

EIGHTY-SECOND DAY

(LEGISLATIVE DAY OF JUDE 6)

MORNING SESSION.

FRIDAY, June 7, 1912.

The Convention met pursuant to recess and was called to order by the president and opened with prayer by the Rev. Mr. McClelland, the member from Knox county, as follows:

We come humbly into Thy presence, oh God, grateful for life's blessings. We bow gratefully to Thee as we go back over the days of our work here and see the many manifestations of Thy loving kindness. We thank Thee for the blessings of usefulness that Thou hast given us. We thank Thee for the wisdom to guide us in the right paths and to do the right things that Thou hast bestowed upon us. We acknowledge Thee today as the author and as the Lord of our being. Thou hast so blessed us. We thank Thee for what Thou hast done for us in the days that have gone by, and for the work that Thou hast permitted us to do for the upbuilding and advancement of our people, that we may secure a reign of law and of righteousness in the world. Direct us all and make us Thy own, that whatever we may do, whatever service we are called upon to render, may be well done until at last Thou shalt say to us in regard to all of our work, Well done, good and faithful servant, enter thou into the Kingdom of thy Lord. And to thy name shall be the glory, Amen.

Mr. DOTY: The Convention will remember that we ordered Resolution No. 134 printed as it would appear if amended. It will be about thirty minutes before this printed resolution will be here.

Mr. LAMPSON: I offer a resolution.

The resolution was read as follows:

Resolution No. 162:

Resolved, That the secretary is authorized to receive all data collected by the historian and reference librarian, to put the same and other documents in his office in shape for convenient reference and permanent preservation, and at the conclusion of his work to transmit them with books and other material of historical value to the Ohio Archaeological and Historical Society.

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

The resolution was adopted.

Mr. DOTY: On last Friday the Convention, in a moment of generosity to itself, authorized the secretary of the Convention to print an unlimited number of the constitution of 1851 with the present amendments, in such form that the original section and present amendment will be in different type. I do not know whether the Convention wants the secretary to print a million copies of that pamphlet or twenty-five copies, and I do not

think the secretary knows. Now, I move that that motion be rescinded. I do not think there is any necessity for this at all. I think the pamphlet that we are to publish will contain everything that this contains, and the secretary is so busy that he is going to have very little time to attend to the duty put on him, and for these two reasons I think this should be rescinded.

Mr. JONES: Why not fix the number that shall be sent, say one to each voter in the state?

Mr. DOTY: I simply say it is in indefinite shape now. I am not trying to put it in shape.

Mr. JONES: Can you conceive how the average man with some of these amendments can get a correct idea of them without referring to the original provision of the constitution?

Mr. DOTY: The average voter will be more confused by having the present constitution plus what you propose to do mixed up than to have just what you are trying to do. I think the amendment and the explanation will be all that is necessary. What could the average man do with the old constitution and Judge Peck's proposal? He wouldn't know anything about it. Then take your Torrens proposal; what could the average man know about that? You are simply putting up a Chinese puzzle to the voters.

Mr. WALKER: I hope the suggestion to the amendment by the gentleman from Cuyahoga will not prevail. I think the resolution or motion as adopted on May 31 was very wise. I suggested in what I said last night that the average voter of the state would be able to take the constitution as it now is and distinguish between it and the amendments. It may be possibly a little confusing to him, but in every community there are influential men entirely capable of handling these matters, and the only intelligent way to approach a comparison is to know what the present constitution is and compare it with what the amendments are. You can find a copy of the United States constitution in every home and in every school district, but you cannot find the state constitution. There are comparatively few of them. I say we have no right to withhold from the voters the constitution of the state of Ohio. This was not introduced for lawyers to stick into their libraries at all. I think the lawyers have an abundant supply of constitutions, but this is for the people. If we want to save any money I think we can curtail this large corps of employes they are trying to leave behind here and thereby save enough expense to take care of this item.

Mr. DOTY: Do you contend that it is wise for us to print the old constitution with the amendments in large quantities for the voters of the state?

Mr. WALKER: There should be as many copies of the state constitution as we print pamphlets under the resolution adopted last night. I understand this does not cover the same ground. That should not have been voted down last night. If you will agree to reconsider that resolution last night and incorporate it in this I shall vote with you in rescinding. I think the secretary

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ought to have some privilege of disseminating the constitution.

Mr. DOTY: Are you in favor of publishing a vast number of old constitutions with our amendments?

Mr. WALKER: Not an unreasonable number.

Mr. DOTY: Now another question: Suppose this constitution of 1851 with all of the amendments is printed and a large number scattered among the people of the state. After the election, at which some of the amendments would be adopted and others rejected, would not there be enough pamphlets left over and in the possession of the voters, and would it not be a bad thing to have something around that was not really the constitution?

Mr. WALKER: I think the voters would compare and would find out what had been adopted.

Mr. DOTY: Certainly, if he had the knowledge you and I have, but they have not been here as we have.

Mr. WALKER: There are leading men in communities and they will keep them straight on that.

Mr. DOTY: You are merely thinking up a scheme that will confuse them for years and years to come.

Mr. WALKER: I will risk the confusion.

Mr. PETTIT: I find myself for once in accord with Mr. Doty.

Mr. DOTY: This is not the only time. We were together about thirty days ago on something.

Mr. PETTIT: It seems to me that on this sheet or pamphlet we will have all the information necessary on the subject, and I think it would be an absolute useless expense to print the constitution as has been referred to.

Mr. READ: If we consider this matter carefully we will thoroughly agree with the gentleman from Holmes [Mr. WALKER] on this question. A number of my constituents have asked if we were not going to have the whole constitution printed along with the new part so that they could compare it. I told them I believed that was the intention, and they said that that was the right thing to do because they wanted to know what was in the old constitution when they came to vote upon an amendment changing the old constitution.

Mr. DOTY: I will withdraw the motion and will move that the number of copies of the constitution ordered be limited to five thousand.

The motion was carried.

Mr. ANTRIM: I want to call attention to three very serious defects in the initiative and referendum proposal as passed. Possibly some of you would like to mark them. Turn to page 2 in the grand resolution, article II, section 1. You will find in section 1 in the fourth line at the end of the line these words, "and amendments to the constitution." Those words should be stricken out altogether. I am referring now to the last grand resolution put on your desk that has the ballot at the end of it. These words should be stricken out for this reason: The amendment prepared by the special committee at the last reading cuts out altogether the indirect initiative method of proposing constitutional amendments. Of course, that was adopted and after it was adopted the change was not made in section 1 to correspond. The result is we have an inconsistency.

Mr. PECK: That does not refer only to the indirect method, but to both methods. It is a general provision.

Mr. ANTRIM: There is only one method of amending the constitution and that is by the direct method.

Mr. PECK: And they have reserved the power to do so.

Mr. ANTRIM: This says, "but the people reserve to themselves the power to propose to the general assembly laws and amendments to the constitution." As a matter of fact we shall not be able to propose to the general assembly amendments to the constitution. The only method is the direct method on a petition of ten per cent, so the only correct thing to do is to strike out those words "amendments to the constitution."

Now, turn to the next page, three, about ten lines from the bottom of the page, beginning with the sentence "Any proposed law or amendment to the constitution submitted to the electors as provided in section 1a, and section 1b."

The implication there is that both proposed laws and amendments have to do with section 1a and section 1b. As a matter of fact amendments have only to do with section 1a and proposed laws only to section 1b. Of course that resulted from the fact that this amendment was introduced by a special committee and this change was not made to correspond. That sentence would have to be entirely rewritten to make it correct.

This is not the fault of the committee on Arrangement and Phraseology, because they corrected only the amendment itself, section 1b. They did not look to the remainder of the proposal, which they had gone over carefully before. These are inconsistencies that arise as the result of the introduction of this new section, and I am calling attention to the error but not suggesting the change.

Now, there is one other one and you will find that on page 5, section 1g, not quite down to the middle of the page. The sentence, "No law or amendment to the constitution submitted to the electors by initiative and supplementary petition." The inference is that we submit both laws and amendments to the constitution by initiative petition and supplementary petitions. As a matter of fact we permit only amendments by initiative petition. Supplementary petitions have nothing to do with amendments and laws by both initiative and supplementary petitions, and the way to correct that is to introduce the word "or" between "initiative" and "supplementary" or rewrite the sentence.

Mr. LAMPSON: This matter came up last night and I thought a good deal about the parliamentary method of making the correction. I talked with Mr. Crosser and he felt that he would rather leave it just as it is, inasmuch as it does not affect the meaning and application of the amendment. The only way I can see out of that is to resolve that the secretary of the Convention be directed to enroll and print the proposal as adopted on final passage so that it would read "as follows:" and then set out in full the corrections. But that would afford a technical opportunity for some one to raise a question.

Mr. KING: If that motion were carried, could it be made to include the amendment relating to the courts, Judge Peck's proposal?

Mr. LAMPSON: It could, but that should be fixed by a separate amendment. I also took that matter into consideration. This is a simple direction to the secretary

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to enroll and cause to be printed as adopted on final passage, so as to read "as follows:" and that would be certified to the secretary of state as what has been enrolled under these directions and this sheet would have to be taken out and another sheet substituted.

Mr. JONES: Would the journal show that that was adopted in that form?

Mr. LAMPSON: Yes, but you would have to take in connection with it this direction, which must be adopted by a yea and nay vote, to get a correct understanding of the matter. Of course, it would be certified by the secretary of the state in accordance with a resolution directing the secretary to make the correction and enroll and cause the proposal to be printed in that way.

Mr. FESS: Could we not reconsider the final vote on this matter?

Mr. LAMPSON: The trouble about that is it has been signed by the president and secretary and a reconsideration comes too late.

Mr. DOTY: The trouble is that the minutes of the Convention show that the proposals have been enrolled and, so far as we know, filed with the secretary of state.

Mr. LAMPSON: I do not want to be understood as saying that this affords a clear way out of it. It is the only possible way. Our rules provide that we shall do whatever we do in the shape of proposals. I mean in the way of amending the constitution. We have provided these proposals shall have a certain number of readings and a certain consideration and all the proposals have gone through that grind. Then it came up to the place where we should officially certify or notify the secretary of state of what we have done. The way we did that was through what we call the grand resolution, which we signed last Saturday. We didn't have to sign it, but only the president and secretary. We did sign it, however, and for all we know that has gone to the secretary of state and it may be that the secretary of state actually has that copy in his possession. Technically that is where it belongs. If the secretary of this Convention has that enrolled copy he is holding it as his own risk.

Mr. HOSKINS: Suppose there is an error; could we direct the secretary to correct it?

Mr. DOTY: If you do it according to our rules that is possible. It is possible to introduce a proposal this morning now, to take number 2 and amend as follows. Then the resolution is put in with the correction, just as we have suspended the rules before, and we would suspend them again and order it to its second reading and to its third reading, and then pass another grand resolution which we would have to enroll. In connection with that we would have to rescind the one we have passed, enroll the second one and send it to the secretary of state with directions to substitute for the other one.

Mr. HOSKINS: If the matter were an error couldn't the secretary correct it on the original enrolled bill?

Mr. DOTY: The secretary of the Convention has no right to change a period or a comma or a word. That does not make any difference to him. He cannot change a thing.

Mr. HOSKINS: Except by direction of the Convention?

Mr. DOTY: And if he does it by direction of the Convention this Convention is directing him to certify

something to the secretary of state that has not passed or that did not pass.

Mr. MILLER, of Crawford: Would not that require signing again?

Mr. DOTY: All the signatures required were those of the president and secretary. I am not contending that we shouldn't make the corrections. I am willing to stay another week and correct them, but if they are corrected they must be corrected in a proper way.

Mr. ANTRIM: Do you not think the initiative and referendum proposal will be more widely read in this country than all the rest together, and therefore don't you believe that as far as possible we should free it from defects?

Mr. DOTY: Of course, I do.

Mr. ANTRIM: We are going to be judged in the other states more largely in what we have done in this proposal than anything else.

Mr. DOTY: That is true. I am not at all contending against making these corrections. I am only trying to point out the only possible way to make them. The method proposed by the member from Ashtabula [Mr. LAMPSON] may be right, but I don't think it is.

Mr. WINN: This Convention is a law unto itself except as it may be controlled by the rules, and it may be that we can suspend the rules and do what we please. We might suspend the rules and make new rules.

Mr. DOTY: We could not under the rules.

Mr. WINN: We could suspend the rules and undo everything we have done.

Mr. DOTY: You cannot suspend the rules of procedure except by a two-thirds vote and notice of three days.

Mr. WINN: Do you say it takes three days' notice to change the rules?

Mr. DOTY: Yes.

Mr. KING: I do not believe there can be any way devised by which these corrections can be made safely, nor do I believe they are material corrections at all. The words in the initiative and referendum proposal suggested by the gentleman who raised the question, will simply be rejected as mere surplusage. They say, as hereinafter provided, the affirmative grant of power is to be found in the subsequent section to tell how that power can be exercised, and it does not apply in the double-petition method at all. The suggestion of the gentleman from Allen as to the judicial amendment, section 15, article IV, does not lie at all. It could not be better written. The trouble arises because the committee used the expression "laws may be passed" wherever "general assembly" had been used. When they changed that expression they didn't change it so as to plainly indicate or express just what was intended by that section, but as it reads now laws may be passed. Now the legislative power is vested in the general assembly regardless of limitation or reservation. We reserve certain legislative powers, to be exercised in a certain way, to the people. But laws may be passed to increase the number of judges and establish other courts and so forth whenever two-thirds of the members elected to each house shall agree thereon. So that is the way and the only way now that laws can be passed to increase the number of judges and increase the number of districts or establish other courts, when two-thirds of the

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members of each house—that can mean but just one thing, and that is the general assembly, the only law-making power in Ohio that has two houses. That, therefore, will be construed to mean that the general assembly alone can act upon the subject of increasing or diminishing the number of judges. As I see it, it could have been better written to express the idea in connection with the initiative clause in our constitution, but at the same time it is a perfectly workable proposition and ought not in my judgment now be tinkered with.

Mr. HALFHILL: The way the proposal was written originally it had in the forepart of it the words "general assembly." Now the committee on Phraseology struck out the words "general assembly" and inserted "laws may be passed". It is very awkward looking. It is so awkward that there should be some way to remedy it. I admit that the construction would be just as contended for by Judge King, however.

Mr. KING: You say it is awkward. There is no doubt about the meaning of it?

Mr. HALFHILL: I do not think there is any doubt. The meaning is correct, but it is awkward.

Mr. PECK: But after it has been passed that way, is not that an end of it?

Mr. HALFHILL: We certainly have control of our own proceedings here. I do not see any force in the argument of the gentleman from Cuyahoga [Mr. DOTY] that everything we have done here is so sacred that we cannot remedy it. I do not know of anybody who has made more fun of precedent and established things than the gentleman from Cuyahoga.

Mr. DOTY: I distinguish between the words "precedent" and "sacred".

Mr. PECK: Well, what is before the Convention?

Mr. DOTY: Nothing but to wait for the printer to bring up Resolution No. 134.

The PRESIDENT: The member from Cuyahoga has stated it correctly.

Mr. HALFHILL: I move that we insert in this provision after the word "house" the words "of the general assembly".

Mr. DOTY: There are several points of order that might be raised to that. One is that it is not in writing.

Mr. LAMPSON: Another point of order is that it is not before the Convention.

Mr. DOTY: And while the gentleman is reducing it to writing we will think of several others.

Mr. LAMPSON: I want to call the attention of the gentleman to the fact that if his motion is voted down it will be notice to future investigators that the Convention did not intend what the gentleman wants to insert.

Mr. HALFHILL: That may be true.

Mr. DOTY: I now call up Resolution No. 134.

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

Mr. DOTY: The difference in the two resolutions, the one I introduced and the other, is not material except in two or three particulars. My notion that the best way to get the resolution in shape, if the Convention desires to do so, and I say it without reflection upon the committee, is to disagree with the report of the committee, which will leave the resolution as originally introduced and then amend that resolution to accord with the wishes of the Convention. I have some amendments for

correcting dates and one thing and another that in my judgment ought to be corrected and I think it will then be in proper shape.

The resolutions we adopted yesterday are going to make a tremendous amount of work. I do not mean mental work only, but down right mechanical manual work, to be done by somebody. The number of employes that I had provided in the original resolution in my judgment is not large enough to do this work and do it right. I went over in a hasty way the work of the secretary in indexing and printing and publishing the journals and debates and I do not suppose that many of you members can really realize what that work is. I do not want you to think I am trying to make a mountain out of a mole hill. It is a matter personally of no concern to me whatever. I am not charged with the responsibility. I do feel that I ought to tell you what I think about it because I have had experience. I do not suppose you can realize the amount of work the secretary is going to be charged with under the resolution we passed yesterday and under the resolutions concerning the publishing and printing of the debates and journals. The original resolution only provided for five people, one of whom would be engaged for the most part—although when he was not engaged he could be used elsewhere—in the work of the committee on Submission. That leaves three clerks and the secretary to do the work of indexing and proofreading. I provided a really expert proofreader, and in my judgment there ought to be at least one more clerk, and the amendment that I prepared provided for that. I will state to you frankly if you do not want any more clerks the resolution is easily amended. I have no personal interest in the name of any person inserted. Now my amendments are as follows:

In line 1, strike out "Saturday" and insert "Friday".

In line 2, strike out "1" and insert "7".

In line 29 strike out "the month of June" and insert "thirty days from June 7, 1912".

In line 23 strike out "during the month of June" and insert "until July 7".

In line 30 change "16" to "20".

In line 34 change "this date" to "June 7".

In line 41 change "1" to "7".

In line 58 change "1" to "7".

In line 17 after "Morrison" insert "S. E. Neff".

Now, if the committee's report is voted down and we return to my original resolution, we can as easily amend that as any other. I think it will be much easier to consider and we will fix the whole matter in a few moments.

Mr. KERR: Your resolution will be open to amendment?

Mr. DOTY: Yes; I have amendments to offer myself, which I have read.

Mr. RILEY: We have clean copies of the last resolution.

Mr. DOTY: Clean copies don't make so much difference.

Mr. RILEY: Well, we have no copies of the other at all.

Mr. DOTY: Resolution No. 134 is upon your desk

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and has been for a week or ten days. There are more members know what is in that than in the other resolution.

The PRESIDENT: The resolution is on page 50 of the journal.

Mr. DOTY: Yes, and it has been printed in bill form. It is pending before the Convention and is on everybody's desk, including that of the member from Washington.

Mr. ROEHM: This resolution was sent to the committee on Employes and we spent an hour and a half or two hours on it. We couldn't agree upon certain names and finally we did agree to report it back in the shape it is now, allowing the secretary to make the appointments. The remainder of the report is substantially the original resolution.

Mr. DOTY: You were just referring to us the part the committee couldn't settle?

Mr. ROEHM: That part will have to be attended to here.

Mr. WINN: I want to call attention to one very important thing. I notice that the services of the postmaster are continued for ten days. If I understand it the postmaster will be required to go to the postoffice and file a list with the postmaster of the delegates to the Convention and where to forward our mail. Do you not think it would be fair to put the assistant postmaster in to aid him in doing that arduous work?

Mr. ROEHM: We tried to follow that report as well as we could. The date, June 16, has not been changed, although it is a week later than when the resolution was first introduced.

Mr. MILLER, of Crawford: I hope the report of the committee will be agreed to. We have heard a great deal of argument during the Convention on short ballot and responsibility. Now place a man in charge and let him be responsible. The secretary should be allowed to select the help he needs.

Mr. LAMPSON: I am credibly informed that the secretary does not desire the responsibility of making these appointments. I am authorized to so state.

Mr. MILLER, of Crawford: That does not change my ideas. We should hold him responsible for the work, and he is the only one who should be required to appoint the employes.

Mr. DOTY: The gentleman from Crawford is entirely right. And if you go back to the beginning of the Convention you will find it is the very stand I took and one that the member from Crawford didn't take at that time. Members of the Convention said at that time to the secretary that he had no right to say who his help should be, but that they would hold him responsible for the work. That is the way we began and we put certain employes in his office and compelled him to take them whether he wanted them or not. I was against that. It is wrong in principle.

Mr. MILLER, of Crawford: It is wrong now.

Mr. DOTY: It is not wrong now if we were right then. If it is right then, why is it not right now? Why cannot the Convention pick out the helpers from that same set of people? Another thing, you say you are going to allow the secretary to appoint them and you only permit him to appoint half of them. Personally I don't care who appoints.

Mr. MILLER, of Crawford: The secretary knows who is best qualified.

Mr. DOTY: Yes, and he could have picked out a fair set of men at the beginning and he could have secured better work out of the employes than he has obtained if he had had the selection and control over them. Your directors don't come around and tell you whom to put in as paying teller.

Mr. BROWN, of Highland: What was it that determined the committee to remove from the resolution the name of the expert, Mr. Nichols, and replace him with an inexperienced proofreader?

Mr. ROEHM: In the first place, I do not believe that Rebrassier is so inexperienced a man. Secondly, we did not know who Mr. Nichols was.

Mr. BROWN, of Highland: It is generally conceded that Mr. Nichols is an expert in the business for which he was suggested in the report of the committee, and I have no idea that the gentleman who replaces him has anything like as large experience in that direction. I think that Mr. Nichols would certainly be the better man and I move that his name be replaced.

Mr. DOTY: Just vote down that report and you will do the same thing.

The report of the committee was disagreed to.

The PRESIDENT: The question is now on the adoption of the resolution.

Mr. DOTY: I now offer the amendment that I read a moment ago. Some of the proposed changes are made necessary by the postponement of the date of recess. After this is adopted we can make any further amendment if we so desire.

The amendment offered by Mr. Doty was again read.

The amendment was agreed to.

Mr. SMITH, of Hamilton: I want to offer an amendment to Mr. Doty's amendment. I do it with a certain amount of hesitancy and embarrassment because it involves striking out a name which is now in and substituting another. Before offering the amendment I want to testify to the hard work that Mr. Morrison has done and the good service he has rendered to the Convention and my high personal admiration for him as a man, but some of the friends of the other employes have handed this amendment to me and asked that they be given an opportunity to vote for Mr. Wulff, who is also at the desk. I have known Mr. Wulff for many years and worked with him in many special tasks and it gives me pleasure to offer this amendment which inserts Mr. Wulff's name in place of that of Mr. Morrison.

Mr. TANNEHILL: I want to second that for Mr. Wulff. I do not do it because I have anything against any other clerk. I think they have all been efficient and I think the Convention has a right to select whom they want to remain.

The amendment was read as follows:

Insert after "Ira I. Morrison" the name of S. E. Neff. Strike out in lines 16 and 17 the name of "Ira I. Morrison" and substitute in lieu thereof the name of "Ernest G. Wulff".

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Mr. DOTY: Mr. Morrison has been employed by this Convention and whatever efficiency he has had you have seen. He has been paid for his services and up to this moment, assuming he got his pay today, we owe him nothing. We are not under any obligation to hire him or any person else. There is no obligation about this at all. It is very embarrassing to stand here and attempt to compare two gentlemen who are right in front of us, and for both of whom I have high esteem, but we are up to the employment of a clerk for the work that he can do, not the work he has done, and, based upon the best experience we can find about our staff, I will take the judgment of any member of the Convention if he will take the time and trouble to investigate the efficiency and experience and knowledge that Mr. Morrison has. Mr. Wulff has had experience for one session upon a job that was absolutely created and absolutely unnecessary. That job over in the corner and that job at that desk ought to have been combined. Mr. Wulff ought to have done both of those jobs and he could have done it. He is a man of ability. But the kind of work the secretary has called upon Mr. Wulff to do has not given him the necessary experience. It was not his fault, but it has not given him the necessary experience to do the kind of work that Mr. Galbreath wants in the next three months.

Mr. SMITH, of Hamilton: Is there an employe by the name of Neff?

Mr. DOTY: Yes.

Mr. SMITH, of Hamilton: If there is no objection I would like to change my amendment and insert Mr. Wulff in place of Mr. Neff.

Mr. MILLER, of Crawford: I oppose this change in the amendment. Mr. Neff has been here during the Convention and I think the members will realize that he has been a very valuable assistant to the secretary. He is the one who has been doing the research work and has been very satisfactory all the way through. I shall oppose very much substituting Mr. Wulff's name for that of Mr. Neff.

Mr. SMITH, of Hamilton: I will offer an amendment.

The amendment was read as follows:

Insert after "S. E. Neff" the name of "Ernest G. Wulff".

Mr. SMITH, of Hamilton: I regret very much that we cannot keep every employe that we have permanently. And as it has been suggested that we have not retained quite enough assistance, I offer this amendment and will not move to strike out anything.

Mr. TETLOW: I would like to hear the names of those who are to be retained read.

The SECRETARY: Ira I. Morrison, S. E. Neff, Ernest G. Wulff, Ella M. Scriven, Julia E. Kersting, Katherine Kellar and George Cartwright.

Mr. TETLOW: Originally, employing these people was not a very small job. It was a thankless proposition and one that required a great deal of care and attention. We were able to select employes that have been efficient and good conscientious men and women. It seems to me, after looking over the entire work that this committee on Employes has done, that we made some mistakes. A person can see after he has had some experience in doing work that he might have done that which would

have been better. I think it is an outrage, I don't care who is retained for these positions, to employ seven people along with the secretary to carry on this work that has been laid down by our resolution. It is an expenditure of the state's money that is absolutely unnecessary. We reduced the time for which they were to be retained, and I can't figure out why the secretary with three good clerks cannot complete the work that has been laid down by August 26. Take the matter which we have upon our desks and in our desks. There is a resolution to pay a whole lot of money to have that packed up and sent home. One man can do it in a day or two. I think we had better not fight so much over who is to be retained as to keep down retaining too many. I want the work done right and done well, and I want to see the work of the Convention perfected, but I don't want to spend more money than is necessary to do it.

Mr. DOTY: There is a good deal of force in what the member from Columbiana [Mr. TETLOW] has said. I for one want at this time, probably the last time I shall ever have an opportunity to compliment the committee on Employes for the excellent work they did in the early part of this Convention. I think the Convention owes a debt of gratitude to that committee for the work it did. And there is a good deal of truth in what the member said about piling up expense. I am not much on piling up expense myself. My resolution called for five people and I think that is not enough. I made an amendment to add one and since then there has been an amendment to add another. There is just so much work to be done. You might put twenty-five on temporarily and they might get through it in a very short time. I think when the work is done that the employes will be discharged by whoever is in charge.

Mr. PETTIT: But will they do it?

Mr. DOTY: Of course they will. Nobody believes that the president and secretary of the Convention are going to keep anybody when they are not needed.

Mr. PETTIT: That is what is being done now.

Mr. DOTY: You may be right about that, but I think you will find that when the work is done the employes will be retired.

Mr. BROWN, of Highland: There cannot be any objection to the larger number if the provision is for them to be relieved from duty as soon as the work is done.

Mr. TETLOW: I don't see how seven employes can work in the secretary's office on the work that we have to do. I don't see how they can be used to advantage.

Mr. McCLELLAND: It is difficult to discharge any employes after they have rendered as efficient service as they have here. But that same situation may continue. The president and the secretary will find it hard work to discharge some of the employes and you will see that the whole bunch will be retained until the last advertisements are in, so that they will simply be employed for the whole time. I therefore move that the names in lines 16 and 17 of the Doty resolution be stricken out and the corresponding lines in the committee's report be substituted, "For this work, the secretary of the Convention is hereby authorized to retain three employes of the present force to be continued at their present compensation."

Retention of Employes through Recess of Convention.

Mr. DOTY: I do not want to raise a point of order to be captious, but that should be in writing.

Mr. McCLELLAND: It is in writing.

Mr. DOTY: The motion is not in writing, but I am willing to wait until it is and I do not want to hurry the member.

Mr. FESS: There is not anyone on the floor who would hesitate to vote for all the help that we need, but if there is any way by which we can get along with less, or by which we can find out just how much we need, we would like to know it. Every member would vote for any person who has been selected purely on account of efficiency. Now there is a person suggested as a proofreader and I would like to vote for that person. But at the same time I would like to know whether it is understood that when this work is done these people are to be discharged without continuing for an indefinite time. It seems to me that ought to be clearly understood by everybody here.

Mr. DOTY: I am preparing an amendment that will make that absolutely clear and definite and I will read it in just a moment.

Mr. FESS: With that point in view there is no use in higgling here and killing time. The Convention is ready and anxious to do whatever is necessary for a proper ending.

Mr. DOTY: I would ask the member from Knox if this amendment that I am proposing will not meet his approbation and settle the whole question to his satisfaction as well as to the satisfatcion of everybody else: "The president, vice president and secretary are hereby authorized to discontinue the services of any employe provided in this resolution at any time."

Mr. McCLELLAND: I do not withdraw my amendment.

Mr. STILWELL: I move that the amendment of the delegate from Knox be laid on the table.

The motion was carried.

Mr. DOTY: Now I offer an amendment.

The amendment was read as follows:

After line 58 insert:

"Section 8. The president, vice president and secretary are hereby authorized to discontinue the services of any employe provided for in this resolution at any time."

Mr. DOTY: I now demand the previous question on the whole thing.

Mr. MILLER, of Fairfield: I hope the amendment will not be carried.

The PRESIDENT: The president would like to ask the member from Cuyahoga if he will not withdraw that motion, as the president stated to the member from Fairfield that he would give him an opportunity to offer an amendment.

Mr. DOTY: I have no objection to withdrawing the demand for the previous question for the gentleman to offer the amendment.

Mr. MILLER, of Crawford: I offer an amendment. The amendment was read as follows:

In line 4 strike out "10" and insert "25".

The PRESIDENT: That amendment is not now in order.

Mr. DOTY: Let us dispose of my amendment.

The PRESIDENT: The question is on the adoption of the amendment of Mr. Doty.

The amendment was agreed to.

The PRESIDENT: Now the question is on the amendment of the gentleman from Crawford.

The amendment offered by Mr. Miller, of Crawford, was again read.

Mr. DOTY: I now demand the previous question on the whole thing.

The PRESIDENT: The president would like to ask the gentleman from Cuyahoga to withhold that. The president promised to recognize the member from Stark [Mr. WEYBRECHT].

Mr. DOTY: All right.

Mr. LAMPSON: Let us act on this amendment first.

The amendment offered by the delegate from Crawford [Mr. MILLER] was agreed to.

Mr. WEYBRECHT: I offer an amendment.

The amendment was read as follows:

In line 17 after "Ira I. Morrison" insert "H. L. Rebrassier".

The amendment was not agreed to.

Mr. DOTY: I demand the previous question on the whole resolution.

The main question was ordered.

The amendment offered by the delegate from Hamilton [Mr. SMITH] to insert "Ernest G. Wulff" after the name "S. E. Neff" was agreed to.

The amendment offered by the delegate from Cuyahoga [Mr. DOTY] was agreed to.

Mr. KRAMER: Now I think there should be a separation there, and that section 3 should be voted on separately.

The PRESIDENT: If there is no objection the separation will be made and the question is on the adoption of the resolution except section 3.

Mr. CASSIDY: There is an expenditure of money involved and the yeas and nays must be called upon that.

Mr. LAMPSON: Upon the resolution as a whole.

The resolution, except section 3, was agreed to.

The PRESIDENT: The question now is "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 60, nays 20, as follows:

Those who voted in the affirmative are:

Antrim,	Halfhill,	Miller, Crawford,
Beyer,	Harbarger,	Moore,
Brown, Highland,	Harris Ashtabula,	Nye,
Brown, Pike,	Harter, Huron,	Okey,
Cody,	Harter, Stark,	Partington,
Cordes,	Henderson,	Peck,
Cunningham,	Hoffman,	Pettit,
Davio,	Hoskins,	Pierce,
Donahey,	Hursh,	Read,
Doty,	Kehoe,	Roehm,
Dunlap,	King,	Rorick,
Earnhart,	Kunkel,	Smith, Geauga,
Evans,	Lambert,	Smith, Hamilton,
Farrell,	Lampson,	Stalter,
Fess,	Leete,	Stevens,
FitzSimons,	Leslie,	Stilwell,
Fluke,	Longstreth,	Thomas,
Fox,	Ludey,	Watson,
Hahn,	Malin,	Weybrecht,
Halenkamp,	Marshall,	Mr. President.

Retention of Employes through Recess of Convention.

Those who voted in the negative are:

Beatty, Morrow,	Kramer,	Tannehill,
Cassidy,	Mauck,	Tetlow,
Colton,	McClelland,	Wagner,
Johnson, Madison,	Miller, Fairfield,	Walker,
Johnson, Williams,	Norris,	Winn,
Jones,	Riley,	Wise.
Keller,	Stokes,	

So the resolution was adopted.

Mr. TANNEHILL: A division was demanded and we have not voted on that section.

The PRESIDENT: The vote was taken first on the

resolution with the exception of section 3 and then a vote was taken upon the passage of the resolution as a whole, including section 3.

Mr. KRAMER: When did we have a chance to vote against section 3 by itself. I would like to know about that.

Mr. LAMPSON: There could not be any division of the resolution.

Mr. DOTY: I now move that we adjourn to reconvene August 26, 1912.

The motion was carried and the Convention adjourned to meet August 26, 1912, at two o'clock p. m.