

# FORTY-EIGHTH DAY

## EVENING SESSION.

MONDAY, April 1, 1912.

The Convention met pursuant to adjournment, was called to order by the president and opened with prayer by the Rev. Timothy Lehmann, of Columbus, Ohio.

The journal of Thursday was read.

Mr. WATSON: I see in the journal that Mr. Peters moved to amend Proposal No. 2. That should be Proposal No. 16.

The correction was made.

The journal was approved.

Mr. LAMPSON: I desire to ask indefinite leave of absence for Mr. Eby on account of the death of his mother.

The request was granted.

Mr. FESS: Owing to my enforced absence when Proposal No. 2 was voted on, I would like now to have my name called so that I can vote on that proposal.

The name of the delegate was called and he voted in the affirmative on the passage of Proposal No. 2, on its second reading.

## MOTIONS AND RESOLUTIONS.

Mr. SMITH, of Hamilton: I have a resolution to introduce which will go over under the rules. It is somewhat out of the ordinary. It is a proceeding that has never been taken in the Convention before and if there is any objection I would like to take two or three minutes to explain it. It is in regard to the license proposal which was passed by the Convention some weeks ago. In this resolution I seek to have the Convention instruct the committee on Arrangement and Phraseology to make certain changes which they may feel they have no right to do under the general rules of the Convention. It directs the committee on Arrangement and Phraseology to so arrange Proposal No. 151 that instead of providing for an arbitrary sweeping away of all the saloons, as that proposal will do if adopted by the people, until they should number only one to five hundred inhabitants, the number shall be reduced gradually and that the present saloon keepers shall be given the preference. There are one or two other changes which you will see when the resolution is printed. I move, if it is in order, that the usual number of copies be printed of Proposal No. 151 as it would read with this resolution amending it, showing clearly where the amendment will come in, so that no one can say anything was slipped over. Of course, if you do not think the proposal ought to be amended so as to make it a little more equitable, you will oppose the motion.

The resolution was read as follows:

Resolution No. 92:

That the standing committee on Arrangement and Phraseology is hereby directed to include, in addition to any amendment affecting the arrangement and phraseology of Proposal No. 151—Mr.

Anderson, that it may desire to recommend, the following amendments:

In line 12 strike out the "comma" and insert a "period." Strike out the word "and" and insert in lieu thereof the following: "The licenses shall be varied according to the business to be done and shall not include the manufacture of intoxicating liquor from the raw material or the sale thereof at the manufactory by the manufacturer thereof in quantities of one gallon or more at a time. Retail licenses shall be for sales in quantities of less than one gallon at a time."

In the same line (line 12) after the words just inserted change the "t" in the word "the" to a capital.

In line 14, after the word "of" used the second time strike out the word "saloons" and insert in lieu thereof the words "retail licenses issued therein".

In line 17 strike out the word "while" and insert in lieu thereof "contrary to".

In line 18 strike out the word "is" and insert the word "while".

In line 22 after the word "no" insert the word "retail".

In line 24 after the word "no" insert the word "retail".

In line 26 strike out the "comma" and after the word "sale" insert the words "under retail license."

In the same line after the word "such" insert the word "retail."

In line 30 after the word "the" (used the first time) insert the word "retail".

In line 36 before the word "license" insert the words "a retail".

In line 40 after the word "one" insert the word "retail".

In line 42 substitute for the "period" a "comma" and add "provided however that in localities where the traffic in intoxicating liquors as a beverage is not prohibited at the time this amendment shall take effect retail licenses shall be issued to all applicants then engaged in such traffic in each such locality who shall have the qualifications prescribed herein, and that may be prescribed by law and whose places of business shall have been listed for taxation April 1, 1912, although in excess of the foregoing limitation, and such applicants and their successors in title with like qualifications shall have precedence over others not so listed and such license may be renewed, but said limitation shall not otherwise be exceeded."

This resolution shall not preclude recommendations by said committee as to arrangement and phraseology affecting the foregoing amendments.

## Resolution Suggesting Changes in Phraseology of Proposal No. 151.

Mr. ANDERSON: I rise to a point of order.

The PRESIDENT: The resolution goes over under the rules.

Mr. ANDERSON: I presume, although the resolution goes over, that I can suggest a point of order?

The PRESIDENT: Will the gentleman state his point?

Mr. ANDERSON: In the first place the committee on Phraseology is not a committee to recommend amendments. That committee can recommend a change of wording, but no substantive amendments.

Mr. DOTY: Would not any change be an amendment?

Mr. ANDERSON: No; because this goes to the substance and changes the original proposal. In other words, this committee on Phraseology, if this resolution is in order and goes through, would have the same duties to perform as the original Liquor committee, as it takes out of No. 151 all wholesale establishments. It materially changes in many ways Proposal No. 151, which has been read twice as I remember it, and is the work of this Convention. It will come up for the third reading and all that this resolution attempts to do will be in order then and not until then. I insist that the resolution is entirely out of order.

The PRESIDENT: Will the member make his point when the resolution comes up for consideration of the Convention, or does the member insist on the point now?

Mr. ANDERSON: I can do it then.

Mr. BAUM: I desire to present an invitation and a resolution.

Mr. LAMPSON: One second. It is understood that the point of order can be made when the resolution comes up?

The PRESIDENT: It is understood that when the resolution comes up the point of order can be made.

Mr. SMITH, of Hamilton: May we have this printed? I move that the usual number be printed.

Mr. ANDERSON: A point of order. I do not understand your ruling or what is attempted to be done here.

The PRESIDENT: The member has moved that a hundred and fifty copies of the liquor license proposal, as it will read if this resolution is passed, be printed.

Mr. ANDERSON: And I suggest a point of order on that.

Mr. DOTY: I don't think the motion is understood in the first place. I understood the member to move that the usual number of copies of Proposal No. 151 as it would be if this were adopted be printed, to show the changes from the proposal as it now stands.

The PRESIDENT: That is the motion. Does the member from Mahoning [Mr. ANDERSON] make a point or order as to that?

Mr. ANDERSON: Yes. If the resolution is out of order you can not carry a motion to have it printed. Therefore, I urge now that the resolution is out of order. If you wait until it comes up under the rule for a consideration and the motion to print is in order now, what will be the situation? I suggest that point of order.

Mr. DOTY: Against the resolution itself?

Mr. ANDERSON: Against the motion to print and the resolution itself.

The PRESIDENT: The point of order is on the motion to print.

Mr. SMITH, of Hamilton: I want it done so that everybody can know what the amendment proposes to do, and I do not know how we can do that unless we have the original proposal printed. I think the point of order could be made against the resolution and still the motion to print might be in order.

Mr. ANDERSON: I urge this, that the liquor question deserves no more consideration than any other question, and I insist that it be taken up in the usual way and in the usual manner. I do not believe this Convention has been especially called for the benefit of the foreign brewer; and the proper place for all these things suggested now to come up is on the third reading. I don't think this Convention should go to the expense of printing the brewery amendments.

Mr. HARRIS, of Ashtabula: I think we are a good deal interested in this question on principle. Is every question which has passed the second reading going through this proceeding in advance of a third reading? Every member on the floor understands when a measure is brought before us from the committee on Phraseology it is subject to amendment if the committee chooses. Now the inquiry is, are we going to amend it three or four times? If it can be amended — and that is what this is, a proposition to amend — I do not think such an amendment is in order until it comes up for its third reading. If the committee on Phraseology were to request permission to make a change of a word, all right, but this changes substantive matters. The gentleman from Cincinnati [Mr. SMITH] explained that he wants to make it easier for certain men whose rights are liable to be hurt. I do not think it is in order.

Mr. WATSON: Evidently the serpent has partly lost its tail, but now it is trying to retail itself, and I am opposed to it.

Mr. FESS: I do not see how the committee on Phraseology can receive mandatory instructions as to what they are to report back. The business of that committee will be to take up matters and report back and let the Convention act on them. This instructs the committee to do something. I think it is a very clear proposition that it is an attempt to do what can only be done on the third reading and I wish the member from Hamilton [Mr. SMITH] would withdraw it now and prevent precipitating an ugly fight, because this is going to open up the whole question in spite of all we can do. The committee on Phraseology can not do what this resolution says. It seems it is a very ill-timed resolution just now. Whether it is intended to open up the liquor question or not it is bound to do it, and it is going to be an ugly fight. I wish the member would withdraw it and hold it until the third reading and then it can all come up without anybody's motives being impugned.

Mr. DOTY: I have only hastily read the resolution. I am not in favor of it, but I would like to have any member of the Convention tell me how the committee on Phraseology can be expected to turn itself into a liquor committee and take up the subject matter of this proposal? There is only one way to do that and that is have the Convention by resolution instruct it so to do.

Mr. ANDERSON: Suppose this resolution is passed and it goes to your committee, do you have discretionary

## Resolution Suggesting Changes in Phraseology of Proposal No. 151.

power in saying you will recommend or will not recommend? If this is done, why not turn your committee into the Liquor committee and move that No. 151 be referred to it with full power to act?

Mr. DOTY: The committee on Phraseology does not amend proposals. This Convention is the only power that has that privilege.

Mr. ANDERSON: That is just my point of order.

Mr. DOTY: There can be nothing to your point of order. There is no attempt to amend the proposal. All this resolution does and can do is to instruct the committee to add the amendment. The committee on Arrangement and Phraseology may not recommend the amendment and certainly they will not recommend any change in substance unless directed by the Convention. This is the only way by which any amendment can be made until the third reading. If this resolution is passed the committee may or may not agree to it, and if they do agree to it they will report it back and then the matter is before the Convention for action. There is no other way of doing it until the third reading, and without the resolution it would be an absurdity for the committee on Phraseology to bring in this report including these amendments.

Mr. HARRIS, of Ashtabula: Do you understand that the committee on Phraseology has appealed to the Convention for relief in this matter?

Mr. DOTY: Absolutely not. We are getting along finely. We don't need any relief.

Mr. HARRIS, of Ashtabula: Then you are not asking for any?

Mr. DOTY: Absolutely none, but if the Convention wants to change this matter in substance, as suggested, they will have to recommend it to the committee. The committee won't have any authority to do it otherwise.

Mr. HARRIS, of Ashtabula: Is this committee in such shape that it needs relief—that it can not put this in good English until we recommend something to them?

Mr. DOTY: Of course, that question answers itself.

Mr. HARRIS, of Ashtabula: Well, what are we appealed to for?

Mr. DOTY: The Convention is asked to instruct the committee on Phraseology to make these changes. Then if they do make them, when it is reported to the Convention, the matter is up before the Convention.

Mr. HARRIS, of Ashtabula: Now, I think the gentleman needs some relief.

Mr. DOTY: Well, we will admit that.

Mr. HARRIS, of Ashtabula: He should be relieved a little and let the rest of us talk some.

Mr. WINN: Do you understand it to be the purpose of this Convention to instruct the committee on Phraseology to make this amendment?

Mr. DOTY: The word "make" is not exactly what you mean. What you mean is, is it the province of the Convention to instruct the committee to recommend certain amendments? Is that what you mean?

Mr. WINN: Suppose this Convention adopts a resolution directing the committee on Phraseology to make certain recommendations and suppose the committee on Phraseology declines to do it?

Mr. DOTY: Certainly they can not be forced to do it.

Mr. HARRIS, of Ashtabula: Suppose there is a

proposal before the standing committee on Judiciary and Bill of Rights to make some amendment to the bill of rights, would you say it was in order for this Convention to pass a resolution directing the committee on Judiciary and Bill of Rights to report that proposal favorably or unfavorably?

Mr. DOTY: Of course they might not entertain it. It might not be in good faith, but they have a right to do it, and it would be a parliamentary right. Now, I am not in favor of this resolution, and I am not going to vote for it, but we are not discussing the merits of the resolution, but we are discussing whether this is the proper way to get at it.

Mr. WINN: No, sir; we are not discussing that.

Mr. DOTY: Well, what are we discussing?

Mr. WINN: I have in my mind the point of order of the gentleman from Mahoning [Mr. ANDERSON], and his point of order is that this Convention has no right to receive or consider this resolution and it is just as certain as anything can be.

Mr. DOTY: Where is the rule?

Mr. WINN: Suppose some one would introduce a resolution that the baldheaded gentleman from Cleveland should stand on his head and we would pass it; could we do that?

Mr. DOTY: You might. I have seen some of you standing on your heads at times.

Mr. WINN: That proposition is no more preposterous than the resolution here to have this Convention direct the committee on Phraseology to make these changes, to make their report in a certain way.

Mr. DOTY: As a matter of fact, the regular form of making amendments in this house for more than twenty years is to instruct a special committee of one to report it forthwith, and Mr. Winn has made many of those motions. If you want precedents for this sort of an arrangement there are fifty every day.

Mr. LAMPSON: Does not this resolution when it comes up for consideration require a suspension of the rules and would it not require a two-thirds vote?

Mr. DOTY: I do not know what rule you would have to do that.

Mr. LAMPSON: It would be taking it from the jurisdiction of the committee.

Mr. DOTY: It is a matter for the Convention. They direct the committee on Phraseology to report back for recommendation. These recommendations can be something that the committee gets up or something that we may instruct them to bring in, but if they don't bring it in we have no right to compel them. The member from Mahoning [Mr. ANDERSON] may not know it so well—but he is learning fast—but we have been doing that for fifty years in the house.

Mr. WINN: You never saw it in your life.

Mr. DOTY: Twenty years ago you would move that a bill be referred to a select committee of one with instructions to amend as follows, and then give specific instructions, and the amendment would be made forthwith and the committee would report it back to the consideration of the house.

Mr. WINN: Have you ever known of an instance, any place, in any parliamentary body, in which instructions were given to a standing committee to report a bill or proposition favorably or unfavorably?

## Resolution Suggesting Changes In Phraseology of Proposal No. 151 — Invitation to Visit Chillicothe.

Mr. DOTY: What more rights has a standing committee than a select committee?

Mr. WINN: You know when that motion you referred to is made it is only in a formal way, and the author of the measure is the one person who desires to have the amendment and they move that he be a select committee to report the amendment.

Mr. DOTY: That is the custom.

Mr. WINN: That is all custom, but there is no such custom here.

Mr. STILWELL: I rise to a point of order.

The PRESIDENT: The gentleman will state his point of order.

Mr. STILWELL: Rule 96 provides that all resolutions except such as relate to the business of the day on which they are offered shall lie over one day before being considered.

Mr. DOTY: That is a point of order on the resolution itself and the chair has announced that the resolution would lie over.

Mr. WINN: It is on the right to introduce such a resolution, too.

The PRESIDENT: The president rules that the debate is in order. The point of order does not lie against the motion of the gentleman from Hamilton [Mr. SMITH] to print.

Mr. DOTY: Of course, upon that point of order there is little to be said. This Convention has the power to print anything it wants.

The PRESIDENT: The president has been ready for some time to rule that the motion is in order. The question is on the printing.

Mr. LAMPSON: I do not believe this question should be opened up at this time.

The motion was carried.

The resolution offered by the gentleman from Ross [Mr. BAUM] was read as follows:

Resolution No. 93:

WHEREAS, The city of Chillicothe, the seat of Ohio's first capital, has extended an invitation to this body to hold a one-day session in that city on May 2d:

*Resolved*, That we accept this invitation and instruct the secretary of the Convention to notify the mayor of that city to arrange for the sitting.

In this action upon this invitation, the Convention desires to limit its acceptance to this one invitation.

Mr. BAUM: I desire later to ask the Convention to adopt the resolution, but I just want to say a word before I make the motion if it is in order.

The PRESIDENT: If there is no objection the gentleman may proceed.

Mr. BAUM: One hundred and ten years ago the old town of Chillicothe was the center of a pioneer civilization, the metropolis of a vast inland empire known as the Northwest Territory. The name brings visions and dreams of an unbroken forest, of broad, rolling prairies, of beautiful lakes and rivers, of wild animals and savage men—Logan, Kenton, Boone, Tecumseh, The Prophet, Mad Anthony Wayne, all pass in silent review. Then comes the advance guard of civilization, the pioneer.

At convenient points, like the cities of refuge of old, he plants his forts and blockhouses. The more adventurous press onward into the forest. Their single cabins soon become settlements, the settlements a state, so that almost before the smoke from General Wayne's great battle had cleared away Ohio was knocking at the doors of congress and demanding admission into the sisterhood of states. And she was insistent. General St. Clair had been very unpopular as territorial governor and had incurred the lasting ill will of the people. He was haughty, arrogant, arbitrary. The people wanted to be rid of him. They thought they were able to govern themselves and wanted a government of their own. These pioneers were a sturdy race—no mollycoddles among them. Constant association with danger had eliminated everything effeminate. They brooked no interference with their business or their rights. There were no rich and no poor as the terms are used today. Nearly every one lived in a log cabin. The furniture, if it could be called furniture, was made by the pioneer himself. The bath room was the running brook under the open sky. The huge fireplace, occupying almost the entire end of the cabin, served as kitchen range and heating plant. No furniture, no stoves, no carpets, no anything that the modern housewife considers absolutely necessary. But do not waste any sympathy on these pioneers. They were happy in their forest homes and as free as the air they breathed. If there ever was a pure democracy of equals it was to be found in the Northwest Territory in the year 1802.

These were the people who, with visions of a great state, sent their representatives to frame the first constitution of Ohio. The delegates certainly had confidence in their constituents. They were given a free hand and no referendum reserved. And it is not supposed that any delegate thought it necessary to declare he represented the common people. They themselves were the common people, perhaps the ablest of them, but still just plain people. Several of them afterwards served their state well, either as governors or United States senators, but they were essentially pioneers, earnest and dignified. They came in their homespun from their cabin homes, and they meant business. They met, organized, framed a constitution and adopted it in less than a month, the question of reporting the debates not having come up.

In view of all this, it seems most fitting that we adjourn for one day to the scene of their labors, surround ourselves with their old furniture, breathe the air and imbibe the spirit of the Fathers who did their work so promptly and so well, not merely as a tribute to them and their work, but as a spur to our endeavors and a silent exhortation to patriotic and disinterested service. The historical associations of the old town will be an inspiration to this Convention and we shall be more than ever proud of our great state.

Chillicothe is waiting and anxious to welcome this Convention. To you, as honored guests, the hospitality of the ancient metropolis will be extended, and not by servants and hirelings, but by the members of the household and her own fair daughters. As in the day of the pioneer, Chillicothe's cider barrel is tapped, the fire is blazing high on her hearth and her latchstring is out.

Mr President, I move that the rules be suspended.

## Motions and Resolutions.

The motion was carried.

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

Mr. RILEY: I move to strike out that part of the resolution which limits us to just one such visit. I think those words ought to be stricken out that we shall accept no invitation except this one. There are Marietta, Zanesville and Cincinnati, all pretty good towns, and I don't think the Convention should commit itself to only one town. I don't see why Chillicothe should be so selfish as to monopolize us. It is all right to extend hospitality, but why cut off anybody else?

Mr. WATSON: Just a word upon the question. With all respect to the member from Ross [Mr. BAUM] I object to the Convention starting out on junketing trips. I think our time is a little too precious to the people to have the Convention junketing around. Of course, if the Convention goes I will also go, but I don't think we ought to go.

Mr. FESS: I think we should vote against the amendment. I think we should leave this resolution just as it is. If we don't we will be receiving invitations from everywhere. There will one come from Marietta and one from Cincinnati and one from Yellow Springs, the most beautiful place in Ohio. I am in favor of the resolution, but if you are going to pass this amendment I am against it. We can not go junketing all over the state.

The amendment was lost.

Mr. HARRIS, of Ashtabula: I don't like the time. I move to amend and make it Friday following the 2nd.

Mr. DOTY: That would make it Friday, May 3.

The amendment was lost.

Mr. MOORE: I understand there is a resolution offered by the gentleman from Wood [Mr. BEATTY] to recess over that week. What about that resolution? That should be considered before this is acted upon.

Mr. STILWELL: It seems to me it is bad judgment on the part of the Convention to decide what they are going to do a month hence. I favor the acceptance of the invitation from Chillicothe, and I think we should go down there, but I don't think we ought to put it as late as that. I suggest, if it is agreeable, that we move it up a couple of weeks and make it the second or third Thursday in April.

Mr. BAUM: We want time to get ready. We want to spread ourselves. We want to have everything as nice as can be. We will have automobiles to take guests around everywhere, and we want to have time to do it. Everything can't be done in a minute, and we want to prepare properly for the Convention. The ladies want to have everything ready.

Mr. BEATTY, of Wood: Why not make it the 9th of May, then?

Mr. BAUM: That will be all right.

Mr. BEATTY, of Wood: I move that it be made May 9.

Mr. WOODS: I want to ask the member from Ross [Mr. BAUM] a question. The member from Mahoning [Mr. ANDERSON] desires to know whether Chillicothe is wet or dry?

Mr. ANDERSON: I want to suggest to the gentleman from Ross [Mr. BAUM] that my solicitude is entirely due to the fact that Dr. Stamm is going along.

Mr. BEATTY, of Wood: I move to amend and make it May 9.

Mr. BAUM: I will accept that.

The PRESIDENT: The suggestion is accepted by the member offering the resolution and will be considered as a part of the original resolution if there is unanimous consent.

Mr. STILWELL: I object to it.

Mr. MAUCK: I object to it.

The PRESIDENT: The motion is on amending the resolution to make it read May 9.

Mr. EVANS: I suggest that the committee make arrangement for good weather there so that all the candidates for governor in the Convention can visit Grandview cemetery and see where our five dead governors lie. The motion to amend was carried.

The resolution was adopted.

Mr. DOTY: We have been presented a very beautiful invitation which should be preserved, and I move that the secretary have it framed and turn it over to the State Archaeological and Historical Society.

The motion was carried.

Mr. BOWDLE: I desire to make a statement and base thereon a motion. By a conspiracy among the bachelors in this Convention my bachelor-tax proposal was tabled Saturday when I was absent from this Convention. I submitted that proposition in the most serious spirit. It deserved consideration. Ohio has ten thousand bachelors above thirty years of age who persist in their bachelorhood in spite of the feminine beauty which assails them on every side. The loss to the commonwealth through their persistency is simply incalculable. This Convention does not seem to have discovered the subtle purpose of my proposal. I had planned by this deft move to add greatly to the population and happiness of the state by driving men into a state productive of both. We have in Ohio a poll tax inhibition. Now attacks on bachelors may be described as a poll tax. I had determined in my proposal to treat bachelorhood as a valuable franchise and tax it as such. After thirty-five years men become cold, calculating and selfish. I want to help them to become warm, thoughtful and unselfish. For certainly marriage is the result of that delightful thoughtfulness which providence has arranged to relieve life of its tragic somberness. I, therefore, move you that the vote by which this proposal was tabled be reconsidered.

Mr. DOTY: You can not reconsider a motion to lay on the table. You must make a motion to take it from the table.

Mr. BOWDLE: Then I move that we take from the table the proposal of mine by which bachelorhood is to be subjected to a tax.

Mr. LAMPSON: And that we put the bachelors under the table.

The motion was lost.

Mr. KNIGHT: I offer a resolution.

The resolution was read as follows:

Resolution No. 94:

*Resolved*, That the secretary be authorized to send to public libraries and, on application, to other educational institutions in the state of Ohio, copies of the pamphlets and other printed matter issued by this Convention.

## Motions and Resolutions — Introduction of Proposals, Etc.

The resolution was laid over under the rule.

Mr. WALKER: I was absent last week when the vote on Proposal No. 2 was taken and I would ask the privilege of being called and permitted to vote now.

The PRESIDENT: The secretary will call the gentleman's name.

The name of Mr. Walker was called on the adoption of Proposal No. 2 and he voted in the affirmative.

Mr. STILWELL: I offer a resolution.

The resolution was read as follows:

Resolution No. 95:

WHEREAS, It has pleased Almighty God to take from the activities of this life, and unto the peace and rest of His eternal home, the beloved wife of our co-delegate, Dr. Aaron Hahn;

Therefore be it resolved, That we extend to Dr. Hahn our deepest sympathies in this hour of his great affliction.

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

The resolution was unanimously adopted.

Mr. FESS: I offer a resolution.

The resolution was read as follows:

Resolution No. 96:

Resolved, That the select committee having supervision of the official reporter and reportorial staff of the Convention, be authorized and directed to have the reports of the debates of the first fifteen days of the Convention, prior to the appointment of the official reporter, edited and put into proper form for preservation and publication, at a cost not to exceed one hundred and twenty-five dollars.

Mr. FESS: The reports of these debates will have to be authenticated by the official reporter. We had no official reporter for the first fifteen days, and as it now stands the first fifteen days are not properly in the report, and we will have to have some way of getting the copy in shape and put in as part of the debates.

The PRESIDENT: The resolution goes over under the rules.

## INTRODUCTION OF PROPOSALS.

The following proposals were introduced and read the first time:

Proposal No. 321 — Mr. Miller, of Fairfield. To submit an amendment to the constitution. — Relative to the protection of the Sabbath.

Proposal No. 322 — Mr. Bowdle. To submit an amendment to article II, of the constitution. — Relative to the use of expert medical witnesses and testimony in criminal trials.

Proposal No. 323 — Mr. Hoffman. To submit an amendment to section 2, of article V, of the constitution. — Relating to elections by ballot.

Proposal No. 324 — Mr. Antrim. To submit an amendment to article XII, section 2, of the constitution. — Relative to taxation.

Proposal No. 325 — Mr. Anderson. To submit an

amendment to the constitution. — Relative to the common law.

Proposal No. 326 — Mr. Anderson. To submit an amendment to the constitution. — In relation to the inhibition of the law of attachment.

## REPORTS OF STANDING COMMITTEES.

Mr. Okey submitted the following report:

The standing committee on County and Township Organization, to which was referred Proposal No. 17 — Mr. Baum, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended:

Amend section 3 so as to read as follows:

Section 3. No person shall be eligible for reelection for any county office to succeed himself. The term of such officer shall be four years. The several terms of such officers, except treasurer, shall commence on the first Monday of January next following their election.

The report was agreed to. The proposal was ordered to be engrossed and read the second time in its regular order.

On motion of Mr. Okey, the proposal, as amended, was ordered printed.

Mr. Okey submitted the following report:

The standing committee on County and Township Organization, to which was referred Proposal No. 180 — Mr. Moore, having had the same under consideration, reports it back without recommendation.

The report was agreed to. The proposal was ordered to be engrossed and read the second time in its regular order.

Mr. Okey submitted the following report:

The standing committee on County and Township Organization, to which was referred Proposal No. 188 — Mr. King, having had the same under consideration, reports it back, and recommends its indefinite postponement for the reason that said proposal is covered by No. 17 — Mr. Baum, as amended and favorably reported by this committee.

The report was agreed to.

Mr. Okey submitted the following report:

The standing committee on County and Township Organization, to which was referred Proposal No. 282 — Mr. Miller, of Ottawa, having had the same under consideration, reports it back, and recommends its indefinite postponement.

The report was agreed to.

Mr. Smith, of Hamilton, submitted the following report:

The standing committee on Method of Amending the Constitution, to which was referred Proposal No. 309 — Mr. Taggart, having had the same under consideration, reports it back with

Reports of Standing Committees.

the following amendments, and recommends its passage when so amended:

In line 8 strike out the word "of" and insert in lieu thereof the word "in".

In line 9 strike out the word "next" and the words "for senators".

In line 10 strike out the words "and representatives" and change the word "times" to "time".

At the end of line 10 strike out the comma and add "at either a special or general election as the general assembly may prescribe".

In line 20, strike out the word "of" and insert in lieu thereof the word "to".

In line 27, strike out the words "in the same manner" and insert in lieu thereof the words "as provided by law".

The report was agreed to. The proposal was ordered to be engrossed and read the second time in its regular order.

On motion of Mr. Doty the proposal, as amended, was ordered printed.

Mr. Watson submitted the following report:

The standing committee on Printing and Publication, pursuant to Resolution No. 59, proceeded as directed in amended Resolution No. 35, to receive proposals for the printing of the proceedings and debates of the Convention.

In this connection bids were invited and received for the printing of the proceedings and debates, both in weekly and complete form. The lowest offer received by your committee for the printing of the proceedings and debates, both in weekly and completed form, is \$6,790.00; while the lowest bid received for the printing of the proceedings and debates at the end of the session complete in two (2) volumes, is \$4,992.50; both these bids being based upon an estimate of an approximate total of 1,500 pages; and the bid for the printing of the proceedings and debates at the end of the session contain the provision that if the number of pages shall be greater or less than 1,500 the amount shall be increased or decreased, as the case may be, at the rate of \$2.25 per page.

Your committee is of the opinion that the printing of the proceedings and debates in weekly form should be dispensed with and that the printing and publication in final form should be left to the next general assembly. Your committee is of the opinion that the \$5,000.00 which will thus be saved out of the appropriation of this Convention can be used to greater advantage by the Convention in explaining and advertising its work to the people who will have to vote upon the propositions submitted.

We, therefore, recommend that the general assembly be requested to print the proceedings and debates of this Convention in durable form.

HARVEY WATSON,	ELI D. SHAW,
R. B. LONGSTRETH,	STARBUCK SMITH,
WM. P. HALENKAMP,	FRANK C. WISE,
J. C. SOLEATHER,	GEO. W. MILLER,
F. J. STALTER,	EDWIN T. WAGNER,

Mr. Winn submitted the following minority report:

The undersigned, a minority of the standing committee on Printing and Publication, pursuant to Resolution No. 59, proceeded as directed in amended Resolution No. 35, to receive proposals for the printing of the proceedings and debates of the Convention.

In this connection bids were invited and received for the printing of the proceedings and debates, both in weekly and complete form. The lowest offer received by your committee for the printing of the proceedings and debates, both in weekly and completed form, is \$6,790.00; while the lowest bid received for the printing of the proceedings and debates at the end of the session, complete in two (2) volumes, is \$4,992.50; both these bids being based upon an estimate of an approximate total of 1,500 pages; and the bid for the printing of the proceedings and debates at the end of the session contain the provision that if the number of pages shall be greater or less than 1,500 the amount shall be increased or decreased, as the case may be, at the rate of \$2.25 per page.

The undersigned, a minority of said committee, are of the opinion that the printing of the proceedings and debates in completed form at the end of the session is most desirable, and therefore recommends that the bid of The F. J. Heer Printing Company, of Columbus, Ohio, said company being the lowest bidder referred to, be accepted, and that the president of this Convention, and the chairman of the committee on Claims, be authorized and directed to enter into a contract with the said The F. J. Heer Printing Company for the printing of the proceedings and debates, in two (2) volumes, at the close of the session, agreeable to the offer and proposal of the said company, as hereinbefore stated.

JOHN W. WINN,	FRANK P. MILLER,
CHAS. O. DUNLAP,	CHAS. D. HOLTZ,
WM. C. DAVIO,	

The PRESIDENT: The question is shall the minority report be substituted for the majority report?

Mr. WINN: The members of the Convention will remember that this question was pretty well threshed out about the time the contract was let authorizing the reporting of the proceedings and debates. Every roll call, and there were several taken upon this question, showed a very decided majority in favor of the publication of our proceedings and debates. I believe it was generally understood when the select committee having this matter in charge reported a recommendation that it go to the committee on Printing and Publication that such committee would receive bids and expeditiously report to the Convention some recommendation for the letting of the contract. But the question was delayed and nobody is to be criticised — at least I am not in a position to criticise, because I was a member of the committee — but it was not until just a short time ago that I knew it was the committee of which I am a member that had charge of the subject.

## Relative to Printing Proceedings and Debates.

The committee proceeded finally to invite proposals and proposals were received from a number of concerns engaged in the printing business. The lowest one, taking everything into account, is the concern mentioned in the minority report. When this question was under consideration some thought it would cost \$18,000 or \$20,000 or even \$25,000. I forget the exact figures, but it is now ascertained that it can be done for \$4,992.50, if our proceedings and debates are printed at the conclusion of the Convention in two volumes of approximately 750 pages each. It may be a little more than that and it may be a little less, as we extend our speeches or otherwise. If it is more it will be calculated, as the report says, on a basis of \$2.25 per page.

Now the report of the majority recommends that the whole matter be left to the general assembly. That legislature will be chosen at the next general election. It is urged by the majority of the committee that if our work shall be repudiated at the polls there will be no necessity for publishing what we have done. It is my judgment that if the members of this Convention entertain such serious doubts respecting the approval or disapproval of our proceedings that we hesitate to publish them lest the people will repudiate them, we had better quit and go home. It is getting almost time to go home anyhow. Now it is my judgment that if we make such cowards of ourselves as all that amounts to we ought to have our work repudiated. It is my judgment that most of what we do will be approved by the people and it is my judgment that there is nothing that we can do that will give so much confidence as to publish all that we have done. My notion is that if all that has been said on this floor is before the people, so that they can thoroughly understand just what is meant by every proposal submitted for ratification or rejection, it will insure the approval of our work at the polls. Upon the other hand, if we now say that there is so much of an element of uncertainty about our work that we have some doubt whether it will be approved by the people, we simply publish to the electors of the state the fact that we entertain such doubts. And what will they say? You will see them going around every place saying, "That bunch of fellows down there were so afraid their work would be repudiated that they were ashamed or afraid to publish what they have done."

The majority recommends that the debates be printed by the general assembly and that the general assembly shall make an appropriation for the printing of them. Now members of the general assembly will look at them and will turn back to the debates on the liquor question and will see where some member like the gentleman from Mahoning [Mr. ANDERSON] pointed to the well-known fact that the average general assembly of Ohio cannot be trusted; and then they will turn a little further into the debates on the initiative and referendum and will find where practically every man who spoke on the question said that the initiative and referendum is demanded for the people because the general assembly cannot be trusted. Then we will see them appropriating \$4,992.50 to publish such speeches as those. What do you think about it? I think it is preposterous. If we want the debates published we must make the appropriation now.

Mr. ANDERSON: Do you think there would be

such opposition to the printing of these twenty-five hundred copies if it were not that some people are afraid of having their records scanned?

Mr. WINN: I have all the time entertained the notion that there were two classes of persons who would forever oppose the publication of the debates. One class embraces those who have never attempted to speak on any subject and could not if they did. The other class embraces those who are often heard speaking on these subjects, but who would like awfully well to have what they say expunged from all records. I expect we have all said things in the debates that we would like to have out. The roll calls will determine the classes.

Mr. RORICK: Do you presume that every member of the Convention who has not ventured to take up two or three hours a day has not done it because he couldn't make a speech?

Mr. WINN: That would be a violent presumption.

Mr. RORICK: I think so.

Mr. WINN: Because there may be those who have not made speeches, who can speak. I wouldn't say that that is not the case, because I know there are men on the floor who have not been heard whom I have heard elsewhere. I have now in mind one man whom I heard speak in more eloquent terms than I have heard since I have been here. I have never heard him say a word here. But I say there are two classes who will hesitate to have our reports published. I want to emphasize the fact that the larger number in those classes include those who would rather that the future shall not sometime bring up before them things that have been said here in debate.

Now, I do not want to refer to anybody, but it can be done if necessary. My judgment is that we ought to decide right now to print these debates at an expense of \$4,992.50, and I hope the minority report will be substituted for that of the majority and adopted.

Mr. FACKLER: The gentleman from Defiance has said that there are two classes of people and two only who are opposed to printing the records of this Convention. I would like to know which class I belong to. I am perfectly willing that everything that I have said shall be printed and circulated at any place at any time he may see fit, but I am opposed to printing the records of the Convention. I have sat here and listened and I will classify my own remarks in the same way. I don't believe the debates of the Convention will be of any great value to the state of Ohio, and so why is it not the wise thing and the modest thing to say to the next general assembly, "Gentlemen, if you think the discussions that have taken place on the floor of the Convention are worthy of preservation, do it," but don't let us swell up about our own ability to discuss these questions and spend \$5,000 of the taxpayers' money to print twenty-five hundred copies.

Now there is another point, that if we don't print the debates the people will say we were afraid of what we did. I wonder how many of the one million and a half people of Ohio will care anything at all about what we have said in these discussions?

Mr. DOTY: Can you not think of a certain part of the official debates that will be of great interest to the voters of the twentieth congressional district in the coming campaign?

## Relative to Printing Proceedings and Debates.

Mr. FACKLER: I cannot.

Mr. DOTY: You cannot?

Mr. FACKLER: No; will the gentleman refer me to something?

Mr. DOTY: The gentleman from Medina [Mr. Woods] can.

Mr. FACKLER: I wouldn't take advantage of those remarks of the gentleman from Medina. I think too much of him and for all I care about them I am willing to have them expunged.

Mr. ELSON: Don't you believe if we don't think enough of our proceedings to publish them that the people will take them at our own valuation of them?

Mr. FACKLER: No, sir; I don't think many citizens in the state of Ohio will take the trouble to search through these records to find out anything about what has gone on here. Twenty-five hundred copies would only give one for each two thousand people. Each member would have so many and he would put one in his library and his grand children probably, if he is fortunate enough to have any, would be able to look at them occasionally. And that is about all the good they would be. I don't think it is necessary to spend \$5,000 to print the records. Let us be modest enough to refer the matter to the next general assembly.

Mr. TALLMAN: I am a member of this committee. I was not here last week when the majority and the minority reports were prepared, but I am in favor of the majority report. It is said that we will be judged by our work, by the opinion that we have of it ourselves. A man's opinion of himself is always measured by the amount of his egotism. What is true of a single man is true of a collection of men. Their opinions of their work will be measured by the amount of their egotism. The true value of it is measured by how it will be received, and if the legislature thinks it will be enough benefit to the people of this state to justify publication, they will do the printing and let them pass upon our work. We should not egotistically pass upon it ourselves and take the money from the pockets of the people. The important question is to have the work of this Convention, so far as it deserves to be adopted, to be thoroughly understood by each individual voter who casts his ballot at the polls. Speaking for myself I would be in favor of putting that information before them in this kind of form, publishing in a pamphlet first our constitution as it is. A great many people wouldn't know the constitution of Ohio if they met it in the road and read it over unless it was labeled at the head of it. Let us print that and let those who never have read our constitution as it is have a chance to read it. Then in that pamphlet we will print the parts that this Convention decides to change and give the reasons and explain the necessity for the adoption of the proposed amendment. Let that be printed in that form. It can be done cheaply and you can put it in the hands of a million voters. And everyone of them will then know what we did here instead of attempting to try to do the impossible thing of finding out what we said here. As Lincoln said in his speech at Gettysburg, it matters not what we say here, the question is what we did here. What is the use of our saying that our speeches are so good or that the work that we have done is so exceedingly excellent and important that we will print twenty-

five hundred volumes of fifteen hundred pages in order to inform the voters of Ohio how they should vote on those amendments at the next election? Not one of them would read it. Only one in two thousand would have a chance to read it, and what good would it do? I can see but one way to do it, and that is to put in the possession of every voter in Ohio, at less than one-half the expense you are proposing here, the pamphlet that I have mentioned and they will know exactly what we have done and why we have done it. I am heartily in favor of the majority report and although my name is not signed to it, I desire to have the opportunity to sign it.

Mr. HALFHILL: The gentleman from Belmont [Mr. TALLMAN] rather spoke as though we might want to applaud our own efforts, and others have so spoken. It is not a question of our being so well satisfied with anything we have done here that it should be put into book form, but it may be a question of things so illy done here that they ought to be considered. So that it is beside the question, gentlemen of the Convention, for any of you to arise here and propose to forestall somebody by saying it is egotistical and we should turn this publication over to the general assembly. By such talk you are not going to forestall me or my views on this proposition.

The recommendation in this majority report, if I understand it correctly, is that you will take certain money and use it to a better advantage to wit: by circulating the work of the Convention in pamphlets and perhaps make certain arguments why that work should be adopted. What business is it of yours to circulate the work of this Convention and argue to the people why it should be adopted? That is your resolution, but such address to the people should only be submitted with a fair statement of all the surrounding circumstances involving the consideration of each question, and furnishing them the full information that they ought to have, and then permit the people of the state of Ohio to conclude for themselves in a judicial capacity. If the people, as this Convention has declared, have sufficient intelligence to vote en masse and make laws at the polls by the initiative, then they have sufficient intelligence to adopt or reject the fundamental law that is submitted to them. By publishing our work you are going to inform the people of every county, and if you publish a thousand volumes and put them into the libraries, when the volume is published it is there for the inspection of the electors in every county of the state of Ohio, and for the press of every county in the state of Ohio, to not only canvass the work of the Convention, but to canvass what was said in relation thereto, so that all can have a view of the contending forces at work here.

Mr. LAMPSON: Does not the enabling act under which the Convention is called contemplate publishing the proceedings?

Mr. HALFHILL: It certainly does.

Mr. LAMPSON: Does it contemplate anything else that some committee may get up in place of the proceedings?

Mr. HALFHILL: It certainly does not.

Mr. ANDERSON: Will the gentleman yield for the reading of the enabling act?

Mr. HALFHILL: Yes.

## Relative to Printing Proceedings and Debates.

Mr. STEWART: Section 4 of this act provides:

Said convention shall have authority to determine its own rules of proceeding, and to punish its members for disorderly conduct, to select such officers as it may deem necessary for the proper and convenient transaction of the business of the convention and to prescribe their duties; to make provisions for the publication of its proceedings, or any part thereof, during its sessions; to provide for the publication of the debates and proceedings of the convention, in durable form, and for the securing of a copyright thereof for the state; and to fix and prescribe the time and form and manner of submitting any proposed revision, alterations or amendments of the constitution to the electors of the state; also the notice to be given of such submission.

Mr. HALFHILL: So contemplated and so understood. Now from the start I have contended for the preservation of these records and have contended that they be published, and I have so contended that because of the belief I had at the inception of the work, and I believe it yet, that there are things that are put through and to be put through this Convention that you do not want any record made of or pointed to when it comes to putting this up for the people of the state of Ohio to consider. I believe that every particle of the work of this Convention should be an open book and the record of these proceedings here should be for the inspection and investigation of every elector in the state of Ohio and it will be investigated by being canvassed and published in the newspapers, for there are no better newspapers published in any state of the Union than are published in the state of Ohio. We get the report from day to day and we read the headlines and the summing up of those reports. They are very intelligible to us, and they give to the average reader a fair idea of the general trend of the work of the Convention; but I know, from the inquiries that have been made of me by people who read the newspapers, that they are hungry to find the exact status of certain questions that have already been passed upon by this Convention and they have been unable to find out such status by reading the newspapers. How can they get the desired information except through the published debates? When we come to consider the question of the adoption of these amendments at a special election we ought to be able to turn to the record and canvass every particular proposal that is submitted and quote the authority thereon. There is nothing like making your fight in the open. If you are dealing fairly and squarely with the people of Ohio, put down your work right where they can see it. Submit a fair judicial statement of it to the people of Ohio, and don't misappropriate the funds of this Convention by getting up some propaganda to put through certain things and carry them and let others go. If that is not the purpose, what is the purpose? There are certain things done by the Convention which, I have no doubt, speaking for myself alone, I shall be glad to thresh out and explain and advise their adoption, and there are other things that have been done and will be done by the Convention, speaking for myself

now alone, that I shall object to and shall talk against and shall advise the people of Ohio to vote against, and I want to show the reason why.

Mr. FACKLER: Won't the printed journal show the things that you voted against?

Mr. HALFHILL: The printed journal is no more than tracks in the sand. What I want is the printed record of what you said and what others said for or against certain proposals.

Mr. FACKLER: What proposal?

Mr. HALFHILL: Any proposal. There is nothing personal in this. It is not necessary for me to say now what I have pride in or what I have not. I am arguing generally that it is right that we should submit these records to the people.

Mr. TALLMAN: Is not there a committee appointed to prepare an address to the people?

Mr. HALFHILL: Certainly there is a committee to prepare an address to the people.

Mr. TALLMAN: That is the address of which we speak. That it is up to that committee to make the address and report it to the Convention and have it adopted by the Convention.

Mr. HALFHILL: Well, I will ask you—

Mr. TALLMAN: Answer the question that I ask you first.

Mr. HALFHILL: I don't understand your question. You will have to repeat it.

Mr. TALLMAN: The question was is not there a committee appointed to prepare an address?

Mr. HALFHILL: Yes, and I had answered that.

Mr. TALLMAN: Is it not the duty of that committee to prepare that address and report it to this Convention?

Mr. HALFHILL: I was answering your question and now I want you to listen to my question. I am asking you, does that committee that is appointed here prepare the address without the sanction of the Convention?

Mr. TALLMAN: You answer my question by asking another. The question I ask is, when the committee prepares that address is it not, before it goes to the people, submitted to the Convention and approved the same as the action of any other committee.

Mr. HALFHILL: I so understand.

Mr. TALLMAN: Then whatever the address to the people is, as adopted by the Convention, you intend to be afraid of it?

Mr. HALFHILL: Is there any divinity that hedges about that committee?

Mr. TALLMAN: Certainly not. There would be no stability when they have to report to this Convention.

Mr. HALFHILL: Is there any right in that committee to have a minority report?

Mr. TALLMAN: Certainly. They can submit reports just the same as any other committee and then the Convention will adopt whichever it chooses.

Mr. HALFHILL: What I object to is that the majority report recommends to take all this fund to prepare and circulate the address.

Mr. STALTER: Does the gentleman yield?

Mr. HALFHILL: There are two of you on the

## Relative to Printing Proceedings and Debates.

floor. If the other gentleman is through I yield. If not, I am still with him.

The PRESIDENT: The gentleman yields to the member from Belmont.

Mr. HALFHILL: Yes.

Mr. TALLMAN: Does not the work of this Convention and the address to the people and the amendments and all that require publication in some form or shape, and would not that be paid out of the appropriation for that purpose and would not that be an economical expenditure?

Mr. HALFHILL: With all due respect to you, you have asked the same question about three or four times, slightly different in form each time, but if I understand you correctly I have answered it or attempted to, and if I have not answered it so that the gentleman can understand it so much the worse for him. I want to proceed with my remarks.

Mr. TALLMAN: All right, go ahead; I will let you.

Mr. STALTER: Is there anything in the report of the majority of the committee in regard to the address to the people or to the expenditure of any portion of this appropriation for that purpose?

Mr. HALFHILL: I understand there is. I just heard the report read and as I caught it at the secretary's desk there was something to that effect, and I gathered that they had something of that kind in mind. I don't know what the chairman of the committee actually had in mind about expending this money for the purpose of submitting the work, but that was what I gathered and what I am contending for is that we shall preserve and publish these records. I have contended for that from the very first, and from the very first there has been a strenuous objection to the preservation of the record of these proceedings. Now you have come in with a report whereby you will preserve the records in manuscript, and you will ask the general assembly to do the printing of the debates. Some of you are so modest that you would not do anything but ask the general assembly to print. That is a modesty that is assumed. Now the general assembly does not meet until next January and we want these debates next summer. These questions will be submitted to the people, and we want to ask them to adopt or reject the work here. We ought to have these proceedings published so that we can support with authority what each of us individually believes is good work and contend against the opinion of those who think it is bad work. Therefore, I trust that the minority report will prevail, because I believe that is clearly within the scope of the enabling act just read within your hearing.

Mr. BEATTY, of Wood: I had not intended to speak on this question. But I have heard the delegate from Defiance state some reasons why he thinks some of us are against it. One was because they hadn't made any speech and another was because they couldn't make any speech. I have only made one or two little talks, and they were on this same question, but I have been bitterly opposed to it all through. I was bitterly opposed to it at first and I am bitterly opposed to it now. The people didn't send us here for speeches but for results. If the people want to see how you voted they will look at the journal. They have done that from day to day. The official journal is distributed and it is being

examined. It is not your speeches they want to look at, it is the work that we have done and the results that have been accomplished. It has not been because I cannot make a speech on this floor that I have voted against this thing every time it has come up and will vote against it every time it does come up.

Mr. ANDERSON: What was the use of spending thousands of dollars for the stenographer?

Mr. BEATTY, of Wood: I voted against that, too. I have voted against the whole thing right straight through, and I am going to keep on voting against it. I think I have certain rights, too.

Mr. ANDERSON: I don't object to your rights.

Mr. BEATTY, of Wood: I am bitterly opposed to it, not because I can't make a speech, as the gentleman from Defiance [Mr. WINN] insinuates as to all of us who have not taken up so much time. Why, I had my speech all written out on the initiative and referendum and didn't get to deliver it. I am opposed to this matter, and I call for a yea and nay vote on it.

Mr. WORTHINGTON: Does this contract provide for an index too?

Mr. WINN: It does not.

Mr. WORTHINGTON: Without an index the publication would be useless.

Mr. STALTER: It was understood that the secretary had agreed to provide the index if the debates were published.

This matter was thoroughly discussed in the committee. It was not because of any desire to not publish that this report is brought in. It is simply that we wanted to keep, if possible, within the amount of the appropriation for this Convention. We had all of these propositions before us that were brought in by the gentleman from Defiance [Mr. WINN] and they were all submitted and discussed and the committee has the report showing that the amount of expenditure required would not justify us in recommending this Convention to publish the debates. Our expenses as a whole have been greater than it was thought probable at the outset, and now to use \$5,000 or \$6,000 would necessarily run us beyond the amount appropriated for the Convention. I think that was the sentiment which influenced the majority of the committee to sign this report. I, at first, was in favor of the publication of the debates, but after hearing the matter discussed in committee I came to the conclusion that the better proposition was to have the records preserved as they are now preserved, and if in the future they were needed they could be published, and thus we could save the people the amount of the publication.

Mr. BEYER: I would like to make a few remarks on this. The gentleman from Defiance [Mr. WINN] made three classes of those who didn't want their debates published. The first class included those who could not speak. In the second class he put those who have spoken, but who do not want their words read or made public. In the third class he put those who do not want to publish what was spoken at all. I think there is a fourth class and that is a class who can not get rid of the impression that there are taxpayers at home who don't want to pay for this. I, for my part, have to say that I am one of the delegates who can't get rid of the

## Relative to Printing Proceedings and Debates.

impression that my constituents don't want this printed and don't want this expense incurred.

Mr. DOTY: I would like to ask just how you find out what the people think or do not think about a question like this.

Mr. BEYER: I didn't go from house to house. I didn't have to. But since we have been assembled here, when I am at home, as I am every Saturday, the people of my county inquire of me about it.

Mr. DOTY: How many?

Mr. BEYER: I didn't count them, but whenever I speak to them I am told that nobody will read it, and I believe that myself. The gentleman from Defiance [Mr. WINN] said it would be a means to make our people willing to adopt what we do here in the fall. We have one million voters. What will twenty-five hundred copies do for them?

Mr. DOTY: That is easy. But before I get off that other subject, can you name fifty voters in your county with whom you have ever talked about the matter?

Mr. BEYER: I have not counted them, but I have talked to more.

Mr. DOTY: Well, can you name fifty?

Mr. BEYER: I cannot name them right away, but I have an impression—

Mr. DOTY: Yes, an impression you got from three or four. That is the way we all get impressions.

Mr. BEYER: If I had known I would have to meet the question, I would be able to give the names.

Mr. ELSON: I would like to ask why the general assembly made the reference in the law calling for this Convention to print and publish these debates if it were not taken for granted that they would be printed and copyrighted, and I would ask if the people were not aware of that when they voted to call this Convention.

Now here is a question: Don't other states that call constitutional conventions take the same course—don't they publish their debates in permanent form, and has it not been done heretofore in the state of Ohio?

Another point is, what do we think of our work? Is it not worth anything? If it is not, let us say so. But if we think we are throwing some light on the questions that we are debating here and that our debates are worth publication, let us publish them. As to the cost it is very slight. For a million voters it would amount to one-half of a cent each. I don't believe the people of any county are going to object to such a bagatelle. I don't think that such a great number of the voters will go over the debates, but the few who do read them are the ones who give character and intelligence to our public life. More than that, these debates will go into the college libraries where they can be consulted by anyone who chooses to consult them. They will go into the large libraries of other states. There is no great university that will not welcome books of that sort. Humility is a good thing, but timidity is another thing, and I believe we ought to go before the people of Ohio saying that we have a good opinion of our work, that we are not ashamed of it, that we are not ashamed of the constitution we have put forth and that we are not ashamed of the debates. I believe, as I said a few minutes ago, that the people will take us, in a large measure at least, at our own valuation. But if we are so

timid and afraid that the people will see it, they will vote down our work.

Another thing: I sincerely hope before the Convention closes that we will reconsider one question that we have carried, and that is to present our work in amendments or groups of amendments. I hope that we will not go before the people in any such form whatever. I hope we will reconsider that and present our constitution as one solid block—a new constitution. I am in favor of publishing the debates before we go before the people on the vote. Let us give the people the benefit of whatever is in our debates.

Mr. WATSON: I have been trying for some considerable time to catch the eye of the chair to get my side of the question before the Convention. As chairman of the committee on Printing and Publication I wish to say right here that the labors of that committee have been congenial and the relationship most cordial, but at last we have had a difference of opinion. There is no difference excepting on the one point, and that is whether we shall print and publish these debates or whether it shall be left to the general assembly. Now, as we view the question it is purely financial. As you all know there was set apart \$200,000 to meet the expenses of this Convention. As you are aware the expenses of the Convention are rapidly consuming that amount. It was hinted by some at the very outset of the Convention, unless wrong reports have been carried to me, which I shall not disclose under any consideration, that if we exhaust the \$200,000 and run the Convention in debt it will discredit us, and the people will come nearer defeating our work than they would otherwise. It has been the object of our committee to have a hand on the purse strings and to conserve the fund set apart for the Convention, knowing that the resources are running low, and we have been loath to expend the last amount. There is no member of the Convention that wants to go home without his salary. There is no member who wants to leave to the general assembly that part of the business, so wouldn't you rather trust the general assembly on the printing and publication of the debates? Twenty-five hundred dollars would be a bagatelle so far as that is concerned.

Now, something has been said about the colleges wanting these reports. Of course, the colleges do; but what would that amount to so far as the average voter is concerned? There is some other better way to get the information out rather than through the college library or the Carnegie or any other library. Anyhow there would not be many who would read the volumes of the debates in that short time. It is not a question of timidity so far as I am concerned. I do not know of any other member of the Convention who has any timidity about what they have said. Some of them have not had a chance to say anything, hence we are not encumbering the record. But that is not the question. It is a question of what are the interests of the people, and my constituents are interested in the results we arrive at. I think we should go about getting results and then adjourn and go home.

I hope the majority report will prevail and that we can keep within the funds that we have and not have to throw this Convention on the emergency board. If we had seen that we had clearly sufficient funds to run to the

## Relative to Printing Proceedings and Debates.

close we would have presented a different report, but we didn't see that we had the funds. Remember we have to publish this thing in two newspapers of different political faith in each county of the state.

Mr. DOTY: Will you yield to a question on that?

Mr. HALFHILL: What do you mean in the majority report that the \$5,000 which would be saved can be used to greater advantage by the Convention in explaining and advertising its work to the people?

Mr. WATSON: The expense of the committee in preparing and printing the address in two different newspapers in each county of the state.

Mr. KNIGHT: Where do you get your idea that this Convention is bound to publish in each of two newspapers?

Mr. WATSON: That is the usual custom.

Mr. KNIGHT: Do you not know that this Convention is instructed under the act to provide its own method of publishing?

Mr. WATSON: Yes.

Mr. KNIGHT: And that it is not bound by any custom that has existed in any general assembly?

Mr. WATSON: That is the ordinary method under which amendments have been submitted to the people.

Mr. KNIGHT: Are you arguing on the basis that the manner in which we are to promulgate our work has been determined upon?

Mr. WATSON: That is the ordinary method and I was assuming that would be the method in this case.

Mr. DOTY: Has the gentleman any idea how much it will cost to put this advertisement he mentions in two papers, one of each political faith in each county of the state?

Mr. WATSON: I have not, but basing my answer upon the usual cost of newspaper printing, it would be a good round sum.

Mr. DOTY: Don't you know that it would be more than the whole appropriation here for printing?

Mr. WATSON: No.

Mr. DOTY: Don't you know that once when we submitted three amendments it cost \$92,000?

Mr. WATSON: No; I did not have that knowledge.

Mr. DOTY: You see there is a lot of knowledge you could get. We couldn't do anything like that at all. That would take more than the whole amount that has been appropriated for this Convention.

Mr. FESS: Mr. President and Gentlemen of the Convention: I have listened with a great deal of interest and concern to the argument on both sides. I am sure you will pardon me when I say this is one of the most important positions that we have been called upon to take. I do not share in the opinion of one of the members that the only reason that some of us are opposed to the publication of the debates is because we have not made speeches, or because we have said something we don't want to go in the record. I do not believe that very many people in this Convention have any compunction of conscience on either subject. I do not think that can be taken at all seriously. Neither do I believe that we should publish these debates simply to commit the record to sort of hold it up to the people. I don't think there are many people on this floor who have said or done things they are ashamed of. I do not believe that anybody wants to burn the record.

I do not think anyone wants to efface what he has done or said. I doubt whether there is much opposition to the publishing of the debates simply because they are expensive. The expense is a bagatelle compared with the general expense of the Convention; \$5,000 in proportion to \$200,000 is a small sum.

Now, gentlemen of the Convention, it seems to me if we are going to argue on the basis of modesty or on the basis of timidity, we ought to be modest and not ask for the publication of these debates, or we ought to be so timid that we would not go out and publicly urge the approval of our work. I am of the opinion that that is not fair opposition to put up to anyone who wants the debates published. I know personally that I do not want the debates published on account of anything I have said. I am quite positive that very few men here who have spoken want the debates published in order that they may appear in the public prints or be read by the public. If that is all, then I would be opposed to this. But, gentlemen of the Convention, I ask you seriously, what do you think the public will think of this body of men if the most important performance in it is not publicly recorded? All of our interpretations of the questions of importance ought to be in every library of this country and will be. Every great library in every state of the Union will be making application for the records of these debates, and such universities as Harvard, the Chicago University, the head professors in those universities will want at once to secure the record of what is done here, just the same as they will want to secure the record of any contemporary convention or association, so that the history of time covering that particular period will be read by the interpretation that was spoken by the members of that association. I have three letters in my hand now. One of them is from the National Civil Service Reform Association, domiciled in New York city. The letter inquires specifically about the Worthington proposal in reference to civil service. It also expresses the hope that the proposal will carry in this Convention, because it is very similar to the proposal in New York state that was drafted by Joseph Choate and Elihu Root, and this letter says it is one of the most far-reaching movements for better government that has been made in a decade, and from the heart of New York city comes a letter asking for the proceedings and debates upon that issue alone. I have another letter from the head of the Institution of Arts and Sciences, in Brooklyn, an institution worth \$14,000,000, and one of the most influential educational institutions for social betterment in the country. I know our honored president has been invited by Mr. Hooper to appear in that institution at different times and this letter says in the last paragraph, "As I have said to you before, the eyes of the whole country are turned upon the state of Ohio in its constitutional convention. What your Convention does will in all probability have a very great influence in determining what shall be the organic law in other states." That comes from one of the leading thinkers in America and he says the eyes of the country are upon this body of men, and he is not speaking for effect. He has not any interest other than what shall be the interpretation of the leading questions of today such as you have acted upon. Is it possible that you are going to efface the record of what is done and

## Relative to Printing Proceedings and Debates.

also efface the interpretation upon these questions that have been given by the men who have studied every side of them? The colleges will want the report because the colleges today are the seminaries of ideas. There are fifty-two colleges in Ohio, and in those fifty-two colleges there are thousands of students and the minds of those thousands of students are the birthplace of ideas that are to be propagated in the future. Now, here we have the permanent records of men who have studied the questions, and not only that, but the votes of the men on the issues, and it seems to me it would be nothing short of a calamity for us to refuse to put in permanent form, not for the sake of my being read — why, that is unfair, men, to make such a charge, that men want these reports printed because they want to be read. That is not fair and it is not true. It is not for that. We don't simply want our speeches to be read, and it is not because we are afraid to have them read, but it is because we want to leave the records of the proceedings of this Fourth Constitutional Convention of Ohio in the libraries for future generations. It is unfair to hold up a man who wants it on the ground that he is immodest. We want it because we want a permanent record of this Convention, which is a valuable contribution to history.

Congress paid \$30,000 for the printing of the minutes of the first federal convention. Then congress paid a second \$30,000 for a duplication of that same record, that was kept by James Madison, and today congress is paying thousands of dollars for the publication of the proceedings of the first and second continental congresses. We have them in our library up to date. Now, men, let us not try, because we want to save \$5,000, to efface the historical tablets of Ohio by refusing to print the most important feature in it, namely, the interpretation of the public mind today as given by the men here as students, and everyone of them is a student. Let us not make the fatal blunder of voting down this minority report.

I am not in favor of publishing the weekly reports. That is a farce now. Nobody wants that. We want that eliminated, but let us not refuse to put it in permanent form for future generations, a report of this Convention in detail, including not only the speeches, but every step in the proceedings, for it will be the best opportunity of studying what the public mind on the great questions in this progressive age is, and for that reason I want the debates published, and I would argue most strenuously if I had not spoken a word in this Convention, for then it could not be said to be personal; but I believe you understand I am not making the plea now from any personal standpoint. They ought to be published for the aid they will give in interpreting the peculiar clauses that will be put in effect here. They will go into every library in the state of Ohio, and they will be read on every question of the constitutionality of any clause here. The lawyers always file those in their briefs on any question of constitutionality. Let us not get on a basis of cheap economy by saying we won't publish them because they cost too much. Let us save at some other point and spend at this point.

Mr. ANDERSON: I do not believe that many properly understand the force of this Constitutional Convention; nor do I believe we understand, or can, ex-

cept in a feeble way, estimate the importance of the things that have transpired since this Convention met. It has been an epoch-making Convention in a great many ways. There is another point that has not been touched upon. If we would ask the next general assembly to print and publish the debates, that means these debates will not be published in time to assist in anyway the general assembly in passing the laws that we have asked them to pass, and in connection with that I believe every delegate that could possibly make the sacrifice ought to become a candidate and ought to be elected to the next lawmaking body so that he can assist in putting into the laws that which we have framed here. No, the next general assembly will never print these debates and no one knows that better than the members of the committee which constitute the majority. It would have been far more honest in that majority of the committee to just simply report "We do not want these debates to be published." We want them thrown into Doty's graveyard — the committee of the Whole — for that is what it means, and if you vote against the minority report and the majority report is adopted, it means these reports will never be published. Would we vote, if it came before us, to have the proceedings and the debates of the last general assembly made into book form?

Mr. DOTY: With the dictagraph record?

Mr. ANDERSON: That could be attached as "Exhibit A." There is not a person here, especially my friend FitzSimons, who would vote to have the debates of the last general assembly published. Are we to let all the things that have been said in this Convention be withheld from posterity by failing to publish them? Why, there have been several things that will recall pleasant memories to a lot of us. We will remember about "the monkey wrench being thrown in the cogwheels of progress," and right in this connection I object to throwing that same monkey wrench into the printing press. There are many things that will be in these books that will be a pleasure to us in the future, and I don't like this suggestion that only those who are egotistic will vote in favor of publication. I think if we had a phrenologist here and would have him examine all the heads of the delegates he might possibly find that bump No. 10 on some of the heads of these gentlemen opposing the printing is larger than the same bump on many of the heads of those who are favoring it.

Mr. DOTY: Agreed.

Mr. ANDERSON: I know you are. There is no question about that.

Mr. LAMPSON: He admits it.

Mr. ANDERSON: Now let us see how consistent Mr. Fackler is. When this matter of the initiative and referendum was up Mr. Fackler told us he wanted that so the people of Ohio might become educated, and now he tells us that no one will read the debates, but he thinks they will read pages and pages of argument concerning some measures submitted through the initiative and referendum. Do you think they are so interested that they will become educated through the initiative and referendum and will fail to read what the Convention did on the initiative and referendum? Again, as Doctor Fess has suggested, no lawyer who understands his business in any contest over the constitutionality of a law fails to put in his brief that which was said at the time

## Relative to Printing Proceedings and Debates.

the proposal was passed. So it should be in everyone's library.

Mr. STALTER: Well, should the people pay for it to be in every lawyer's library?

Mr. ANDERSON: Are not the people interested in the constitution of Ohio? Does not every voter, every man, woman and child in Ohio, have an interest in questions of constitutionality affecting them all? Is it a question for a lawyer's library? I am tired of hearing this criticism of lawyers coming from some of our lawyer-farmers and farmer-lawyers. Don't you know that in every brief filed in the federal court, or in a state court, where a competent attorney writes the brief, where questions of the constitutionality of an act is involved that he goes back even into the committee rooms?

Mr. STALTER: Will you yield the floor for an answer?

Mr. ANDERSON: Yes.

Mr. STALTER: I most assuredly know that to be the fact, but we have already preserved a record of this Convention, and I am opposed as a farmer to paying the tax for a lawyer to have that book in his library so that the lawyer can read, and if a lawyer needs that he should pay for the publication, for we have preserved the record.

Mr. ANDERSON: You would stand half the expense as a lawyer, but you don't want to stand the other half as a farmer. No; that is not the reason anyone objects to this—because of the expense. Five thousand dollars from the taxpayers of Ohio doesn't amount to anything. The idea is to save this money to publish pamphlets drawn by a few people to have certain parts of the constitution carried. Now, is not that the real reason?

Mr. DOTY: We haven't said that.

Mr. ANDERSON: No; but the majority report indicates it. It says this money must be conserved and saved for the purpose of publishing something gotten up by somebody in the interest of one or two things. If you don't think so just let that majority report be read. It just means that you are to get out arguments in pamphlet form and they will be gotten out for one or two provisions.

Mr. FACKLER: Now you have made a statement that in your opinion the real object is to save this money for the purpose of making an argument in the submission of the address to the people, in favor of one or two proposals. What basis of fact have you for that statement?

Mr. ANDERSON: I didn't mention any committee. I only said that the majority report foreshadows that. If it doesn't mean that will the gentleman tell me what it does mean?

Mr. FACKLER: Probably it means to get up an argument on the submission.

Mr. ANDERSON: Probably on one or two propositions. Is that fair?

Mr. FACKLER: I hope it will include all.

Mr. WATSON: What basis have you for anything else than a hope or belief as to this thing?

Mr. ANDERSON: I have the same foundation for what I said that you have for what you said a while ago, that somebody wanted the work of the Convention defeated.

Mr. WATSON: What basis have you to impugn the honesty of the committee which rendered the report?

Mr. ANDERSON: You are talking too much. You are taking it all too seriously.

Mr. LAMPSON: In view of the development of the reading of the report what becomes of all this argument we have listened to about the expense?

Mr. ANDERSON: The money is to be saved for some other purpose. There is the statement of it. I don't know whether you understand it or not and I don't care.

Now is there anything other than a selfish influence to have these books in the library? Why, you will take them down and read them and the whole thing will come back. We will remember the man making this motion and the man making that argument. It will all come back and we will sit there and smile sometimes. Why, there is nothing I would pay more for than a set of these books containing the debates, because they will be interesting to me just as long as I live. We will think of the friends we have made; we will think of the enjoyable things that have taken place. We won't be able to read those debates without recalling something pleasant, and I am perfectly willing to have the state of Ohio give \$5,000 to furnish me that much and I demand the yeas and nays on this question.

Mr. WATSON: I demand the previous question.

Mr. DOTY: I demand a call of the Convention.

Mr. PECK: Oh, there is a quorum here; withdraw that.

The demand for the call of the Convention was withdrawn.

Mr. KEHOE: I voted against this proposition in the first place. I agree with many things the member from Mahoning [Mr. ANDERSON] said, especially that it would be pleasant reading, and I think I would enjoy reading a great deal that would be in this record, but I would enjoy it much more if some things that have been said could be eliminated. It is the ugly things said now and then by certain members that carry a sting that I would rather forget. It is these ugly things, with their poison, that ought not to be preserved by the state at all.

Mr. KNIGHT: Aside from any question of personal modesty or immodesty, or personal pleasure or lack of it, there are two or three things which it seems to me should determine our action in this matter. Personally I regret that the two reports were not made some weeks ago. The committee which investigated the matter, on the basis of whose report we selected a reporter, had practically these same figures in its possession eight weeks ago tomorrow ready to turn over to the committee on Printing and Publication. On the main matter itself I think we realize, or we ought to by this time, that the particular year in which this Convention is meeting is a year with more of changing conditions in political and governmental life than have been with us in any one year probably in this country within the past hundred. Without claiming for this body anything that does not belong to it, I am very certain that what Dr. Fess told us a few minutes ago is absolutely within the truth, that the expressions of the members in this Convention in their discussion of the subjects, many of them new, which have come before us, and are still to come before us, will be of high value immediately and will be of in-

## Relative to Printing Proceedings and Debates.

creasing value as the years go by, not simply as a matter of historic interest, but in shaping a good deal that will come after us in the further modification of American institutions. I can not agree that all that the people of the state of Ohio are interested in is the naked result of what we do. I am quite sure that many of the members have found themselves, as the days have gone by, changing their views—and we have been glad to do so, even against our prejudices, when our reason came to the rescue—and often upon the basis of arguments and statements that have been made here; and I submit, gentlemen, that if it were possible, and I still believe it to be possible, that some of these arguments and discussions could be promptly placed where they are accessible—no one claims we are going to send them to a million voters, one to each voter, but if they could be placed where they are accessible—they will be read not only in Ohio, but all over the country; and the arguments which have sometimes convinced us will be the best kind of arguments that can be given to the people of the state of Ohio to convince them and bring them around to the point of view which this convention has come to adopt. Why, upon almost every question that has come up for discussion we have had to modify our own views in response to better argument that has been made by those who know more about the question than we. For that reason it seems to me these debates should be published as soon as possible.

Now, a word on the matter of the address at the close of the Convention. I do not apprehend, and I have examined the addresses that have been published at the conclusion of the constitutional conventions of many other states—I do not apprehend that it is any part of the business of this Convention, a delegate body, to submit to the people with its work a special argument, for anything or for all the things that we have done; it is our business merely to put into such address to the people what we have done as compared with what is in the present constitution, and I have no fear that that rule which has been followed in a majority of states is going to be departed from here; and hence what I have said is not influenced by any such fear. I believe that the best service we can render the people of the state of Ohio and of the United States at the present time and in the immediate future is to let them know why we have done what we have done and why we have refused to do what we have not done. I think that service is one of the highest services we could render and I certainly hope the majority report will be defeated and the minority report adopted.

Mr. BOWDLE: I do not think that any man on the floor of this house has been more roundly or seriously denounced than myself. I have enjoyed it. Of course, it has passed into these debates, and therefore, naturally enough, I want the debates suppressed. But I do want to go on record now as calling attention to the fact that long before the denunciation broke out, Judge Worthington and I led off in opposition to the publication of the debates. I think the publication of the debates is simply absurd. I can understand the attitude of the professorial mind on the subject. The gentlemen who are constantly in institutions of learning, in an atmosphere of books and papers and pamphlets and libraries (and I have the greatest respect for them) think of course that

everybody in Ohio is more or less interested in cultural matters. Well, it is not true. There are two classes in this world, those who live in the world of fancy and those who live on the ground floor of facts. I try hard to live on the ground floor of facts, and I know in this practical work-a-day world, where the struggle is getting to be more and more strenuous as time goes on, men lose sight of philosophical matters, lose sight of the Holy Bible and become more and more interested in the bread and butter problem.

Mr. LAMPSON: Don't you think the Bible is read by more people now than ever before?

Mr. BOWDLE: I am happy to have you ask that question. I say no, the Holy Bible never was as little read as now, and the great danger is that the knowledge of the Holy Scripture will perish if something can not be done to arrest the materialistic movement of the materialistic mind.

Mr. KNIGHT: I would like to ask you if you do not think a little infusion of the "professorial mind" will help get you away from this materialistic idea?

Mr. BOWDLE: I am afraid you are misusing that word. You know it is not out of any lack of respect that I have for the professors, but it is this curious psychological unanimity of the gentlemen of high culture that presents to me such an interesting thing. But I can not stop to diagnose it here. People who live in institutions of learning are always standing upon some purely cultural question. I know this is a supremely superficial age. When I say it is a materialistic age, when I say it is an age of commercialism, it necessarily follows that it is not a cultural age. When I say it is an age of commercialism, a materialistic age, I also imply what is the fact, that it is not a cultural, Scriptural age. For no age ever chased the dollar and chased the Scripture at the same time, and I think I have said all I am entitled to say on that.

Mr. ANDERSON: Haven't you, in your argument just made, given all the reasons needed to have us vote to have these debates published?

Mr. BOWDLE: Thank you. I hope somebody has an argument on your side of the question, for I have not heard anyone who claimed to be on that side furnish any yet. I certainly have not heard anyone advance anything that would meet the argument of Judge Worthington and myself on the position taken early in the Convention that this would be a misspending of the state's money. Of course, when we get through with our speeches, it doesn't mean that we have made any impression on the Convention, but as I have said "the light shineth in darkness, but the darkness comprehendeth it not," and I am sorry to see that you do not recognize that.

Mr. KNIGHT: Do you know that a man who pays taxes on \$100,000 would only pay ten cents on the printing of these debates?

Mr. BOWDLE: I do not know it. That may be interesting to the man who pays the taxes on the \$100,000. As to me it would amount to such an infinitesimal amount that I couldn't figure it out, but I can not believe that the people in this state, outside, of course, the people in our institutions of learning, are interested in the process by which we reached the ultimate result or document. They are interested in that document, which will

## Relative to Printing Proceedings and Debates.

be set out in plain English and they care nothing about the series of debates by which we brought forth that document. I do not believe the debates will be of the slightest interest to the courts and I can not conceive of any plain man spending ten minutes with these debates. I know, as has been said by the gentleman from Mahoning [Mr. ANDERSON], that they will be interesting and valuable in later years, but all that can be taken care of. It is true that some things are said in which the people are interested. Let me illustrate. I had seventy-five or eighty letters asking for my speech on the suffrage question. I printed it, but I printed it at my own expense in pamphlet form.

Mr. DOTY: To use as a campaign document?

Mr. BOWDLE: Yes; and therefore, if anybody has anything particularly interesting in the form of a speech that he wants to circulate, why can't he do the same thing? I see no reason for taxing the people of the commonwealth to do it. Now, Mr. Cassidy, who is chairman of the Claims committee, has just handed me some interesting figures. The pay roll of this Convention is \$7,410; the reporter of debates, sixteen days, \$960; members \$119,000; mileage \$12,000; printing up to the 30th of April \$6,000; secretary, \$3,000, and then here is a list of all the expenses and the total will be \$175,480. You can easily see where we are getting to. I am, therefore, in favor of cutting off these expenses. All great music has been composed. All great books have been written. All great speeches have been made. In a materialistic age, such as ours, you can not expect much along that line. Of course, I except always the present speakers. Therefore, there is no reason why we should saddle this expense on the people to have these debates printed.

Mr. DOTY: I am surprised we are not "broke" yet. We were led to believe an hour and a half ago that we were clear over the precipice and out of existence. There is still a surplus of \$25,000. The legislature at the last session appropriated some money and ordered us to do something and they gave us some money to do a certain thing. Now we ought to do it. The act contemplated the printing of the debates and we should not hesitate to do it. We have had some six or eight votes on this subject and it seems to me this committee went clear beyond its authority. Of course, I recognize it is not my province to give them a lecture, but I say it went outside of its province when it brought in such a report as this majority has signed. This Convention ordered the committee to do something and it requested the committee to bring in a report as to how much it would cost to print the debates. Now the committee comes in with a lot of gratuitous advice as to how things should be conducted and they tell us that we ought to do thus and so. That is not what we asked them to do. We asked them to bring into us the price that the printing would cost. I was led to believe that it would cost something like \$25,000 or \$30,000, and I was very much surprised at this low price.

The chairman of this committee said that we are going to advertise these things in two papers in each of the eighty-eight counties of the state. That will cost more than all the money appropriated for our expenses, including our salaries. It couldn't be done for \$200,000. In 1889 the legislature passed three amendments and ad-

vertised them in eighty-eight counties of the state and the bill came in for \$92,000. That was for only three amendments, and here we have already adopted that many — and good long ones — and there will probably be five or six more. It was clearly not intended we should spend the whole \$200,000 in advertising in newspapers.

Mr. LAMPSON: What authority has the Convention to divert any portion of the money appropriated to us for any other purpose?

Mr. DOTY: I don't think there should be any idea of diverting any of it. Now it is not just right to make a motion for the previous question at the conclusion of a speech, but I am going to demand a call of the Convention and find out who is here.

At the request of several of the delegates the demand for the call was withdrawn.

Mr. PECK: I want to say that originally I was in favor of publishing these debates. We were young then and hadn't progressed far with our work, and I thought it would tend to shorten the proceedings and discourage much oratory. I was overruled. The flow of oratory commenced and it has continued ever since, and those who have been so modest as to refrain from it have been so unfortunate as to be scoffed at tonight. But I think they are to be commended, that they have not been obtruding their oratory and consuming our time.

I think, however, in all seriousness, the minority report ought to be adopted, not because I have anything in there that I want reported, but I do want many things that have been said in this Convention put upon the record, and there have been a good many good things said, as well as a good many that were not, but a great deal of it has been valuable and it will be useful in construing the constitution hereafter. I now move the previous question.

The motion was carried.

The PRESIDENT: The question is on the adoption of the minority report as a substitute for the majority.

The yeas and nays were taken, and resulted — yeas 60, nays 35, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Ashtabula,	Norris,
Brattain,	Harris, Hamilton,	Nye,
Brown, Lucas,	Hoffman,	Peck,
Collett,	Holtz,	Peters,
Cordes,	Hursh,	Redington,
Cunningham,	Johnson, Madison,	Riley,
Davio,	Keller,	Rockel,
Doty,	Kerr,	Roehm,
Dunlap,	Kilpatrick,	Stamm,
Dunn,	Knight,	Stevens,
Earnhart,	Kramer,	Stewart,
Elson,	Lambert,	Stilwell,
Farnsworth,	Lampson,	Stokes,
Fess,	Leslie,	Tannehill,
FitzSimons,	Ludey,	Tetlow,
Fluke,	Marshall,	Thomas,
Fox,	Mauck,	Wagner,
Hahn,	McClelland,	Walker,
Halfhill,	Miller, Fairfield,	Winn,
Harbarger,	Moore,	Woods.

Those who voted in the negative are:

Beatty, Wood,	Colton,	Fackler,
Beyer,	Crites,	Farrell,
Bowdle,	DeFrees,	Halenkamp,
Brown, Pike,	Donahay,	Harter, Huron,
Cassidy,	Evans,	Henderson,

## Relative to Printing Proceedings and Debates.

Johnson, Williams,	Okey,	Solether,
Kehoe,	Partington,	Stalter,
Kunkel,	Pierce,	Tallman,
Leete,	Read,	Watson,
Longstreth,	Rorick,	Wise,
Malin,	Smith, Geauga,	Worthington.
Miller, Crawford,	Smith, Hamilton,	

The roll call was verified.

The minority report was agreed to.

The PRESIDENT: The question is now on the resolution as amended.

The yeas and nays were regularly demanded, taken, and resulted — yeas 64, nays 31, as follows:

Those who voted in the affirmative are:

Anderson,	Harter, Huron,	Peck,
Brattain,	Hoffman,	Peters,
Brown, Lucas,	Holtz,	Read,
Collett,	Hursh,	Redington,
Cordes,	Johnson, Madison,	Riley,
Cunningham,	Keller,	Rockel,
Davio,	Kerr,	Roehm,
Doty,	Kilpatrick,	Smith, Geauga,
Dunlap,	Knight,	Stamm,
Dunn,	Kramer,	Stevens,
Earnhart,	Lambert,	Stewart,
Elson,	Lampson,	Stilwell,
Farnsworth,	Leete,	Stokes,
Fess,	Leslie,	Tannehill,
FitzSimons,	Ludey,	Tetlow,
Fluke,	Marshall,	Thomas,
Fox,	Mauck,	Wagner,
Hahn,	McClelland,	Walker,
Halfhill,	Miller, Fairfield,	Winn,
Harbarger,	Moore,	Woods.
Harris, Ashtabula,	Norris,	
Harris, Hamilton,	Nye,	

Those who voted in the negative are:

Beatty, Wood,	Farrell,	Pierce,
Beyer,	Halenkamp,	Rorick,
Bowdle,	Henderson,	Smith, Hamilton,
Brown, Pike,	Johnson, Williams,	Solether,
Cassidy,	Kehoe,	Stalter,
Colton,	Kunkel,	Tallman,
Crites,	Longstreth,	Watson,
DeFrees,	Malin,	Wise,
Donahay,	Miller, Crawford,	Worthington.
Evans,	Okey,	
Fackler,	Partington,	

The roll call was verified.

So the resolution as amended was adopted.

Mr. BOWDLE: I ask unanimous consent to introduce a resolution.

The consent was given and the resolution was introduced and read as follows:

Resolution No. 97:

*Resolved, by the Constitutional Convention of the state of Ohio, That Hon. William H. Lewis, assistant attorney general of the United States, is hereby extended an invitation to address the Convention before adjournment in behalf of our fellow colored citizens of the state of Ohio.*

The resolution was laid over under the rule.

Leave of absence for Monday and Tuesday was granted to Mr. Beatty, of Morrow.

On motion of Mr. Doty the Convention adjourned.