have a resolution that provides for that report, to print daily and furnish. Now, this amendment covers that point identically. The committee in any event will be left to state to this Convention how much it will cost before the contract can be made if this amendment is

Publication of Debates—Reference of Proposals, Etc.

adopted, and you can make the contract in any of the three ways that you may desire.

Mr. BROWN, of Highland: I decline to withdraw my amendment, because I am opposed to anything else than a mere copy of this report, for I don't think the people are sufficiently interested in having these reports.

Mr. PIERCE: Mr. President: I move that the substitute of the gentleman from Highland be laid on the table.

The motion was seconded.

Mr. ANDERSON: Does that mean all the rest of the proposition?

The PRESIDENT: No; only that contained in the substitute.

The motion was carried.

Mr. DOTY: I desire to offer the following amendment:

After "terms" in paragraph 1, insert "but such contract shall not be binding upon this Convention or the state of Ohio, until said contract has been reported to and approved by this Convention."

Mr. SMITH, of Hamilton: I move that the resolution and pending amendment be laid on the table.

Upon which the yeas and nays were regularly demanded, taken, and resulted—yeas 50, nays 66, as follows:

Those who voted in the affirmative are:

Beatty, Morrow,	Farrell,	Pierce,
Beatty, Wood,	Halenkamp,	Roehm,
Bowdle,	Harbarger,	Rorick,
Brattain,	Harris, Hamilton,	Shaffer,
Brown, Highland,	Harter, Huron,	Shaw,
Brown, Pike,	Harter, Stark,	Smith, Geauga,
Campbell,	Henderson,	Smith, Hamilton,
Cordes,	Hoffman,	Solether,
Crites,	Kehoe,	Tallman,
DeFrees,	Keller,	Ulmer,
Donahey,	Kunkel,	Wagner,
Dunlap,	Ludey,	Walker,
Dwyer,	Malin,	Watson,
Earnhart,	Miller, Crawford,	Wevbrecht,
Eby,	Okey,	Wise,
Evans,	Partington,	Worthington.
Fackler,	Peck,	

Those who voted in the negative are:

Anderson,	Holtz,	Miller, Ottawa,
Antrim,	Hoskins,	Moore,
Baum,	Hursh,	Nye,
Beyer,	Johnson, Madison,	Peters,
Brown, Lucas,	Johnson, Williams,	Pettit,
Cassidy,	Jones,	Price,
Cody,	Kerr,	Read,
Collett,	Kilpatrick,	Redington,
Colton,	King,	Riley,
Crosser,	Knight,	Rockel,
Cunningham,	Kramer,	Stalter,
Davio,	Lambert,	Stamm,
Doty,	Lampson,	Stevens,
Dunn,	Leete,	Stewart,
Elson,	Leslie,	Stilwell,
Farnsworth,	Longstreth,	Stokes,
FitzSimons,	Marriott,	Taggart,
Fluke,	Marshall,	Tannehill,
Fox,	Matthews,	Tetlow,
Hahn,	Mauck,	Thomas,
Halfhill,	McClelland,	Winn,
Harris, Ashtabula,	Miller, Fairfield,	Mr. President.

The motion was lost.

Mr. MARRIOTT: I move that further consideration of the resolution be postponed until Thursday

and that it be made the special order for 10:45 o'clock a. m. of that day.

The motion was carried.

Mr. Stokes submitted the following report:

The committee appointed under Resolution No. 17, beg leave to report that the governor will be pleased to address the Convention on Thursday, February 8, at 11:30 o'clock a. m.

The report of the committee was agreed to.

Mr. BROWN, of Lucas: I desire to submit a proposal.

Unanimous consent was given and the proposal was read as follows:

Proposal No. 175 — Mr. Brown, of Lucas. Relative to abolishing contract labor in prisons.

Mr. DOTY: I move that the Convention pass to the eighth order of business.

The motion was carried.

REFERENCE TO COMMITTEES OF PROPOSALS.

The following proposals on the calendar were read by their titles and referred as follows:

Proposal No. 162 — Mr. Elson. To the committee on Legislative and Executive Departments.

Proposal No. 163 — Mr. Miller, of Crawford. To the committee on Legislative and Executive Departments.

Proposal No. 164 — Mr. Thomas. To the committee on Legislative and Executive Departments.

Proposal No. 165 — Mr. Stilwell. To the committee on Judiciary and Bill of Rights.

Proposal No. 166 — Mr. Stilwell. To the committee on Judiciary and Bill of Rights.

Proposal No. 167. — Mr. Stilwell. To the committee on Labor.

Proposal No. 168 — Mr. Stilwell. To the committee on Legislative and Executive Departments.

Proposal No. 169 — Mr. Worthington. To the committee on Miscellaneous Subjects.

Proposal No. 170 — Mr. Worthington. To the committee on Taxation.

Proposal No. 171 — Mr. Anderson. To the committee on Liquor Traffic.

Proposal No. 172 — Mr. Price. To the committee on Taxation.

Proposal No. 173 — Mr. Matthews. To the committee on Good Roads.

Proposal No. 174 — Mr. Mauck. To the committee on Judiciary and Bill of Rights.

PETITIONS AND MEMORIALS.

Mr. Farnsworth presented the petition of A. E. DeFray and one hundred and eighty-two other citizens of Lucas county, asking for an amendment prohibiting the manufacture, sale or distribution of cigarettes or cigarette papers; which was referred to the committee of the Whole.

Mr. Farnsworth presented the petition of the Rev. Perry W. Sinks and many other citizens of Lucas county, relating to the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Beyer presented the petition of the Methodist Protestant church, of Arlington, also the petition of the

Petitions and Memorials.

First United Brethren church, of Van Buren, relative to the sale of intoxicating liquors; which was referred to the committee on Liquor Traffic.

Mr. Doty presented the memorial of the city council of Cleveland asking for the short ballot; which was referred to the committee on Short Ballot.

Mr. Fox presented the petition of the W. C. T. U. of Mercer county, representing a membership of fifty; which was referred to the committee on Liquor Traffic.

Mr. Farrell presented the petition of the city council of Cleveland; which was referred to the committee on Short Ballot.

Mr. Wagner presented the petition of W. E. Price and other citizens of Darke county, relative to the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Lampson presented the petition of the Woman's Suffrage League, of Ashtabula county, relative to the elective franchise; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Weybrecht presented the petition of Emma P. Mendenhall, president of the Deer Creek Equal Suffrage Club, a body of law-abiding, tax-paying, home-making citizens, organized nineteen years ago, asking the delegates to vote for the woman suffrage amendment; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Stokes presented the petition of Mrs. Emma Ruth Voris and other citizens of Dayton, asking for woman's suffrage; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Kilpatrick presented the petition of the First Presbyterian church of Niles, against the license of liquor traffic by the constitution; which was referred to the committee on Liquor Traffic.

Mr. Colton presented the petition of Emiline W. Richwood and one hundred and eight other citizens of Madison county concerning woman's suffrage; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Mauck presented the petition of F. W. Butcher and twenty-five other citizens of Gallia county, relating to the use of cigarettes; which was referred to the committee on Education.

Mr. Redington presented the petition of F. Sartwell and many other citizens of Lorain county, in reference to liquor license; which was referred to the committee on Liquor Traffic.

Mr. Brattain presented the petition of Victoria Owens and others of Paulding county, relative to the traffic in

intoxicating liquors; which was referred to the committee on Liquor Traffic.

Mr. Redington presented the petition of Mrs. Thos. Hill and many other citizens of Lorain county, asking the Convention to oppose licensing saloons; which was referred to the committee on Liquor Traffic.

Mr. Redington presented the petition of John Moran and many other citizens of Lorain county, referring to licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Davio presented the petition of the city council of Cleveland, relative to the short ballot; which was referred to the committee on Short Ballot.

Mr. Thomas presented the petition of F. W. Hoffmeyer and other citizens of Summit county, relative to the bill of rights; which was referred to the committee on Judiciary and Bill of Rights.

Mr. Fluke presented the petition of Trinity Lutheran congregation and other citizens of Ashland county, protesting against licensing of liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Shaffer presented the following resolution of the Butler County Bar Association and other citizens of Butler county:

Resolved, That it is the sense of this meeting that an intermediate court with jurisdiction substantially that of the present circuit court, should be retained in any judicial system that may be provided for Ohio by the Constitutional Convention, and be it further

Resolved, That a copy of this resolution be placed in the hands of the delegates from this county to the Constitutional Convention.

Which was referred to the committee on Judiciary and Bill of Rights.

Mr. Fluke presented the petition of the Emanuel Evangelical church, of Ashland county, relative to the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Thomas presented the petition of the Wade Park Avenue Methodist Episcopal church, of Cleveland, relative to licensing saloons; which was referred to the committee on Liquor Traffic.

Mr. Thomas presented the petition of the city council of Cleveland relative to the short ballot; which was referred to the committee on Short Ballot.

Mr. DOTY: I move that we adjourn.

The motion was carried.