

APPENDIX

(2097)

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Members of the Constitutional Convention — 1912

Name.	P. O. Address.	County.	Birth.		Occupation or Profession.
			State or Country.	Date.	
Anderson, D. F.	Youngstown	Mahoning	Ohio	June 3, 1864	Lawyer.
Antrim, Ernest I.	Van Wert	Van Wert	Ohio	February 21, 1869	Banker.
Baum, John L.	Storms Station	Ross	Ohio	September 19, 1861	Farmer.
Beatty, Richard A.	Bowling Green	Wood	Pennsylvania	February 23, 1869	Oil Operator.
Beatty, Robert A.	Arlington	Morrow	Ohio	September 24, 1847	Farmer.
Beyer, Andrew	Arlington, R. F. D.	Hancock	Germany	July 1, 1853	Farmer.
Bigelow, Herbert S.	Cincinnati, 514 Main St.	Hamilton	Indiana	January 4, 1870	Minister.
Bowdle, Stanley E.	Cincinnati, 1103 1st Nat'l Bank Bldg.	Hamilton	Ohio	September 4, 1867	Lawyer.
Brattain, W. B.	Paulding	Paulding	Ohio	August 25, 1860	Lawyer.
Brown, H. M.	Hillsboro	Highland	Ohio	August 28, 1859	Physician.
Brown, Madison A.	Harrison Station	Pike	Ohio	January 2, 1869	Farmer.
Brown, Walter F.	Toledo, Nicholas Bldg.	Lucas	Ohio	May 31, 1869	Lawyer.
Campbell, Wm. W.	Napoleon	Henry	Vermont	April 2, 1853	Lawyer.
Cassidy, John R.	Bellefontaine	Logan	Ireland	March 20, 1871	Lawyer.
Cody, M. T.	Marysville, R. F. D.	Union	Ohio	October 29, 1867	Farmer.
Collett, Bernard Y.	Wilmington, R. F. D.	Clinton	Ohio	August 7, 1853	Farmer.
Colton, George H.	Hiram	Portage	Ohio	October 10, 1848	College President.
Cordes, Henry F.	Cincinnati, 210 Stetson St.	Hamilton	Ohio	October 2, 1868	Stair Builder.
Crites, H. M.	Circleville	Pickaway	Ohio	October 16, 1869	Manufacturer.
Crosser, Robert	Cleveland, Williamson Bldg.	Cuyahoga	Scotland	June 7, 1874	Lawyer.
Cunningham, David	Cadiz	Harrison	Ohio	March 1, 1837	Lawyer.
Davio, Wm. C.	Cleveland, 6208 Quinby Ave.	Cuyahoga	Canada	July 20, 1866	Lather.
DeFrees, Joseph	Piqua, R. F. D.	Miami	Ohio	February 21, 1847	Merchant.
Donahay, A. V.	New Philadelphia	Tuscarawas	Ohio	July 7, 1873	Printer.
Doty, Edward W.	Cleveland, 7931 Franklin Ave.	Cuyahoga	New York	September 15, 1863	Mgr. Mfg. Appraisal Co.
Dunlap, Charles O.	McArthur	Vinton	Michigan	July 12, 1856	Physician.
Dunn, Alexander	New Richmond	Clermont	Ohio	January 8, 1851	Minister.
Dwyer, Dennis	Dayton, 1201 Conover Bldg.	Montgomery	Ireland	February 2, 1830	Lawyer.
Earnhart, J. Milton	Lebanon	Warren	Ohio	May 3, 1846	Farmer.
Eby, Henry E.	Camden	Preble	Ohio	June 16, 1872	Farmer.
Elson, Henry W.	Athens	Athens	Ohio	March 29, 1857	College Professor.
Evans, Nelson W.	Portsmouth	Scioto	Ohio	June 4, 1842	Lawyer.
Fackler, John D.	Cleveland, 11 Rosalind Ave.	Cuyahoga	Ohio	January 18, 1878	Lawyer.
Farnsworth, W. W.	Waterville	Lucas	Ohio	November 21, 1855	Fruit Grower.
Farrell, Thomas S.	Cleveland, 3643 Carnegie Ave.	Cuyahoga	Vermont	December 25, 1878	Waiter.
Fess, S. D.	Yellow Springs	Greene	Ohio	December 11, 1861	College President.
FitzSimons, Thomas G.	Cleveland, 2352 E. 40th St.	Cuyahoga	Ohio	August 6, 1848	Manufacturer.
Fluke, James M.	Nankin	Ashland	Ohio	September 22, 1865	Farmer.
Fox, H. C.	Coldwater	Mercer	Ohio	April 26, 1860	Merchant.
Hahn, Aaron	Cleveland, 1914 E. 66th St.	Cuyahoga	Bohemia	June, 1848	Lawyer.
Halenkamp, Wm. P.	Norwood, 4810 Beech St.	Hamilton	Ohio	September 24, 1885	Foreman.
Halfhill, James W.	Lima	Allen	Ohio	March 1, 1861	Lawyer.
Harbarger, James W.	Columbus, 3147 N High St.	Franklin	Pennsylvania	January 20, 1852	Iron Moulder.
Harris, Geo. W.	Cincinnati, 309 Traction Bldg.	Hamilton	Ohio	January 30, 1862	Capitalist.
Harris, W. S.	Saybrook	Ashtabula	Ohio	February 14, 1846	Farmer.
Harter, Isaac	Canton	Stark	Ohio	September 25, 1848	Banker.
Harter, Otto M.	Norwalk	Huron	Ohio	May 19, 1863	Druggist.
Henderson, Robert	Urbana	Champaign	Virginia	March 22, 1851	Physician.
Hoffman, John C.	Cincinnati, 1332 Main St.	Hamilton	Ohio	August 13, 1859	Solicitor.
Holtz, Charles D.	Tiffin, R. F. D. 7.	Seneca	Ohio	January 3, 1846	Farmer.
Hoskins, S. A.	Wapakoneta	Auglaize	Ohio	March 5, 1863	Lawyer.
Hursh, Frank G.	McGuffey	Hardin	Ohio	November 22, 1863	Farmer.
Johnson, E. W.	West Jefferson	Madison	Ohio	October 27, 1876	Lawyer.
Johnson, Solomon	Stryker	Williams	Ohio	March 2, 1850	Farmer.
Jones, Humphrey	Bloomingsburg	Fayette	Ohio	January 31, 1857	Lawyer and Banker.
Kehoc, J. W.	Georgetown	Brown	Ohio	May 25, 1853	Banker.
Keller, Henry C.	Hanover, R. F. D.	Licking	Ohio	June 14, 1858	Farmer.
Kerr, Frank H.	Steuensville	Jefferson	Ohio	February 5, 1862	Lawyer.
Kilpatrick, W. B.	Warren	Trumbull	Ohio	September 5, 1877	Lawyer.
King, Edmund B.	Sandusky, Columbus Ave.	Erie	Ohio	July 4, 1850	Lawyer.
Knight, Geo. W.	Columbus, 631 E Broad.	Franklin	Michigan	June 25, 1858	College Professor.
Kramer, John F.	Mansfield	Richland	Ohio	February 10, 1869	Lawyer.
Kunkel, Lawrence P.	Zanesville	Muskingum	Ohio	January 9, 1865	Glass Worker.
Lambert, Frank P.	Wellston	Jackson	Kentucky	December 22, 1862	Carpenter.
Lampson, Elbert L.	Jefferson	Ashtabula	Ohio	July 30, 1852	Lawyer and Editor.
Leete, Fred G.	Ironton	Lawrence	Ohio	July 14, 1860	Civil Engineer.
Leslie, Daniel E.	Cleveland, 90 Roxbury Rd.	Cuyahoga	Ohio	February 22, 1852	Accountant.
Longstreth, Robt. B.	Union Furnace	Hocking	Ohio	December 12, 1852	Farmer.
Ludey, Chris.	Woodfield	Monroe	Ohio	March 3, 1850	Merchant.
McClelland, Raymond G.	Fredericktown	Knox	Pennsylvania	November 14, 1848	Minister and Farmer.
Malin, Fletcher D.	Painesville	Lake	Ohio	August 30, 1861	Lumberman.
Marriott, F. M.	Delaware	Delaware	Ohio	September 5, 1847	Lawyer.
Marshall, Allen M.	Coshocton, R. F. D.	Coshocton	Ohio	March 6, 1849	Farmer.
Matthews, N. E.	Ottawa	Putnam	Ohio	April 14, 1852	Banker.
Mauck, Roscoe J.	Gallipolis	Gallia	Ohio	May 17, 1870	Lawyer.
Miller, Frank P.	Lancaster	Fairfield	Ohio	November 10, 1872	Farmer.
Miller, Geo. W.	Bucyrus	Crawford	Ohio	January 22, 1859	Banker.
Miller, Wm.	Gypsum	Ottawa	Ohio	February 4, 1844	Fruit Grower.
Moore, Illion E.	Zanesville	Muskingum	Ohio	February 8, 1866	Farmer.
Norris, Caleb H.	Marion	Marion	Ohio	September 29, 1850	Lawyer.
Nye, David J.	Elyria	Lorain	New York	December 8, 1843	Lawyer.
Okey, J. A.	Caldwell	Noble	Ohio	January 9, 1861	Lawyer.
Partington, Wm. E.	Sidney	Shelby	Ohio	September 27, 1865	Teacher.
Peck, Hiram D.	Cincinnati, 518 Walnut St.	Hamilton	Kentucky	March 23, 1844	Lawyer.
Peters, Edward A.	Groveport	Franklin	Ohio	August 5, 1850	Farmer.
Pettit, Geo. W.	West Union	Adams	Ohio	April 5, 1856	Lawyer.
Pierce, David	Hamilton	Butler	Ohio	October 18, 1857	Lawyer.
Price, T. D.	New Lexington	Perry	Ohio	June 30, 1872	Lawyer.
Read, A. Ross	Akron	Summit	Pennsylvania	April 13, 1849	Editor.
Redington, H. G.	Elyria	Lorain	Ohio	July 10, 1853	Lawyer.

Members of the Constitutional Convention — 1912.—Concluded.

Name.	P. O. Address.	County.	Birth.		Occupation or Profession.
			State or Country.	Date.	
Riley, John H.	Marietta	Washington	Virginia	July 18, 1855	Lawyer.
Rockel, Wm. M.	Springfield, Bushnell Bldg.	Clark	Ohio	January 29, 1871	Lawyer.
Roehm, John	Dayton	Montgomery	Ohio	February 13, 1884	Retired.
Rorick, John C.	Wauseon	Fulton	New York	October 5, 1861	Lawyer.
Shaffer, Stanley	Hamilton	Butler	Ohio	October 12, 1852	Lawyer.
Shaw, Eli D.	Minerva	Carroll	Ohio	August 10, 1832	Lawyer.
Smith, Henry K.	Chardon	Geauga	Ohio	March 25, 1872	Lawyer.
Smith, Starbuck	Cincinnati, St. Paul Bldg.	Hamilton	Ohio	December 28, 1854	Farmer.
Solether, J. C.	Jerry City	Wood	Ohio	September 18, 1870	Lawyer.
Stalter, Franklin J.	Upper Sandusky	Wyandot	Ohio	November 16, 1847	Physician.
Stamm, Martin	Fremont	Sandusky	Switzerland	May 12, 1866	Lawyer.
Stevens, Wm. B.	Uhrichsville	Tuscarawas	Ohio	July 26, 1863	Lawyer.
Stewart, O. H.	Middleport	Meigs	Ohio	October 9, 1871	Deputy Clerk of Courts.
Stilwell, Stephen S.	Cleveland, 1351 Superior Ave.	Cuyahoga	Michigan	December 8, 1849	Real Estate.
Stokes, Wm. W.	Dayton	Montgomery	Ohio	June 6, 1852	Lawyer.
Taggart, Frank	Wooster	Wayne	Ohio	April 8, 1850	Lawyer.
Tallman, James C.	Bellaire	Belmont	Ohio	March 12, 1865	Editor.
Tannehill, J. W.	McConnelsville	Morgan	Ohio	December 16, 1875	Miner.
Tetlow, Percy	Leetonia	Columbiana	Ohio	December 24, 1864	Carpenter.
Thomas, Harry D.	Cleveland, 7706 Lockyear Ave.	Cuyahoga	England	September 26, 1861	Retired Merchant.
Ulmer, John	Toledo, 2206 Rosewood Ave.	Lucas	Switzerland	March 28, 1874	Farmer.
Wagner, Edwin T.	Greenville	Darke	Ohio	July 5, 1869	Minister.
Walker, Wilmer R.	Killbuck	Holmes	Iowa	August 26, 1865	Teacher.
Watson, Harvey	New Concord	Guernsey	Ohio	March 17, 1861	Manufacturer.
Weybrecht, B. F.	Alliance	Stark	Ohio	March 4, 1855	Lawyer.
Winn, John W.	Defiance	Defiance	Ohio	February 14, 1864	Retired Farmer.
Wise, Frank C.	New Berlin	Stark	Ohio	August 5, 1871	Lawyer.
Woods, Frank W.	Medina	Medina	Ohio	Aug. 3, 1847	Lawyer.
Worthington, Wm.	Cincinnati, 7 E. 5th St.	Hamilton	Ohio		

Amendments to the Constitution of Ohio

Resolution Adopted in Convention May 31, 1912, and Signed June 1, 1912

Resolved by the Constitutional Convention of the State of Ohio, That the amendments proposed to the constitution and adopted by this Convention, as hereinafter set forth, shall be submitted to the electors for adoption or rejection on the third day of September, A. D., 1912, and that the president and secretary of this Convention be, and they are hereby, directed to certify the same to the secretary of state for submission to the electors according to law.

ARTICLE I.

SEC. 5. The right of trial by jury shall be inviolate, except that, in civil cases, laws may be passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the jury.

ARTICLE I.

SEC. 9. All persons shall be bailable by sufficient sureties, except those charged with murder in the first degree, where proof is evident or the presumption great. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishment inflicted; nor shall life be taken as a punishment for crime. Until otherwise provided by law, persons convicted of crimes heretofore punishable by death shall be punished by imprisonment in the penitentiary during life.

ARTICLE I.

SEC. 10. Except in cases of impeachment, cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, and cases involving offenses for which the penalty provided is less than imprisonment in the penitentiary, no person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment or indictment of a grand jury; and the number of persons necessary to constitute such grand jury and the number thereof necessary to concur in finding such indictment shall be determined by law. In any trial, in any court, the party accused shall be allowed to appear and defend in person and with counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed; but provision may be made by law for the taking of the deposition by the accused or by the state, to be used for or against the accused, of any witness whose attendance cannot be had at the trial, always securing to the accused means and the opportunity to be present in person and with counsel at the taking of such deposition, and to examine the witness face to face as fully and in the same manner as if in court. No person shall be compelled, in any criminal case, to be a witness against himself; but his failure to

testify may be considered by the court and jury and may be made the subject of comment by counsel. No person shall be twice put in jeopardy for the same offense.

ARTICLE I.

SEC. 16. All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. Suits may be brought against the state, in such courts and in such manner, as may be provided by law.

ARTICLE I.

SEC. 19a. The amount of damages recoverable by civil action in the courts for death caused by the wrongful act, neglect, or default of another, shall not be limited by law.

ARTICLE II.

SEC. 1. The legislative power of the state shall be vested in a general assembly consisting of a senate and house of representatives but the people reserve to themselves the power to propose to the general assembly laws and amendments to the constitution, and to adopt or reject the same at the polls on a referendum vote as hereinafter provided. They also reserve the power to adopt or reject any law, section of any law or any item in any law appropriating money passed by the general assembly, except as hereinafter provided; and independent of the general assembly to propose amendments to the constitution and to adopt or reject the same at the polls. The limitations expressed in the constitution, on the power of the general assembly to enact laws, shall be deemed limitations on the power of the people to enact laws.

SEC. 1a. The first aforesaid power reserved by the people is designated the initiative, and the signatures of ten per centum of the electors shall be required upon a petition to propose an amendment to the constitution. When a petition signed by the aforesaid required number of electors, shall have been filed with the secretary of state, and verified as herein provided, proposing an amendment to the constitution, the full text of which shall have been set forth in such petition, the secretary of state shall submit for the approval or rejection of the electors, the proposed amendment, in the manner hereinafter provided, at the next succeeding regular or general election in any year occurring subsequent to ninety days after the filing of such petition. The initiative petitions, above described, shall have printed across the top thereof: "Amendment to the Constitution Proposed by Initiative Petition to be Submitted Directly to the Electors."

SEC. 1b. When at any time, not less than ten days prior to the commencement of any session of the general assembly, there shall have been filed with the secretary of state a petition signed by three per centum of the electors

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and verified as herein provided, proposing a law, the full text of which shall have been set forth in such petition, the secretary of state shall transmit the same to the general assembly as soon as it convenes. If said proposed law shall be passed by the general assembly, either as petitioned for or in an amended form, it shall be subject to the referendum. If it shall not be passed, or if it shall be passed in an amended form, or if no action shall be taken thereon within four months from the time it is received by the general assembly, it shall be submitted by the secretary of state to the electors for their approval or rejection at the next regular or general election, if such submission shall be demanded by supplementary petition verified as herein provided and signed by not less than three per centum of the electors in addition to those signing the original petition, which supplementary petition must be signed and filed with the secretary of state within ninety days after the proposed law shall have been rejected by the general assembly or after the expiration of such term of four months, if no action has been taken thereon, or after the law as passed by the general assembly shall have been filed by the governor in the office of the secretary of state. The proposed law shall be submitted in the form demanded by such supplementary petition, which form shall be either as first petitioned for or with any amendment or amendments which may have been incorporated therein by either branch or by both branches of the general assembly. If a proposed law so submitted is approved by a majority of the electors voting thereon, it shall be the law and shall go into effect as herein provided in lieu of any amended form of said law which may have been passed by the general assembly, and such amended law passed by the general assembly shall not go into effect until and unless the law proposed by supplementary petition shall have been rejected by the electors. All such initiative petitions, last above described, shall have printed across the top thereof, in case of proposed laws: "Law Proposed by Initiative Petition First to be Submitted to the General Assembly." Ballots shall be so printed as to permit an affirmative or negative vote upon each measure submitted to the electors. Any proposed law or amendment to the constitution submitted to the electors as provided in section 1a and section 1b, if approved by a majority of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state. If conflicting proposed laws or conflicting proposed amendments to the constitution shall be approved at the same election by a majority of the total number of votes cast for and against the same, the one receiving the highest number of affirmative votes shall be the law, or in the case of amendments to the constitution shall be the amendment to the constitution. No law proposed by initiative petition and approved by the electors shall be subject to the veto of the governor.

SEC. 1c. The second aforesaid power reserved by the people is designated the referendum, and the signatures of six per centum of the electors shall be required upon a petition to order the submission to the electors of the state for their approval or rejection, of any law, section of any law or any item in any law appropriating money passed by the general assembly. No law passed by the general assembly shall go into effect until ninety days after it shall have been filed by the governor in the office of the secretary of state, except as herein provided.

When a petition, signed by six per centum of the electors of the state and verified as herein provided, shall have been filed with the secretary of state within ninety days after any law shall have been filed by the governor in the office of the secretary of state, ordering that such law, section of such law or any item in such law appropriating money be submitted to the electors of the state for their approval or rejection, the secretary of state shall submit to the electors of the state for their approval or rejection such law, section or item, in the manner herein provided, at the next succeeding regular or general election in any year occurring subsequent to sixty days after the filing of such petition, and no such law, section or item shall go into effect until and unless approved by a majority of those voting upon the same. If, however, a referendum petition is filed against any such section or item, the remainder of the law shall not thereby be prevented or delayed from going into effect.

SEC. 1d. Laws providing for tax levies, appropriations for the current expenses of the state government and state institutions, and emergency laws necessary for the immediate preservation of the public peace, health or safety, shall go into immediate effect. Such emergency laws upon a ye and nay vote must receive the vote of two-thirds of all the members elected to each branch of the general assembly, and the reasons for such necessity shall be set forth in one section of the law, which section shall be passed only upon a ye and nay vote, upon a separate roll call thereon. The laws mentioned in this section shall not be subject to the referendum.

SEC. 1e. The powers defined herein as the "initiative" and "referendum" shall not be used to pass a law authorizing any classification of property for the purpose of levying different rates of taxation thereon or of authorizing the levy of any single tax on land or land values or land sites at a higher rate or by a different rule than is or may be applied to improvements thereon or to personal property.

SEC. 1f. The initiative and referendum powers are hereby reserved to the people of each municipality on all questions which such municipalities may now or hereafter be authorized by law to control by legislative action; such powers shall be exercised in the manner now or hereafter provided by law.

SEC. 1g. Any initiative, supplementary or referendum petition may be presented in separate parts but each part shall contain a full and correct copy of the title, and text of the law, section or item thereof sought to be referred, or the proposed law or proposed amendment to the constitution. Each signer of any initiative, supplementary or referendum petition must be an elector of the state and shall place on such petition after his name the date of signing and his place of residence. A signer residing outside of a municipality shall state the township and county in which he resides. A resident of a municipality shall state in addition to the name of such municipality, the street and number, if any, of his residence and the ward and precinct in which the same is located. The names of all signers to such petitions shall be written in ink, each signer for himself. To each part of such petition shall be attached the affidavit of the person soliciting the signatures to the same, which affidavit shall contain a statement of the number of the signers of such part of such petition and shall state that each of the signatures attached to such part was made in the presence of the af-

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fiant, that to the best of his knowledge and belief each signature on such part is the genuine signature of the person whose name it purports to be, that he believes the persons who have signed it to be electors, that they so signed said petition with knowledge of the contents thereof, that each signer signed the same on the date stated opposite his name; and no other affidavit thereto shall be required. The petition and signatures upon such petitions, so verified, shall be presumed to be in all respects sufficient, unless not later than forty days before the election, it shall be otherwise proved and in such event ten additional days shall be allowed for the filing of additional signatures to such petition. No law or amendment to the constitution submitted to the electors by initiative and supplementary petition and receiving an affirmative majority of the votes cast thereon, shall be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same was procured; nor shall the rejection of any law submitted by referendum petition be held invalid for such insufficiency. Upon all initiative, supplementary and referendum petitions provided for in any of the sections of this article, it shall be necessary to file from each of one-half of the counties of the state, petitions bearing the signatures of not less than one-half of the designated percentage of the electors of such county. A true copy of all laws or proposed laws or proposed amendments to the constitution, together with an argument or explanation, or both, for, and also an argument or explanation, or both, against the same, shall be prepared. The person or persons who prepare the argument or explanation, or both, against any law, section or item, submitted to the electors by referendum petition, may be named in such petition and the persons who prepare the argument or explanation, or both, for any proposed law or proposed amendment to the constitution may be named in the petition proposing the same. The person or persons who prepare the argument or explanation, or both, for the law, section or item, submitted to the electors by referendum petition, or against any proposed law submitted by supplementary petition, shall be named by the general assembly, if in session, and if not in session then by the governor. The secretary of state shall cause to be printed the law, or proposed law, or proposed amendment to the constitution, together with the arguments and explanations, not exceeding a total of three hundred words for each, and also the arguments and explanations, not exceeding a total of three hundred words against each, and shall mail, or otherwise distribute, a copy of such law, or proposed law, or proposed amendment to the constitution, together with such arguments and explanations for and against the same to each of the electors of the state, as far as may be reasonably possible. Unless otherwise provided by law, the secretary of state shall cause to be placed upon the ballots, the title of any such law, or proposed law, or proposed amendment to the constitution, to be submitted. He shall also cause the ballots so to be printed as to permit an affirmative or negative vote upon each law, section of law, or item in a law appropriating money, or proposed law or proposed amendment to the constitution. The style of all laws submitted by initiative and supplementary petition shall be: "Be it Enacted by the People of the State of Ohio," and of all constitutional amendments: "Be It Resolved by the People of the State of Ohio." The basis upon which the required number of

petitioners in any case shall be determined shall be the total number of votes cast for the office of governor at the last preceding election therefor. The foregoing provisions of this section shall be self-executing, except as herein otherwise provided. Laws may be passed to facilitate their operation, but in no way limiting or restricting either such provision or the powers herein reserved.

SCHEDULE.

The foregoing amendment, if adopted by the electors, shall take effect October 1, 1912.

ARTICLE II.

SEC. 8. Each house, except as otherwise provided in this constitution, shall choose its own officers, may determine its own rules of proceeding, punish its members for disorderly conduct; and, with the concurrence of two-thirds, expel a member, but not the second time for the same cause; and shall have all powers, necessary to provide for its safety and the undisturbed transaction of its business, and to obtain, through committees or otherwise, information affecting legislative action under consideration or in contemplation, or with reference to any alleged breach of its privileges or misconduct of its members, and to that end to enforce the attendance and testimony of witnesses, and the production of books and papers.

ARTICLE II.

SEC. 16. Every bill shall be fully and distinctly read on three different days, unless in case of urgency three-fourths of the house in which it shall be pending, shall dispense with the rule. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived, or amended unless the new act contains the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed. Every bill passed by the general assembly shall, before it becomes a law, be presented to the governor for his approval. If he approves, he shall sign it and thereupon it shall become a law and be filed with the secretary of state. If he does not approve it, he shall return it with his objections in writing, to the house in which it originated, which shall enter the objections at large upon its journal, and may then reconsider the vote on its passage. If three-fifths of the members elected to that house vote to repass the bill, it shall be sent, with the objections of the governor, to the other house, which may also reconsider the vote on its passage. If three-fifths of the members elected to that house vote to repass it, it shall become a law notwithstanding the objections of the governor, except that in no case shall a bill be repassed by a smaller vote than is required by the constitution on its original passage. In all such cases the vote of each house shall be determined by yeas and nays and the names of the members voting for and against the bill shall be entered upon the journal. If a bill shall not be returned by the governor within ten days, Sundays excepted, after being presented to him, it shall become a law in like manner as if he had signed it, unless the general assembly by adjournment prevents its return: in which case, it shall become a law unless, within ten days after such adjournment, it shall be filed by him, with his objections in writing, in the office of the secretary of state. The governor may disapprove any item or

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items in any bill making an appropriation of money and the item or items, so disapproved, shall be void, unless repassed in the manner herein prescribed for the re-passage of a bill.

ARTICLE II.

SEC. 33. Laws may be passed to secure to mechanics artisans, laborers, sub-contractors and material men, their just dues by direct lien upon the property, upon which they have bestowed labor or for which they have furnished material. No other provision of the constitution shall impair or limit this power.

ARTICLE II.

SEC. 34. Laws may be passed fixing and regulating the hours of labor, establishing a minimum wage, and providing for the comfort, health, safety and general welfare of all employes; and no other provision of the constitution shall impair or limit this power.

ARTICLE II.

SEC. 35. For the purpose of providing compensation to workmen and their dependents, for death, injuries or occupational diseases, occasioned in the course of such workmen's employment, laws may be passed establishing a state fund to be created by compulsory contribution thereto by employers, and administered by the state, determining the terms and conditions upon which payment shall be made therefrom, and taking away any or all rights of action or defenses from employes and employers; but no right of action shall be taken away from any employe when the injury, disease or death arises from failure of the employer to comply with any lawful requirement for the protection of the lives, health and safety of employes. Laws may be passed establishing a board which may be empowered to classify all occupations, according to their degree of hazard, to fix rates of contribution to such fund according to such classification, and to collect, administer and distribute such fund, and to determine all rights of claimants thereto.

ARTICLE II.

SEC. 36. Laws may be passed to encourage forestry, and to that end areas devoted exclusively to forestry may be exempted, in whole or in part, from taxation. Laws may also be passed to provide for converting into forest reserves such lands or parts of lands as have been or may be forfeited to the state, and to authorize the acquiring of other lands for that purpose; also, to provide for the conservation of the natural resources of the state, including streams, lakes, submerged and swamp lands and the development and regulation of water power and the formation of drainage and conservation districts; and to provide for the regulation of methods of mining, weighing, measuring and marketing coal, oil, gas and all other minerals.

ARTICLE II.

SEC. 37. Except in cases of extraordinary emergencies, not to exceed eight hours shall constitute a day's work, and not to exceed forty-eight hours a week's work, for workmen engaged on any public work carried on or aided by the state, or any political sub-division thereof, whether done by contract, or otherwise.

ARTICLE II.

SEC. 38. Laws shall be passed providing for the prompt removal from office, upon complaint and hearing, of all officers, including state officers, judges and members of the general assembly, for any misconduct involving moral turpitude or for other cause provided by law; and this method of removal shall be in addition to impeachment or other method of removal authorized by the constitution.

ARTICLE II.

SEC. 39. Laws may be passed for the regulation of the use of expert witnesses and expert testimony in criminal trials and proceedings.

ARTICLE II.

SEC. 40. Laws may be passed providing for a system of registering, transferring, insuring and guaranteeing land titles by the state or by the counties thereof, and for settling and determining adverse or other claims to and interests in, lands the titles to which are so registered, insured or guaranteed, and for the creation and collection of guaranty funds by fees to be assessed against lands, the titles to which are registered; and judicial powers with right of appeal may by law be conferred upon county recorders or other officers in matters arising under the operation of such system.

ARTICLE II.

SEC. 41. Laws shall be passed providing for the occupation and employment of prisoners sentenced to the several penal institutions and reformatories in the state; and no person in any such penal institution or reformatory while under sentence thereto, shall be required or allowed to work at any trade, industry or occupation, wherein or whereby his work, or the product or profit of his work, shall be sold, farmed out, contracted or given away; and goods made by persons under sentence to any penal institution or reformatory without the State of Ohio, and such goods made within the State of Ohio, excepting those disposed of to the state or any political subdivision thereof or to any public institution owned, managed or controlled by the state or any political subdivision thereof, shall not be sold within this state unless the same are conspicuously marked "prison made." Nothing herein contained shall be construed to prevent the passage of laws providing that convicts may work for, and that the products of their labor may be disposed of to, the state or any political sub-division thereof, or for or to any public institution owned or managed and controlled by the state or any political sub-division thereof.

ARTICLE III.

SEC. 8. The governor on extraordinary occasions may convene the general assembly by proclamation and shall state in the proclamation the purpose for which such special session is called, and no other business shall be transacted at such special session except that named in the proclamation, or in a subsequent public proclamation or message to the general assembly issued by the governor during said special session, but the general assembly may provide for the expenses of the session and other matters incidental thereto.

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ARTICLE IV.

SEC. 1. The judicial power of the state is vested in a supreme court, courts of appeals, courts of common pleas, courts of probate, and such other courts inferior to the courts of appeals as may from time to time be established by law.

SEC. 2. The supreme court shall, until otherwise provided by law, consist of a chief justice and six judges, and the judges now in office in that court shall continue therein until the end of the terms for which they were respectively elected, unless they are removed, die or resign. A majority of the supreme court shall be necessary to constitute a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus, prohibition and procedendo, and appellate jurisdiction in all cases involving questions arising under the constitution of the United States or of this state, in cases of felony on leave first obtained, and in cases which originated in the courts of appeals, and such revisory jurisdiction of the proceedings of administrative officers as may be conferred by law. It shall hold at least one term in each year at the seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large for such term, not less than six years, as may be prescribed by law, and they shall be elected, and their official term shall begin, at such time as may now or hereafter be fixed by law. Whenever the judges of the supreme court shall be equally divided in opinion as to the merits of any case before them and are unable for that reason to agree upon a judgment, that fact shall be entered upon the record and such entry shall be held to constitute an affirmance of the judgment of the court below. No law shall be held unconstitutional and void by the supreme court without the concurrence of at least all but one of the judges, except in the affirmance of a judgment of the court of appeals declaring a law unconstitutional and void. In cases of public or great general interest the supreme court may, within such limitation of time as may be prescribed by law, direct any court of appeals to certify its record to the supreme court, and may review, and affirm, modify or reverse the judgment of the court of appeals. All cases pending in the supreme court at the time of the adoption of this amendment by the people, shall proceed to judgment in the manner provided by existing law. No law shall be passed or rule made whereby any person shall be prevented from invoking the original jurisdiction of the supreme court.

SEC. 6. The state shall be divided into appellate districts of compact territory bounded by county lines, in each of which there shall be a court of appeals consisting of three judges, and until altered by law the circuits in which the circuit courts are now held shall constitute the appellate districts aforesaid. The judges of the circuit courts now residing in their respective districts shall be the judges of the respective courts of appeals in such districts and perform the duties thereof until the expiration of their respective terms of office. Vacancies caused by the expiration of the terms of office of the judges of the courts of appeals shall be filled by the electors of the respective appellate districts in which such vacancies shall arise. Until otherwise provided by law the term of

office of such judges shall be six years. Laws may be passed to prescribe the time and mode of such election and to alter the number of districts or the boundaries thereof, but no such change shall abridge the term of any judge then in office. The court of appeals shall hold at least one term annually in each county in the district and such other terms at a county seat in the district as the judges may determine upon, and the county commissioners of any county in which the court of appeals shall hold sessions shall make proper and convenient provisions for the holding of such court by its judges and officers. Each judge shall be competent to exercise judicial powers in any appellate district of the state. The courts of appeals shall continue the work of the respective circuit courts and all pending cases and proceedings in the circuit courts shall proceed to judgment and be determined by the respective courts of appeals, and the supreme court, as now provided by law, and cases brought into said courts of appeals after the taking effect hereof shall be subject to the provisions hereof, and the circuit courts shall be merged into, and their work continued by, the courts of appeals. The courts of appeals shall have original jurisdiction in quo warranto, mandamus, habeas corpus, prohibition and procedendo, and appellate jurisdiction in the trial of chancery cases, and, to review, affirm, modify, or reverse the judgments of the courts of common pleas, superior courts and other courts of record within the district as may be provided by law, and judgments of the courts of appeals shall be final in all cases, except cases involving questions arising under the constitution of the United States or of this state, cases of felony, cases of which it has original jurisdiction, and cases of public or great general interest in which the supreme court may direct any court of appeals to certify its record to that court. No judgment of a court of common pleas, a superior court or other court of record shall be reversed except by the concurrence of all the judges of the court of appeals on the weight of the evidence, and by a majority of such court of appeals upon other questions; and whenever the judges of a court of appeals find that a judgment upon which they have agreed is in conflict with a judgment pronounced upon the same question by any other court of appeals of the state, the judges shall certify the record of the case to the supreme court for review and final determination. The decisions in all cases in the supreme court shall be reported, together with the reasons therefor, and laws may be passed providing for the reporting of cases in the courts of appeals. The chief justice of the supreme court of the state shall determine the disability or disqualification of any judge of the courts of appeals and he may assign any judge of the courts of appeals to any county to hold court.

ARTICLE IV.

SEC. 3. One resident judge of the court of common pleas, and such additional resident judge or judges as may be provided by law, shall be elected in each county of the state by the electors of such county; and as many courts or sessions of the court of common pleas as are necessary, may be held at the same time in any county. Any judge of the court of common pleas may temporarily preside and hold court in any county; and until the general assembly shall make adequate provision there-

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for, the chief justice of the supreme court of the state shall pass upon the disqualification or disability of any judge of the court of common pleas, and he may assign any judge to any county to hold court therein.

SEC. 7. There shall be established in each county, a probate court, which shall be a court of record, open at all times, and holden by one judge, elected by the electors of the county, who shall hold his office for the term of four years, and shall receive such compensation, payable out of the county treasury, as shall be provided by law. Whenever ten per centum of the number of the electors voting for governor at the next preceding election in any county having less than sixty thousand population as determined by the next preceding federal census, shall petition the judge of the court of common pleas of any such county not less than ninety days before any general election for county officers, the judge of the court of common pleas shall submit to the electors of such county the question of combining the probate court with the court of common pleas, and such courts shall be combined and shall be known as the court of common pleas in case a majority of the electors voting upon such question vote in favor of such combination. Notice of such election shall be given in the same manner as for the election of county officers. Elections may be had in the same manner for the separation of such courts, when once combined.

SEC. 12. The judges of the courts of common pleas shall, while in office, reside in the county for which they are elected; and their term of office shall be for six years.

SEC. 15. Laws may be passed to increase or diminish the number of judges of the supreme court, to increase beyond one or diminish to one the number of judges of the court of common pleas in any county, and to establish other courts, whenever two-thirds of the members elected to each house shall concur therein; but no such change, addition or diminution shall vacate the office of any judge; and any existing court heretofore created by law shall continue in existence until otherwise provided.

SCHEDULE.

If the foregoing amendment shall be adopted by the electors, the judges of the courts of common pleas in office, or elected thereto prior to January first, 1913, shall hold their offices for the term for which they were elected and the additional judges provided for herein, shall be elected at the general election in the year 1914; each county shall continue as a part of its existing common pleas district and sub-division thereof, until one resident judge of the court of common pleas is elected and qualified therein.

ARTICLE IV.

SEC. 9. A competent number of justices of the peace shall be elected by the electors in each township in the several counties, until otherwise provided by law. Their term of office shall be for four years and their powers and duties shall be regulated by law: provided that no justice of the peace shall be elected in any township in which a court, other than a mayor's court, is, or may hereafter be, maintained with the jurisdiction of all causes of which justices of the peace have jurisdiction, and no justice of the peace shall have, or exercise jurisdiction in such township.

SCHEDULE.

If the amendment to article IV, sections 1, 2 and 6, be adopted by the electors of this state and become a part of the constitution, then section 9 of article IV of the constitution is repealed, and the foregoing amendment, if adopted, shall be of no effect.

ARTICLE IV.

SEC. 21. Laws may be passed, prescribing rules and regulations for the conduct of cases and business in the courts of the state, regulating proceedings in contempt, and limiting the power to punish for contempt. No order of injunction shall issue in any controversy involving the employment of labor, except to preserve physical property from injury or destruction; and all persons charged in contempt proceedings with the violation of an injunction issued in such controversies shall, upon demand, be granted a trial by jury as in criminal cases.

ARTICLE V.

SEC. 1. Every citizen of the United States, of the age of twenty-one years, who shall have been a resident of the state for one year next preceding the election, and of the county, township or ward in which he or she resides such time as may be provided by law, shall have the qualifications of an elector and be entitled to vote at all elections.

ARTICLE V.

SEC. 1. Every male citizen of the United States of the age of twenty-one years, who shall have been a resident of the state one year next preceding the election, and of the county, township or ward in which he resides, such time as may be provided by law, shall have the qualifications of an elector and be entitled to vote at all elections.

SCHEDULE.

If the amendment to article V, section 1, to the constitution—Woman's Suffrage, be adopted by the electors and become a part of the constitution, then the foregoing amendment, if adopted, shall be of no effect.

ARTICLE V.

SEC. 2. All elections shall be either by ballot or by mechanical device, or by both, preserving the secrecy of the vote. Laws may be enacted to regulate the preparation of the ballot and to determine the application of such mechanical device.

ARTICLE V.

SEC. 7. All nominations for elective state, district, county and municipal offices shall be made at direct primary elections or by petition as provided by law, and provision shall be made by law for a preferential vote for United States senator; but direct primaries shall not be held for the nomination of township officers or for the officers of municipalities of less than two thousand population, unless petitioned for by a majority of the electors of such township or municipality. All delegates from this state to the national conventions of political parties shall be chosen by direct vote of the electors. Each candidate for such delegate shall state his first and second choices for the presidency, which preferences shall be printed upon the primary ballot below the name

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of such candidate, but the name of no candidate for the presidency shall be so used without his written authority.

ARTICLE VI.

SEC. 3. Provision shall be made by law for the organization, administration and control of the public school system of the state supported by public funds: provided, that each school district embraced wholly or in part within any city shall have the power by referendum vote to determine for itself the number of members and the organization of the district board of education, and provision shall be made by law for the exercise of this power by such school districts.

SEC. 4. A superintendent of public instruction to replace the state commissioner of common schools, shall be included as one of the officers of the executive department to be appointed by the governor, for the term of four years, with the powers and duties now exercised by the state commissioner of common schools until otherwise provided by law, and with such other powers as may be provided by law.

SCHEDULE.

If the foregoing amendment be adopted by the electors it shall take effect and become a part of the constitution on the second Monday of July, 1913.

ARTICLE VIII.

SEC. 1. The state may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars; and the money, arising from the creation of such debts, shall be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever; provided, however, that laws may be passed to contract debts and authorize issues of bonds to an amount which in the aggregate of all issues shall not exceed fifty million dollars for the purpose of constructing, rebuilding, improving and repairing a system of inter-county wagon roads throughout the state. Not to exceed ten million dollars of such bonds shall be issued in any one year, and there shall be levied and collected annually by taxation an amount sufficient to pay the interest on said bonds and to provide a sinking fund for their redemption at maturity, and laws shall be passed to provide for the maintenance of said roads. Such wagon roads shall be determined under general laws and the cost of constructing, rebuilding, improving, repairing and maintaining the same shall be paid by the state. The provisions of this section shall not be limited or controlled by section 6, of article XII.

ARTICLE VIII.

SEC. 6. No laws shall be passed authorizing any county, city, town or township, by vote of its citizens, or otherwise, to become a stockholder in any joint stock company, corporation, or association whatever; or to raise money for, or to loan its credit to, or in aid of, any such company, corporation, or association: provided, that nothing in this section shall prevent the insuring of public buildings or property in mutual insurance associations

or companies. Laws may be passed providing for the regulation of all rates charged or to be charged by any insurance company, corporation or association organized under the laws of this state or doing any insurance business in this state for profit.

ARTICLE VIII.

SEC. 12. So long as this state shall have public works which require superintendence, a superintendent of public works shall be appointed by the governor for the term of one year, with the powers and duties now exercised by the board of public works until otherwise provided by law, and with such other powers as may be provided by law.

SCHEDULE.

Section 13 of article VIII is hereby repealed.

ARTICLE XII.

SEC. 1. No poll tax shall ever be levied in this state, or service required, which may be commuted in money or other thing of value.

SEC. 2. Laws shall be passed, taxing by a uniform rule, all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise; and also all real and personal property according to its true value in money, excepting all bonds at present outstanding of the state of Ohio or of any city, village, hamlet, county, or township in this state or which have been issued in behalf of the public schools in Ohio and the means of instruction in connection therewith, which bonds so at present outstanding shall be exempt from taxation; but burying grounds, public school houses, houses used exclusively for public worship, institutions used exclusively for charitable purposes, public property used exclusively for any public purpose, and personal property, to an amount not exceeding in value five hundred dollars, for each individual, may, by general laws, be exempted from taxation; but all such laws shall be subject to alteration or repeal; and the value of all property, so exempted, shall, from time to time, be ascertained and published as may be directed by law.

SEC. 6. Except as otherwise provided in this constitution the state shall never contract any debt for purposes of internal improvement.

SEC. 7. Laws may be passed providing for the taxation of the right to receive, or to succeed to, estates, and such taxation may be uniform or it may be so graduated as to tax at a higher rate the right to receive, or to succeed to, estates of larger value than to estates of smaller value. Such tax may also be levied at different rates upon collateral and direct inheritances, and a portion of each estate not exceeding twenty thousand dollars may be exempt from such taxation.

SEC. 8. Laws may be passed providing for the taxation of incomes, and such taxation may be either uniform or graduated, and may be applied to such incomes as may be designated by law; but a part of each annual income not exceeding three thousand dollars may be exempt from such taxation.

SEC. 9. Not less than fifty per centum of the income and inheritance taxes that may be collected by the state shall be returned to the city, village or township in which said income and inheritance tax originate.

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SEC. 10. Laws may be passed providing for excise and franchise taxes and for the imposition of taxes upon the production of coal, oil, gas and other minerals.

SEC. 11. No bonded indebtedness of the state, or any political sub-divisions thereof, shall be incurred or renewed, unless, in the legislation under which such indebtedness is incurred or renewed, provision is made for levying and collecting annually by taxation an amount sufficient to pay the interest on said bonds, and to provide a sinking fund for their final redemption at maturity.

ARTICLE XIII.

SEC. 2. Corporations may be formed under general laws; but all such laws may, from time to time, be altered or repealed. Corporations may be classified and there may be conferred upon proper boards, commissions or officers, such supervisory and regulatory powers over their organization, business and issue and sale of stocks and securities, and over the business and sale of the stocks and securities of foreign corporations and joint stock companies in this state, as may be prescribed by law. Laws may be passed regulating the sale and conveyance of other personal property, whether owned by a corporation, joint stock company or individual.

ARTICLE XIII.

SEC. 3. Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock owned by him or her; except that stockholders of corporations authorized to receive money on deposit shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporations, to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares. No corporation not organized under the laws of this state, or of the United States, or person, partnership or association shall use the word "bank," "banker" or "banking," or words of similar meaning in any foreign language, as a designation or name under which business may be conducted in this state unless such corporation, person, partnership or association shall submit to inspection, examination and regulation as may hereafter be provided by the laws of this state.

ARTICLE XV.

SEC. 2. The printing of the laws, journals, bills, legislative documents and papers for each branch of the general assembly, with the printing required for the executive and other departments of state, shall be let, on contract, to the lowest responsible bidder, or done directly by the state in such manner as shall be prescribed by law. All stationery and supplies shall be purchased as may be provided by law.

ARTICLE XV.

SEC. 4. No person shall be elected or appointed to any office in this state unless possessed of the qualifications of an elector: provided that women who are citizens may be appointed, as notaries public, or as members of boards of, or to positions in, those departments and institutions established by the state or any political sub-

division thereof involving the interests or care of women or children or both.

ARTICLE XV.

SEC. 9. License to traffic in intoxicating liquors shall be granted in this state, and license laws operative throughout the state shall be passed with such restrictions and regulations as may be provided by law, and municipal corporations shall be authorized by general laws to provide for the limitation of the number of saloons. Laws shall not be passed authorizing more than one saloon in each township or municipality of less than five hundred population, or more than one saloon for each five hundred population in other townships and municipalities. Where the traffic is or may be prohibited under laws applying to counties, municipalities, townships, residence districts, or other districts now prescribed by law, the traffic shall not be licensed in any such local sub-division while any prohibitory law is operative therein, and nothing herein contained shall be so construed as to repeal, modify or suspend any such prohibitory laws, or any regulatory laws now in force or hereafter enacted, or to prevent the future enactment, modification or repeal of any prohibitory or regulatory laws. License to traffic in intoxicating liquors shall not be granted to any person who at the time of making application therefor is not a citizen of the United States and of good moral character. License shall not be granted to any applicant who is in any way interested in the business conducted at any other place where intoxicating liquors are sold or kept for sale as a beverage nor shall such license be granted unless the applicant or applicants are the only persons in any way pecuniarily interested in the business for which the license is sought and no other person shall be in any way interested therein during the continuance of the license; if such interest of such person shall appear, the license shall be deemed revoked. If any licensee is more than once convicted for a violation of the laws in force to regulate the traffic in intoxicating liquors, his license shall be deemed revoked, and no license shall thereafter be granted to him. License to traffic in intoxicating liquors shall not be granted unless the place of traffic under such license shall be located in the county in which the person or persons reside whose duty it is to grant such license, or in a county adjoining thereto. The word "saloon" as used in this section is defined to be a place where intoxicating liquors are sold, or kept for sale, as a beverage in quantities less than one gallon.

At said election a ballot shall be in the following form:

INTOXICATING LIQUORS.

	For License to traffic in intoxicating liquors.
	Against License to traffic in intoxicating liquors.

The voter shall indicate his choice by placing a cross-mark within the blank space opposite the words "For License," if he desires to vote in favor of the article

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above mentioned and opposite the words "Against License," within the blank space if he desires to vote against said article. If a cross-mark is placed opposite both phrases or neither phrase, then the vote upon the subject shall not be counted.

If the votes for license shall exceed the votes against license, then the article above mentioned shall become section 9 of article XV of the constitution, and the present section 9 of said article, also known as section 18 of the schedule shall be repealed.

ARTICLE XV.

SEC. 10. Appointments and promotions in the civil service of the state, the several counties, and cities, shall be made according to merit and fitness, to be ascertained, as far as practicable, by competitive examinations. Laws shall be passed providing for the enforcement of this provision.

ARTICLE XV.

SEC. 11. Laws may be passed regulating and limiting the use of property on or near public ways and grounds for erecting bill-boards thereon and for the public display of posters, pictures and other forms of advertising.

ARTICLE XVI.

SEC. 1. Either branch of the general assembly may propose amendments to this constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be submitted to the electors, for their approval or rejection, on a separate ballot without party designation of any kind, at either a special or a general election as the general assembly may prescribe. Such proposed amendments shall be published once a week for five consecutive weeks preceding such election, in at least one newspaper in each county of the state, where a newspaper is published. If the majority of the electors voting on the same shall adopt such amendments the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately.

SEC. 2. Whenever two-thirds of the members elected to each branch of the general assembly shall think it necessary to call a convention, to revise, amend, or change this constitution, they shall recommend to the electors to vote on a separate ballot without party designation of any kind at the next election for members to the general assembly, for or against a convention; and if a majority of all the electors, voting for and against the calling of a convention, shall have voted for a convention, the general assembly shall, at their next session, provide, by law, for calling the same. Candidates for members of the constitutional convention shall be nominated by nominating petitions only and shall be voted for upon one independent and separate ballot without any emblem or party designation whatever. The convention shall consist of as many members as the house of representatives, who shall be chosen as provided by law, and shall meet within three months after their election, for the purpose, aforesaid.

SEC. 3. At the general election to be held in the year one thousand nine hundred and thirty-two, and in

each twentieth year thereafter, the question: "Shall there be a convention to revise, alter, or amend the constitution," shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon.

ARTICLE XVIII.

MUNICIPAL CORPORATIONS.

SEC. 1. Municipal corporations are hereby classified into cities and villages. All such corporations having a population of five thousand or over shall be cities; all others shall be villages. The method of transition from one class to the other shall be regulated by law.

SEC. 2. General laws shall be passed to provide for the incorporation and government of cities and villages; and additional laws may also be passed for the government of municipalities adopting the same; but no such additional law shall become operative in any municipality until it shall have been submitted to the electors thereof, and affirmed by a majority of those voting thereon, under regulations to be established by law.

SEC. 3. Municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.

SEC. 4. Any municipality may acquire, construct, own, lease and operate within or without its corporate limits, any public utility the product or service of which is or is to be supplied to the municipality or its inhabitants, and may contract with others for any such product or service. The acquisition of any such public utility may be by condemnation or otherwise, and a municipality may acquire thereby the use of, or full title to, the property and franchise of any company or person supplying to the municipality or its inhabitants the service or product of any such utility.

SEC. 5. Any municipality proceeding to acquire, construct, own, lease or operate a public utility, or to contract with any person or company therefor, shall act by ordinance and no such ordinance shall take effect until after thirty days from its passage. If within said thirty days a petition signed by ten per centum of the electors of the municipality shall be filed with the executive authority thereof demanding a referendum on such ordinance it shall not take effect until submitted to the electors and approved by a majority of those voting thereon. The submission of any such question shall be governed by all the provisions of section 8 of this article as to the submission of the question of choosing a charter commission.

SEC. 6. Any municipality, owning or operating a public utility for the purpose of supplying the service or product thereof to the municipality or its inhabitants, may also sell and deliver to others any transportation service of such utility and the surplus product of any

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other utility in an amount not exceeding in either case fifty per centum of the total service or product supplied by such utility within the municipality.

SEC. 7. Any municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government.

SEC. 8. The legislative authority of any city or village may by a two-thirds vote of its members, and upon petition of ten per centum of the electors shall forthwith, provide by ordinance for the submission to the electors, of the question, "Shall a commission be chosen to frame a charter." The ordinance providing for the submission of such question shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after its passage; otherwise it shall provide for the submission of the question at a special election to be called and held within the time aforesaid. The ballot containing such question shall bear no party designation, and provision shall be made thereon for the election from the municipality at large of fifteen electors who shall constitute a commission to frame a charter; provided that a majority of the electors voting on such question shall have voted in the affirmative. Any charter so framed shall be submitted to the electors of the municipality at an election to be held at a time fixed by the charter commission and within one year from the date of its election, provision for which shall be made by the legislative authority of the municipality in so far as not prescribed by general law. Not less than thirty days prior to such election the clerk of the municipality shall mail a copy of the proposed charter to each elector whose name appears upon the poll or registration books of the last regular or general election held therein. If such proposed charter is approved by a majority of the electors voting thereon it shall become the charter of such municipality at the time fixed therein.

SEC. 9. Amendments to any charter framed and adopted as herein provided may be submitted to the electors of a municipality by a two-thirds vote of the legislative authority thereof, and, upon petitions signed by ten per centum of the electors of the municipality setting forth any such proposed amendment, shall be submitted by such legislative authority. The submission of proposed amendments to the electors shall be governed by the requirements of section 8 as to the submission of the question of choosing a charter commission; and copies of proposed amendments shall be mailed to the electors as hereinbefore provided for copies of a proposed charter. If any such amendment is approved by a majority of the electors voting thereon, it shall become a part of the charter of the municipality. A copy of said charter or any amendment thereto shall be certified to the secretary of state, within thirty days after adoption by a referendum vote.

SEC. 10. A municipality appropriating or otherwise acquiring property for public use may in furtherance of such public use appropriate or acquire an excess over that actually to be occupied by the improvement, and may sell such excess with such restrictions as shall be appropriate to preserve the improvement made. Bonds may be issued to supply the funds in whole or in part to pay for the excess property so appropriated or other-

wise acquired, but said bonds shall be a lien only against the property so acquired for the improvement and excess, and they shall not be a liability of the municipality nor be included in any limitation of the bonded indebtedness of such municipality prescribed by law.

SEC. 11. Any municipality appropriating private property for a public improvement may provide money therefor in part by assessments upon benefited property not in excess of the special benefits conferred upon such property by the improvements. Said assessments, however, upon all the abutting, adjacent, and other property in the district benefited shall in no case be levied for more than fifty per centum of the cost of such appropriation.

SEC. 12. Any municipality which acquires, constructs or extends any public utility and desires to raise money for such purposes may issue mortgage bonds therefor beyond the general limit of bonded indebtedness prescribed by law; provided that such mortgage bonds issued beyond the general limit of bonded indebtedness prescribed by law shall not impose any liability upon such municipality but shall be secured only upon the property and revenues of such public utility, including a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate the same, which franchise shall in no case extend for a longer period than twenty years from the date of the sale of such utility and franchise on foreclosure.

SEC. 13. Laws may be passed to limit the power of municipalities to levy taxes and incur debts for local purposes, and may require reports from municipalities as to their financial condition and transactions, in such form as may be provided by law, and may provide for the examination of the vouchers, books and accounts of all municipal authorities, or of public undertakings conducted by such authorities.

SEC. 14. All elections and submissions of questions provided for in this article shall be conducted by the election authorities prescribed by general law. The percentage of electors required to sign any petition provided for herein shall be based upon the total vote cast at the last preceding general municipal election.

SCHEDULE.

If the foregoing amendment to the constitution be adopted by the electors and become a part of the constitution, it shall take effect on November 15, 1912.

SCHEDULE.

The several amendments passed and submitted by this convention when adopted at the election shall take effect on the first day of January, 1913, except as otherwise specifically provided by the schedule attached to any of said amendments. All laws then in force, not inconsistent therewith shall continue in force until amended or repealed; provided that all cases pending in the courts on the first day of January, 1913, shall be heard and tried in the same manner and by the same procedure as is now authorized by law. Any provision of the amendments passed and submitted by this convention and adopted by the electors, inconsistent with, or in conflict with, any provision of the present constitution, shall be held to prevail.

Amendments to the Constitution Submitted by Convention.

METHOD OF SUBMISSION.

The several proposals duly passed by this convention shall be submitted to the electors as separate amendments to the constitution at a special election to be held on the third day of September, 1912. The several amendments shall be designated on the ballot by their proper article and section numbers and also by their approved descriptive titles and shall be printed on said ballot and consecutively numbered in the manner and form herein-after set forth. The adoption of any amendment by its title shall have the effect of adopting the amendment in full as finally passed by the convention. Said special election shall be held pursuant to all provisions of law applicable thereto including special registration. Ballots shall be marked in accordance with instructions printed thereon. Challengers and witnesses shall be admitted to

all polling places under such regulations as may be prescribed by the secretary of state. Within ten days after said election the boards of deputy state supervisors of elections of the several counties shall forward by mail in duplicate sealed certified abstracts of the votes cast on the several amendments, one to the secretary of state and one to the auditor of state at Columbus. Within five days thereafter such abstracts shall be opened and canvassed by the secretary of state and auditor of state in the presence of the governor who shall forthwith, by proclamation, declare the results of said election. Each amendment on which the number of affirmative votes shall exceed the number of negative votes shall become a part of the constitution.

[Here follows the form of ballot identical with that on pages 2007-2011.]

HERBERT S. BIGELOW,
PRESIDENT.

C. B. GALBREATH,
SECRETARY.
Columbus, Ohio, June 1, 1912.

DAVID F. ANDERSON,
ERNEST I. ANTRIM,
JOHN L. BAUM,
ROBERT A. BEATTY,
RICHARD A. BEATTY,
A. BEYER,
STANLEY E. BOWDLE,
WESLEY B. BRATTAIN,
H. M. BROWN,
WALTER F. BROWN,
M. A. BROWN,
WILLIAM W. CAMPBELL,
JOHN R. CASSIDY,
M. T. CODY,
BERNARD Y. COLLETT,
GEO. H. COLTON,
HENRY F. CORDES,
HENRY M. CRITES,
ROBERT CROSSER,
DAVID CUNNINGHAM,
WILLIAM C. DAVIO,
JOE DEFREES,
A. V. DONAHEY,
EDWARD W. DOTY,
CHARLES O. DUNLAP,
ALEXANDER DUNN,
DENNIS DWYER,
HENRY E. EBY,
J. MILTON EARNHART,
HENRY W. ELSON,
JOHN D. FACKLER,
W. W. FARNSWORTH,
THOMAS S. FARRELL,
S. D. FESS,
THOS. G. FITZSIMONS,
JAMES M. FLUKE,
HENRY C. FOX,
AARON HAHN,
WM. P. HALENKAMP,

JAMES W. HALFHILL,
JAMES W. HARBARGER,
WM. S. HARRIS,
GEO. W. HARRIS,
OTTO M. HARTER,
ISAAC HARTER,
ROBERT HENDERSON,
JOHN C. HOFFMAN,
CHARLES D. HOLTZ,
SAMUEL A. HOSKINS,
FRANK G. HURSH,
EDWARD W. JOHNSON,
SOLOMON JOHNSON,
HUMPHREY JONES,
J. W. KEHOE,
HENRY C. KELLER,
FRANK H. KERR,
WM. B. KILPATRICK,
E. B. KING,
G. W. KNIGHT,
JOHN F. KRAMER,
LAWRENCE P. KUNKLE,
FRANK P. LAMBERT,
E. L. LAMPSON,
FRED G. LEETE,
DANIEL E. LESLIE,
ROBERT B. LONGSTRETH,
CHRIS LUDEY,
FLETCHER D. MALIN,
FRANK M. MARRIOTT,
ALLEN M. MARSHALL,
N. E. MATTHEWS,
ROSCOE J. MAUCK,
R. G. McCLELLAND,
GEO. W. MILLER,
FRANK P. MILLER,
WM. MILLER,
ILLION E. MOORE,
CALEB H. NORRIS,

DAVID J. NYE,
J. A. OKEY,
W. E. PARTINGTON,
HIRAM D. PECK
EDWARD A. PETERS,
GEO. W. PETTIT,
DAVID PIERCE,
T. D. PRICE,
A. ROSS READ,
HORACE G. REDINGTON,
JNO. H. RILEY,
WM. M. ROCKEL,
JOHN ROEHM,
JOHN C. RORICK,
STANLEY SHAFFER,
ELI D. SHAW,
H. K. SMITH,
STARBUCK SMITH,
J. C. SOLEATHER,
FRANKLIN J. STALTER,
M. STAMM,
W. B. STEVENS,
STEPHEN S. STILWELL,
O. H. STEWART,
WILLIAM WORTH STOKES,
FRANK TAGGART,
JAMES C. TALLMAN,
J. W. TANNEHILL,
PERCY TETLOW,
HARRY D. THOMAS,
JOHN ULMER,
EDWIN T. WAGNER,
WILMER R. WALKER,
HARVEY WATSON,
BENJ. F. WEYBRECHT,
JOHN W. WINN,
FRANK C. WISE,
F. W. WOODS,
WM. WORTHINGTON.

Vote on Amendments Submitted to the People by the Convention

SPECIAL ELECTION, SEPTEMBER 3, 1912

No.	TITLES OF AMENDMENTS (For article and section covered by each title see Form of Ballot, pages 2007-2011.)		Votes.	Total.	Majority For.	Majority Against.
1	Reform in Civil Jury System.....	Yes	345,686	549,639	141,733	
		No	203,953			
2	Abolition of Capital Punishment.....	Yes	258,706	561,952		44,540
		No	303,246			
3	Depositions by State and Comment on Failure of Accused to Testify in Criminal Cases.....	Yes	291,717	519,264	64,170	
		No	227,547			
4	Suits Against the State.....	Yes	306,764	523,398	90,130	
		No	216,634			
5	Damage for Wrongful Death.....	Yes	355,605	550,821	160,389	
		No	195,216			
6	Initiative and Referendum.....	Yes	312,592	543,904	81,280	
		No	231,312			
7	Investigations by Each House of General Assembly.....	Yes	348,779	524,116	173,442	
		No	175,337			
8	Limiting Veto Power of Governor.....	Yes	282,412	536,598	28,226	
		No	254,186			
9	Mechanics' and Builders' Liens.....	Yes	278,582	520,967	36,197	
		No	242,385			
10	Welfare of Employes.....	Yes	353,588	543,316	163,860	
		No	189,728			
11	Workmen's Compensation	Yes	321,558	533,330	109,786	
		No	211,772			
12	Conservation of Natural Resources.....	Yes	318,192	510,085	126,299	
		No	191,893			
13	Eight Hour Day on Public Work.....	Yes	333,307	566,206	100,409	
		No	232,898			
14	Removal of Officials.....	Yes	347,333	533,319	161,347	
		No	185,986			
15	Regulating Expert Testimony in Criminal Trials.....	Yes	336,987	522,445	151,529	
		No	185,458			
16	Registering and Warranting Land Titles.....	Yes	346,373	518,180	174,566	
		No	171,807			
17	Abolishing Prison Contract Labor.....	Yes	333,034	548,242	117,826	
		No	215,208			
18	Limiting Power of General Assembly in Extra Sessions..	Yes	319,100	511,230	126,970	
		No	192,130			
19	Change in Judicial System.....	Yes	264,922	509,297	20,547	
		No	244,375			
20	Judge of Court of Common Pleas for Each County.....	Yes	301,891	525,178	78,604	
		No	223,287			
21	Abolition of Justices of the Peace in Certain Cities.....	Yes	264,832	517,768	11,896	
		No	252,936			

Vote on Amendments Submitted to the People September 3, 1912.

No.	TITLES OF AMENDMENTS (For article and section covered by each title see Form of Ballot, pages 2007-2011.)		Votes.	Total.	Majority For.	Majority Against.
22	Contempt Proceedings and Injunctions.....	Yes	240,896	498,198		16,406
		No	257,302			
23	Woman's Suffrage	Yes	249,420	586,295		87,455
		No	336,875			
24	Omitting Word "White".....	Yes	242,735	508,428		22,958
		No	265,693			
25	Use of Voting Machines.....	Yes	242,342	530,994		46,310
		No	288,652			
26	Primary Elections	Yes	349,801	532,913	166,689	
		No	183,112			
27	Organization of Boards of Education.....	Yes	298,460	511,797	85,123	
		No	213,337			
28	Creating the Office of Superintendent of Public Instruction to Replace State Commissioner of Common Schools..	Yes	256,615	508,561	4,669	
		No	251,946			
29	To Extend State Bond Limit to Fifty Million Dollars for Inter-County Wagon Roads.....	Yes	272,564	547,146		2,018
		No	274,582			
30	Regulating Insurance	Yes	321,388	518,016	124,760	
		No	196,628			
31	Abolishing Board of Public Works.....	Yes	296,635	511,464	81,806	
		No	214,829			
32	Taxation of State and Municipal Bonds, Inheritances, Incomes, Franchises and Production of Minerals.....	Yes	269,039	518,903	19,175	
		No	249,864			
33	Regulation of Corporations and Sale of Personal Property.	Yes	300,466	513,170	87,762	
		No	212,704			
34	Double Liability of Stockholders and Inspection of Private Banks	Yes	377,272	533,960	220,584	
		No	156,688			
35	Regulating State Printing.....	Yes	319,612	511,990	127,234	
		No	192,378			
36	Eligibility of Women to Certain Offices.....	Yes	261,806	546,176		22,564
		No	284,370			
37	Civil Service	Yes	306,767	511,347	102,187	
		No	204,580			
38	Out-Door Advertising	Yes	261,361	523,801		1,079
		No	262,440			
39	Methods of Submitting Amendments to the Constitution...	Yes	271,827	518,514	25,140	
		No	246,687			
40	Municipal Home Rule.....	Yes	301,861	516,981	86,741	
		No	215,120			
41	Schedule of Amendments.....	Yes	275,062	489,041	61,083	
		No	213,979			
	For License to Traffic in Intoxicating Liquors.....		273,361	462,186	84,536	
	Against License to Traffic in Intoxicating Liquors.....		188,825			

Comparative Election Statistics.

COMPARATIVE ELECTION STATISTICS

Vote for Governor, 1851.....	282,182
Vote on Constitution, 1851, Special Election June 17.....	234,840
Vote for Secretary of State, 1874.....	467,425
Vote on Constitution, 1874, Special Election, August 18.....	353,054
Vote for Governor, 1908.....	1,125,198
Vote for Governor, 1910.....	932,262
Highest Vote on any Constitutional Amendment Submitted September 3, 1912.....	586,295

Financial Statement

APPROPRIATIONS.

O. L., Vol. 102, Page 195, 1911.....	\$200,000 00
O. L., Vol. 103, Page 30, 1913.....	62,891 71
O. L., Vol. 103, Page 593, 1913.....	552 28
O. L., Vol. 103, Page 650, 1913.....	4,100 00
Emergency Board, July 12, 1913.....	2,127 12
Total	\$269,671 11

EXPENDITURES.

SALARIES AND MILEAGE OF DELEGATES.

Salaries, 119 delegates.....	\$119,000 00
Mileage	11,430 22
	\$130,430 22

SALARY OF SECRETARY.

C. B. Galbreath.....	3,000 00
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PER DIEM OF SERGEANT-AT-ARMS.

J. C. Sherlock, 162 days @ \$5.....	810 00
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PER DIEM OF EMPLOYES.

Clerks.

Will T. Blake, 144 days @ \$5.....	\$720 00
T. H. Brown, 144 days @ \$5.....	720 00
H. L. Rebrassier, 151 days @ \$5.....	755 00
E. G. Wulff, 223 days @ \$5.....	1,115 00
Ira I. Morrison, 531 days @ \$5.....	2,655 00
E. S. Nichols, 388 days @ \$5.....	1,940 00
Ella M. Scriven, 539 days @ \$5.....	2,695 00
James B. Lewis, 231 days @ \$5.....	1,155 00
H. S. Brown, 231 days @ \$5.....	1,155 00
S. E. Neff, 223 days @ \$5.....	1,115 00
Clement Kelley, 144 days @ \$5.....	720 00
	\$14,745 00

Stenographers.

Miletus Garner, 143 days @ \$5.....	\$715 00
Ada Pemberton, 151 days @ \$5.....	755 00
Florine Files, 147 days @ \$5.....	735 00
Ethel North, 143 days @ \$5.....	715 00
Lida Judge, 143 days @ \$5.....	715 00
Ella Quigley, 143 days @ \$5.....	715 00
Julia E. Kersting, 231 days @ \$5.....	1,155 00
Anna L. Bower, 151 days @ \$5.....	755 00
Etheline Dille, 143 days @ \$5.....	715 00
Minnie Rodgers, 143 days @ \$5.....	715 00
Gertrude H. Lake, 136 days @ \$5.....	680 00
	\$8,370 00

Committee Clerks.

George Cartwright, 223 days @ \$5.....	\$1,115 00
Mary Turner, 136 days @ \$5.....	680 00
Katherine Kellar, 216 days @ \$5.....	1,080 00
	\$2,875 00

President's Messenger.

Carl A. Mutschler, 175 days @ \$5.....	\$875 00
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Assistant Sergeant at Arms Etc.

Wm. C. Ries, 154 days @ \$5.....	\$770 00
Fred Blankner, 162 days @ \$5.....	810 00
J. F. Cunningham, 156 days @ \$5.....	780 00
W. E. Childs, 143 days @ \$5.....	715 00
	\$3,075 00

Door-Keepers.

John B. Lewis, 151 days @ \$3.50.....	\$528 50
O. A. Shetler, 143 days @ \$3.50.....	500 50

James Vines, 143 days @ \$3.50.....	500 50
James Mitchell, 143 days @ \$3.50.....	500 50
	\$2,030 00

Cloak Room Attendants.

Allen G. Atwill, 164 days @ \$3.50.....	\$574 00
William Crites, 151 days @ \$3.50.....	528 50
	\$1,102 50

Custodians of Committee Rooms.

James E. Allen, 143 days @ \$3.50.....	\$500 50
Wm. B. Hassett, 143 days @ \$3.50.....	500 50
D. M. Welty, 153 days @ \$3.50.....	535 50
Thomas Goldrick, 38 days @ \$3.50.....	133 00
Alfred Jacobs, 151 days @ \$3.50.....	528 50
	\$2,198 00

Porters.

Lewis Miller, 151 days @ \$3.50.....	\$528 50
Oliver Henson, 143 days @ \$3.50.....	500 50
Harry Reasoner, 90 days @ \$3.50.....	315 00
Joseph Rosenberger, 143 days @ \$3.50..	500 50
John Littlejohn, 161 days @ \$3.50.....	563 50
William Todd, 162 days @ \$3.50.....	567 00
C. M. Fisher, 152 days @ \$3.50.....	532 00
Nelson Winslow, 161 days @ \$3.50.....	563 50
George Riley, 231 days @ \$3.50.....	808 50
	\$4,879 00

Pages.

J. C. Scott, 151 days @ \$2.50.....	\$377 50
Howard Fordyce, 152 days @ \$2.50.....	380 00
Glenn Emerson, 151 days @ \$2.50.....	377 50
Harry Blair, Jr., 94 days @ \$2.50.....	247 50
Charles Mills, 154 days @ \$2.50.....	285 00
R. J. Bartlett, 151 days @ \$2.50.....	377 50
Albert Goodyear, 152 days @ \$2.50....	380 00
George C. Bond, 143 days @ \$2.50.....	357 50
Charles Abbott, 143 days @ \$2.50.....	357 50
H. D. Sites, 143 days @ \$2.50.....	357 50
Raymond Stremel, 131 days @ \$2.50....	327 50
	\$3,825 00

Temporary employes	532 50
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Reporting Proceedings and Debates.

Clarence E. Walker.....	\$5,000 00
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CONTINGENT EXPENSES.

Daily Journal	\$2,303 84
Proposals and Calendars.....	1,929 41
Printing and binding Journal.....	1,500 00
*Proceedings and Debates.....	5,245 00
Miscellaneous	2,487 39
Advertising Special Election.....	1,821 50
Telephones	1,704 86
Postage	441 87
Express	511 79
Typewriter rentals	377 55
Miscellaneous	2,245 44
	\$20,568 65

EXPENSES OF EMPLOYES.

Railroad fare to Chillicothe.....	\$56 25
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NEWSPAPER ADVERTISING.

Various newspapers of the state.....	\$63,198 99
Total	\$267,571 11
†Unexpended balance	2,100 00

*Partial payment for printing and binding Proceedings and Debates.

†This is the unexpended balance of appropriation for printing and binding Proceedings and Debates. Out of it will be paid balance due when the work of printing and binding is completed.

Election Expenses

Following are the expenses, as returned by the election officers of the different counties, of holding the special election of September 3, 1912, at which the constitutional amendments were submitted to the people:

Adams	\$795 08	Hamilton	37,878 99	Noble	739 83
Allen	2,803 44	Hancock	2,151 48	Ottawa	893 70
Ashland	957 60	Hardin	1,219 20	Paulding	942 00
Ashtabula	2,400 00	Harrison	696 00	Perry	1,081 55
Athens	1,302 90	Henry	812 60	Pickaway	780 55
Auglaize	1 038 20	Highland	1,100 00	Pike	533 85
Belmont	2,461 75	Hocking	799 70	Portage	878 70
Brown	728 20	Holmes	850 00	Preble	828 38
Butler	2,667 78	Huron	1,059 70	Putnam	1,203 40
Carroll	737 00	Jackson	958 44	Richland	1,629 30
Champaign	827 69	Jefferson	2,412 45	Ross	1,357 76
Clark	3,500 00	Knox	848 47	Sandusky	994 45
Clermont	1,046 68	Lake	710 90	Scioto	2,335 56
Clinton	784 24	Lawrence	1,205 70	Seneca	1,208 90
Columbiana	3,151 10	Licking	2,174 01	Shelby	1,100 00
Coshocton	1,135 71	Logan	968 49	Stark	5,346 50
Crawford	1,176 20	Lorain	2,168 86	Summit	3,731 50
Cuyahoga	24,000 00	Lucas	8,659 90	Trumbull	1,559 72
Darke	1,500 00	Madison	875 64	Tuscarawas	1,862 90
Defiance	694 04	Mahoning	7,083 14	Union	964 05
Dealware	886 39	Marion	1,450 00	Van Wert	827 02
Erie	1,413 43	Medina	637 25	Vinton	636 21
Fairfield	1,280 40	Meigs	723 60	Warren	818 60
Fayette	859 71	Mercer	756 81	Washington	1,472 68
Franklin	9,800 00	Miami	2,019 49	Wayne	1,414 00
Fulton	683 45	Monroe	818 91	Williams	740 00
Gallia	852 50	Montgomery	8,455 02	Wood	1,961 17
Geauga	567 81	Morgan	558 85	Wyandot	662 15
Greene	1,001 65	Morrow	868 70		
Guernsey	1,397 01	Muskingum	3,079 51		
				Total	\$204,956 20

Report of Special Committee Relative to Office of Justice of the Peace

The special committee appointed, pursuant to Resolution No. 167, on the last day of the convention (page 2092), met immediately after adjournment and framed a statement which was sent to each justice of the peace in the state in printed circular form as follows:

CONSTITUTIONAL CONVENTION.
COLUMBUS, OHIO, August 26, 1912.

OFFICE OF JUSTICE OF THE PEACE

IT IS NOT ABOLISHED BY THE PROPOSED AMENDMENTS TO
THE CONSTITUTION

Report of special committee appointed by the Convention:

The undersigned, appointed by the Fourth Constitutional Convention at its session in Columbus August 26, 1912, as a committee to prepare and have published a statement as to whether or not the adoption of No. 19, on the constitutional amendments ballot, relating to change in the judicial system, will abolish the office of justice of the peace, beg leave to submit the following report:

This office, by the existing constitution, is declared to be one of the courts in which judicial power is vested. But this section of article IV, now in force, as well as amended section 1, vests the judicial power in certain named courts and such other inferior courts as may from time to time be established by law. While the office of justice of the peace is recognized by the constitution as a judicial one, it is also established by law, for there exists on the statute books a provision for election of justices of the peace, their number in each township, the terms of their office, their jurisdiction and the manner of their compensation.

Provision is made in the General Code for justices of the peace, as well as their election and duties, in sections 1712-1806, inclusive, and for their jurisdiction and powers in sections 10223-10491, inclusive; and none of these statutes will be repealed by the adoption of any of the constitutional amendments proposed.

Section 15 of article IV of the constitution, both in

the present constitution and in the amendment proposed, provides that "any existing court heretofore created by law shall continue in existence until otherwise provided." Section 1 of the original schedule and the schedule adopted by the Convention, known as amendment No. 41 on the ballot, provides that all laws in force, not inconsistent with these amendments, "shall continue in force until amended or repealed." These two provisions of the constitution protect in office every official until the end of his term, and they protect forever, until repealed by the general assembly, the statutes creating and regulating the jurisdiction of the office of justice of the peace, because it is not inconsistent with the constitutional provisions contained in section 1 of article IV. Section 1 is only declarative of the courts in which judicial power is vested. It omits to name several important courts now existing in Ohio, as for instance, the superior court of Cincinnati, the court of insolvency of Cuyahoga county, the municipal court of the city of Cleveland, and there may be others, all of which are created by statute and all of which will remain in existence until the statutes creating them are repealed or changed. This is so with justices of the peace. The justices now in office will continue until their terms expire, and they will continue to be elected until the general assembly changes the law relating to them. It may be just as well said that the superior court of Cincinnati, the court of insolvency of Cuyahoga county and the municipal court of Cleveland are abolished by these amendments, because they are not named in section 1 as constitutional courts; yet no one would claim that these courts are interfered with.

This we believe to be the legal construction and effect of the proposed amendments that relate to the office of justice of the peace.

HIRAM D. PECK,
E. B. KING,
D. J. NYE.

The foregoing report has been submitted pursuant to resolution No. 167.

C. B. GALBREATH,
Secretary of the Convention.

Contract for Printing Proceeding and Debates

WHEREAS, It has become desirable to cause the proceedings and debates of the Fourth Constitutional Convention of Ohio to be printed and published in some durable form, this contract regarding the same entered into by and between the State of Ohio and The F. J. Heer Printing Company WITNESSETH:—

That the F. J. Heer Printing Company, for and in consideration of the performance by the State of Ohio of its promises and agreements hereinafter set forth, does hereby agree to furnish all the necessary paper and do all the necessary printing and binding for the publication of twenty-five hundred (2500) copies of reports of the said proceedings and debates, to be bound in two volumes. It is understood and agreed that the paper so furnished shall be of a quality, weight and grade suitable and proper for such work, the size of the page to be 9 x 12, type surface 7 x 9 $\frac{3}{4}$ including heading, type to be ten point, style of Michigan Constitutional Convention (1907) report, the binding to be buckram of a good grade and quality and all the work, both printing and binding, to be done in a good and workmanlike manner.

As a compensation for the performance of the foregoing the State of Ohio is to pay said The F. J. Heer Printing Company the sum of four thousand nine hundred and ninety-two and fifty hundredths dollars, (\$4,992.50), such sum being based on an estimate that said volumes shall contain in the aggregate fifteen hundred (15000) pages. It is hereby agreed that if there shall be fewer than fifteen hundred pages in said two volumes there shall be deducted from said amount (\$4,992.50) so to be paid The F. J. Heer Printing Company the sum of two and fifty hundredths dollars (\$2.50) per page for each page less than said number of fifteen hundred that said volumes shall contain, but if said volumes shall contain more than fifteen hundred pages the said The F. J. Heer Printing Company, in addition to said amount of \$4,992.50, shall receive and be paid the sum of two and fifty hundredths dollars (\$2.50) for each page said vol-

umes may contain in excess of such estimated number of fifteen hundred.

It is further understood and agreed that The F. J. Heer Printing Company shall be paid for printing the index to said debates and furnishing the paper therefor the sum of three and fifty hundredths dollars (\$3.50) per page for each full printed page of such index, such pages to be set in brevier type, double column.

It is further understood and agreed that the copy from which all of said printing, including index, shall be done, shall be furnished by the secretary of the convention to the said printing company and that no matter shall be included in said volumes except what shall have been so furnished by said secretary.

It is also further understood and agreed that The F. J. Heer Printing Company on its part will use all due diligence to secure the completion and delivery of the bound volumes of said reports at the earliest possible date after the final adjournment of the Convention and further to secure that no delay in such completion and delivery shall occur on account of any act or omission of said printing company.

In witness whereof the parties aforesaid have hereunto affixed their signatures this eleventh day of April, 1912.

THE STATE OF OHIO,

By

HERBERT S. BIGELOW,
President of the Fourth Constitutional Convention of Ohio.

And

JOHN R. CASSIDY,
Chairman of the Committee on Claims.

THE F. J. HEER PRINTING COMPANY,

By

F. J. HEER,

Manager.

The Constitution of the State of Ohio

With Amendments Proposed by the Constitutional Convention of 1912 and Approved by the People

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THE CONSTITUTION OF THE STATE OF OHIO.

We, the people of the State of Ohio, grateful to Almighty God for our freedom, to secure its blessings and promote our common welfare, do establish this constitution.

ARTICLE I.

BILL OF RIGHTS.

SEC. 1. All men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and protecting property, and seeking and obtaining happiness and safety.

SEC. 2. All political power is inherent in the people. Government is instituted for their equal protection and benefit, and they have the right to alter, reform, or abolish the same, whenever they may deem it necessary; and no special privileges or immunities shall ever be granted, that may not be altered, revoked, or repealed by the general assembly.

SEC. 3. The people have the right to assemble together, in a peaceable manner, to consult for their common good; to instruct their representatives; and to petition the general assembly for the redress of grievances.

SEC. 4. The people have the right to bear arms for their defense and security; but standing armies, in time of peace, are dangerous to liberty, and shall not be kept up; and the military shall be in strict subordination to the civil power.

SEC. 5. The right of trial by jury shall be inviolate.

SEC. 5. The right of trial by jury shall be inviolate, except that, in civil cases, laws may be passed to authorize the rendering of a verdict by the concurrence of not less than three-fourths of the jury.

SEC. 6. There shall be no slavery in this state; nor involuntary servitude, unless for the punishment of crime.

NOTE.—The sections of the constitution to which no amendments were adopted, at the special election, September 3, 1912, are printed in uniform type like that used in sections 1, 2, 3 and 4 of article I. The smaller type, like that first used in sections 5 and 10 of article I, indicates the sections of the constitution to which amendments have been made. The black or bold-faced type, like that used in the second instance in sections 5 and 10 of article I, indicates the amendments adopted. If the sections in smaller type are omitted and those in the bold-faced type are retained, there will remain the constitution as it is with the amendments approved September 3, 1912. If the sections in bold-faced type are omitted, the constitution as it was January 1, 1912, will remain.

SEC. 7. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience. No person shall be compelled to attend, erect, or support any place of worship, or maintain any form of worship, against his consent; and no preference shall be given, by law, to any religious society; nor shall any interference with the rights of conscience be permitted. No religious test shall be required, as a qualification for office, nor shall any person be incompetent to be a witness on account of his religious belief; but nothing herein shall be construed to dispense with oaths and affirmations. Religion, morality, and knowledge, however, being essential to good government, it shall be the duty of the general assembly to pass suitable laws to protect every religious denomination in the peaceable enjoyment of its own mode of public worship, and to encourage schools and the means of instruction.

SEC. 8. The privilege of the writ of habeas corpus shall not be suspended, unless, in cases of rebellion or invasion, the public safety require it.

SEC. 9. All persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident or the presumption great. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

SEC. 10. Except in cases of impeachment, and cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, and in cases of petit larceny and other inferior offenses, no person shall be held to answer for a capital, or otherwise infamous crime, unless on presentment or indictment of a grand jury. In any trial, in any court, the party accused shall be allowed to appear and defend in person and with counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district, in which the offense is alleged to have been committed; nor shall any person be compelled, in any criminal case, to be a witness against himself, or be twice put in jeopardy for the same offense.

SEC. 10. Except in cases of impeachment, cases arising in the army and navy, or in the militia when in actual service in time of war or public danger, and cases involving offenses for which the penalty provided is less than imprisonment in the penitentiary, no person shall be held to answer for a capital, or otherwise infamous, crime, unless on presentment or indictment of a grand jury; and the number of persons necessary to constitute such grand jury and the number thereof necessary to concur in finding such indictment shall be determined by law. In any trial, in any court, the party accused shall be allowed to appear and defend in person and with counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process to procure the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county in which the offense is alleged to have been committed; but provision may be made by law for the taking of the deposition by the accused or by the state, to be used for or against the accused, of any witness whose attendance can not be had at the trial, always securing to the accused means and the opportunity to be present in person and with counsel at the taking of such deposition, and to examine the witness face to face as fully and in the same manner as if in court. No person shall be compelled, in any criminal case, to be a witness against himself; but his

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failure to testify may be considered by the court and jury and may be made the subject of comment by counsel. No person shall be twice put in jeopardy for the same offense.

SEC. 11. Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of the right; and no law shall be passed to restrain or abridge the liberty of speech, or of the press. In all criminal prosecutions for libel, the truth may be given in evidence to the jury, and if it shall appear to the jury, that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the party shall be acquitted.

SEC. 12. No person shall be transported out of the state, for any offense committed within the same; and no conviction shall work corruption of blood, or forfeiture of estate.

SEC. 13. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor, in time of war, except in the manner prescribed by law.

SEC. 14. The right of the people to be secure in their persons, houses, papers, and possessions, against unreasonable searches and seizures shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the person and things to be seized.

SEC. 15. No person shall be imprisoned for debt in any civil action, on mesne or final process, unless in cases of fraud.

SEC. 16. All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law; and justice administered without denial or delay.

SEC. 16. All courts shall be open, and every person, for an injury done him in his land, goods, person, or reputation, shall have remedy by due course of law, and shall have justice administered without denial or delay. Suits may be brought against the state, in such courts and in such manner, as may be provided by law.

SEC. 17. No hereditary emoluments, honors, or privileges, shall ever be granted or conferred by this state.

SEC. 18. No power of suspending laws shall ever be exercised, except by the general assembly.

SEC. 19. Private property shall ever be held inviolate, but subservient to the public welfare. When taken in time of war or other public exigency, imperatively requiring its immediate seizure or for the purpose of making or repairing roads, which shall be open to the public, without charge, a compensation shall be made to the owner, in money, and in all other cases, where private property shall be taken for public use, a compensation therefor shall first be made in money, or first secured by a deposit of money; and such compensation shall be assessed by a jury, without deduction for benefits to any property of the owner.

SEC. 19a. The amount of damages recoverable by civil action in the courts for death caused by the wrongful act, neglect, or default of another, shall not be limited by law.

SEC. 20. This enumeration of rights shall not be construed to impair or deny others retained by the people; and all powers, not herein delegated, remain with the people.

ARTICLE II.

LEGISLATIVE.

SEC. 1. The legislative power of this state shall be vested in a general assembly, which shall consist of a senate, and house of representatives.

SEC. 1. The legislative power of the state shall be vested in a general assembly consisting of a senate and house of representatives but the people reserve to themselves the power to propose to the general assembly laws and amendments to the constitution, and to adopt or reject the same at the polls on a referendum vote as hereinafter provided. They also reserve the power to adopt or reject any law, section of any law or any item in any law appropriating money passed by the general assembly, except as hereinafter provided; and independent of the general assembly to propose amendments to the constitution and to adopt or reject the same at the polls. The limitations expressed in the constitution, on the power of the general assembly to enact laws, shall be deemed limitations on the power of the people to enact laws.

SEC. 1a. The first aforesaid power reserved by the people is designated the initiative, and the signatures of ten per centum of the electors shall be required upon a petition to propose an amendment to the constitution. When a petition signed by the aforesaid required number of electors, shall have been filed with the secretary of state, and verified as herein provided, proposing an amendment to the constitution, the full text of which shall have been set forth in such petition, the secretary of state shall submit for the approval or rejection of the electors, the proposed amendment, in the manner hereinafter provided, at the next succeeding regular or general election in any year occurring subsequent to ninety days after the filing of such petition. The initiative petitions, above described, shall have printed across the top thereof: "Amendment to the Constitution Proposed by Initiative Petition to be Submitted Directly to the Electors."

SEC. 1b. When at any time, not less than ten days prior to the commencement of any session of the general assembly, there shall have been filed with the secretary of state a petition signed by three per centum of the electors and verified as herein provided, proposing a law, the full text of which shall have been set forth in such petition, the secretary of state shall transmit the same to the general assembly as soon as it convenes. If said proposed law shall be passed by the general assembly, either as petitioned for or in an amended form, it shall be subject to the referendum. If it shall not be passed, or if it shall be passed in an amended form, or if no action shall be taken thereon within four months from the time it is received by the general assembly, it shall be submitted by the secretary of state to the electors for their approval or rejection at the next regular or general elec-

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tion, if such submission shall be demanded by supplementary petition verified as herein provided and signed by not less than three per centum of the electors in addition to those signing the original petition, which supplementary petition must be signed and filed with the secretary of state within ninety days after the proposed law shall have been rejected by the general assembly or after the expiration of such term of four months, if no action has been taken thereon, or after the law as passed by the general assembly shall have been filed by the governor in the office of the secretary of state. The proposed law shall be submitted in the form demanded by such supplementary petition, which form shall be either as first petitioned for or with any amendment or amendments which may have been incorporated therein by either branch or by both branches, of the general assembly. If a proposed law so submitted is approved by a majority of the electors voting thereon, it shall be the law and shall go into effect as herein provided in lieu of any amended form of said law which may have been passed by the general assembly, and such amended law passed by the general assembly shall not go into effect until and unless the law proposed by supplementary petition shall have been rejected by the electors. All such initiative petitions, last above described, shall have printed across the top thereof, in case of proposed laws: "Law Proposed by Initiative Petition First to be Submitted to the General Assembly." Ballots shall be so printed as to permit an affirmative or negative vote upon each measure submitted to the electors. Any proposed law or amendment to the constitution submitted to the electors as provided in section 1a and section 1b, if approved by a majority of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state. If conflicting proposed laws or conflicting proposed amendments to the constitution shall be approved at the same election by a majority of the total number of votes cast for and against the same, the one receiving the highest number of affirmative votes shall be the law, or in the case of amendments to the constitution shall be the amendment to the constitution. No law proposed by initiative petition and approved by the electors shall be subject to the veto of the governor.

Sec. 1c. The second aforesaid power reserved by the people is designated the referendum, and the signatures of six per centum of the electors shall be required upon a petition to order the submission to the electors of the state for their approval or rejection, of any law, section of any law or any item in any law appropriating money passed by the general assembly. No law passed by the general assembly shall go into effect until ninety days after it shall have been filed by the governor in the office of the secretary of state, except as herein provided. When a petition, signed by six per centum of the electors of the state and verified as herein provided, shall have been filed with the secretary of state within ninety days after any law shall have been filed by the governor in the office of the secretary of state, ordering that such law, section of

such law or any item in such law appropriating money be submitted to the electors of the state for their approval or rejection, the secretary of state shall submit to the electors of the state for their approval or rejection such law, section or item, in the manner herein provided, at the next succeeding regular or general election in any year occurring subsequent to sixty days after the filing of such petition, and no such law, section or item shall go into effect until and unless approved by a majority of those voting upon the same. If, however, a referendum petition is filed against any such section or item, the remainder of the law shall not thereby be prevented or delayed from going into effect.

Sec. 1d. Laws providing for tax levies, appropriations for the current expenses of the state government and state institutions, and emergency laws necessary for the immediate preservation of the public peace, health or safety, shall go into immediate effect. Such emergency laws upon a ye and nay vote must receive the vote of two-thirds of all the members elected to each branch of the general assembly, and the reasons for such necessity shall be set forth in one section of the law, which section shall be passed only upon a ye and nay vote, upon a separate roll call thereon. The laws mentioned in this section shall not be subject to the referendum.

Sec. 1e. The powers defined herein as the "initiative" and "referendum" shall not be used to pass a law authorizing any classification of property for the purpose of levying different rates of taxation thereon or of authorizing the levy of any single tax on land or land values or land sites at a higher rate or by a different rule than is or may be applied to improvements thereon or to personal property.

Sec. 1f. The initiative and referendum powers are hereby reserved to the people of each municipality on all questions which such municipalities may now or hereafter be authorized by law to control by legislative action; such powers shall be exercised in the manner now or hereafter provided by law.

Sec. 1g. Any initiative, supplementary or referendum petition may be presented in separate parts but each part shall contain a full and correct copy of the title, and text of the law, section or item thereof sought to be referred, or the proposed law or proposed amendment to the constitution. Each signer of any initiative, supplementary or referendum petition must be an elector of the state and shall place on such petition after his name the date of signing and his place of residence. A signer residing outside of a municipality shall state the township and county in which he resides. A resident of a municipality shall state in addition to the name of such municipality, the street and number, if any, of his residence and the ward and precinct in which the same is located. The names of all signers to such petitions shall be written in ink, each signer for himself. To each part of such petition shall be attached the affidavit of the person soliciting the signatures to the same, which affidavit shall contain a statement of the number of the signers of such part of such petition and shall state that each of

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the signatures attached to such part was made in the presence of the affiant, that to the best of his knowledge and belief each signature on such part is the genuine signature of the person whose name it purports to be, that he believes the persons who have signed it to be electors, that they so signed said petition with knowledge of the contents thereof, that each signer signed the same on the date stated opposite his name; and no other affidavit thereto shall be required. The petition and signatures upon such petitions, so verified, shall be presumed to be in all respects sufficient, unless not later than forty days before the election, it shall be otherwise proved and in such event ten additional days shall be allowed for the filing of additional signatures to such petition. No law or amendment to the constitution submitted to the electors by initiative and supplementary petition and receiving an affirmative majority of the votes cast thereon, shall be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same was procured; nor shall the rejection of any law submitted by referendum petition be held invalid for such insufficiency. Upon all initiative, supplementary and referendum petitions provided for in any of the sections of this article, it shall be necessary to file from each of one-half of the counties of the state, petitions bearing the signatures of not less than one-half of the designated percentage of the electors of such county. A true copy of all laws or proposed laws or proposed amendments to the constitution, together with an argument or explanation, or both, for, and also an argument or explanation, or both, against the same, shall be prepared. The person or persons who prepare the argument or explanation, or both, against any law, section or item, submitted to the electors by referendum petition, may be named in such petition and the persons who prepare the argument or explanation, or both, for any proposed law or proposed amendment to the constitution may be named in the petition proposing the same. The person or persons who prepare the argument or explanation, or both, for the law, section or item, submitted to the electors by referendum petition, or against any proposed law submitted by supplementary petition, shall be named by the general assembly, if in session, and if not in session then by the governor. The secretary of state shall cause to be printed the law, or proposed law, or proposed amendment to the constitution, together with the arguments and explanations, not exceeding a total of three hundred words for each, and also the arguments and explanations, not exceeding a total of three hundred words against each, and shall mail, or otherwise distribute, a copy of such law, or proposed law, or proposed amendment to the constitution, together with such arguments and explanations for and against the same to each of the electors of the state, as far as may be reasonably possible. Unless otherwise provided by law, the secretary of state shall cause to be placed upon the ballots, the title of any such law, or proposed law, or proposed amendment to the constitution, to be submitted. He shall also cause the ballots

so to be printed as to permit an affirmative or negative vote upon each law, section of law, or item in a law appropriating money, or proposed law, or proposed amendment to the constitution. The style of all laws submitted by initiative and supplementary petition shall be: "Be it Enacted by the People of the State of Ohio," and of all constitutional amendments: "Be It Resolved by the People of the State of Ohio." The basis upon which the required number of petitioners in any case shall be determined shall be the total number of votes cast for the office of governor at the last preceding election therefor. The foregoing provisions of this section shall be self-executing, except as herein otherwise provided. Laws may be passed to facilitate their operation, but in no way limiting or restricting either such provisions or the powers herein reserved.

Schedule.

The foregoing amendment, if adopted by the electors shall take effect October 1, 1912.

SEC. 2. Senators and representatives shall be elected biennially by the electors of the respective counties or districts, on the first Tuesday after the first Monday in November; their term of office shall commence on the first day of January next thereafter, and continue two years. (*As amended October 13, 1885.*)

SEC. 3. Senators and representatives shall have resided in their respective counties, or districts, one year next preceding their election, unless they shall have been absent on the public business of the United States, or of this state.

SEC. 4. No person holding office under the authority of the United States, or any lucrative office under the authority of this state, shall be eligible to, or have a seat in, the general assembly; but this provision shall not extend to township officers, justices of the peace, notaries public, or officers of the militia.

SEC. 5. No person hereafter convicted of an embezzlement of the public funds, shall hold any office in this state; nor shall any person, holding public money for disbursement, or otherwise, have a seat in the general assembly, until he shall have accounted for, and paid such money into the treasury.

SEC. 6. Each house shall be judge of the election, returns, and qualifications of its own members; a majority of all the members, elected to each house shall be a quorum to do business; but a less number may adjourn from day to day, and compel the attendance of absent members, in such manner, and under such penalties, as shall be prescribed by law.

SEC. 7. The mode of organizing the house of representatives, at the commencement of each regular session, shall be prescribed by law.

SEC. 8. Each house, except as otherwise provided in this constitution, shall choose its own officers, may determine its own rules of proceeding, punish its members for disorderly conduct; and, with the concurrence of two-thirds, expel a member, but not the second time for the same cause; and shall have all other powers, necessary to provide for its safety, and the undisturbed transaction of its business.

SEC. 8. Each house, except as otherwise provided in this constitution, shall choose its own officers, may

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determine its own rules of proceeding, punish its members for disorderly conduct; and, with the concurrence of two-thirds, expel a member, but not the second time for the same cause; and shall have all powers, necessary to provide for its safety and the undisturbed transaction of its business, and to obtain, through committees or otherwise, information affecting legislative action under consideration or in contemplation, or with reference to any alleged breach of its privileges or misconduct of its members, and to that end to enforce the attendance and testimony of witnesses, and the production of books and papers.

SEC. 9. Each house shall keep a correct journal of its proceedings, which shall be published. At the desire of any two members, the yeas and nays shall be entered upon the journal; and, on the passage of every bill, in either house, the vote shall be taken by yeas and nays, and entered upon the journal; and no law shall be passed in either house, without the concurrence of a majority of all the members elected thereto.

SEC. 10. Any member of either house shall have the right to protest against any act, or resolution thereof; and such protest, and the reasons therefor, shall, without alteration, commitment, or delay, be entered upon the journal.

SEC. 11. All vacancies which may happen in either house shall, for the unexpired term, be filled by election, as shall be directed by law.

SEC. 12. Senators and representatives, during the session of the general assembly, and in going to, and returning from the same, shall be privileged from arrest, in all cases, except treason, felony, or breach of the peace; and for any speech, or debate, in either house, they shall not be questioned elsewhere.

SEC. 13. The proceedings of both houses shall be public, except in cases which, in the opinion of two-thirds of those present, require secrecy.

SEC. 14. Neither house shall, without the consent of the other, adjourn for more than two days, Sundays excluded; nor to any other place than that in which the two houses shall be in session.

SEC. 15. Bills may originate in either house; but may be altered, amended, or rejected in the other.

SEC. 16. Every bill shall be fully and distinctly read three different days, unless in case of urgency three-fourths of the house in which it shall be pending, shall dispense with the rule. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived, or amended unless the new act contain the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed.

Every bill passed by both houses of the general assembly shall, before said bill can become law, be presented to the governor. If he approves he shall sign said bill and thereupon said bill shall be law. If he object he shall not sign and shall return said bill, together with his objection thereto in writing, to the house wherein said bill originated, which house shall enter at large upon its journal said objection and shall proceed to reconsider said bill. If, after said reconsideration, at least two-thirds of the members-elect of that house vote to repass said bill it shall be sent, together with said objection, to the other house, which shall enter at large upon its journal said objection and shall proceed to reconsider said bill. If, after said reconsideration, at least two-thirds of the members-elect of that house vote to pass said bill it shall be law, otherwise it shall not be law. The votes for the repassage of said bill shall in each house respectively be no less than those given on the original passage. If any bill passed by both houses of the general assembly and presented to the governor is not signed and is not returned to the house wherein it originated and within ten days after being so presented, exclusive of Sunday and the day said bill was presented, said bill shall be law as in like manner as if signed, unless final adjournment of the general assembly prevents such return, in which case [it] shall be law, unless objected to by the governor and filed, together with his

objection thereto in writing, by him in the office of the secretary of state within the prescribed ten days; and the secretary of state shall at once make public said fact and shall return said bill, together with said objection, upon the opening of the next following session of the general assembly, to the house wherein said bill originated, where it shall be treated in like manner as if returned within the prescribed ten days.

If any bill passed by both houses of the general assembly and presented to the governor contains two or more sections, or two or more items of appropriation of money, he may object to one or more of said sections or to one or more of said items of appropriation of money, and approve the other portion of said bill, in which case said approved portion may be signed and then shall be law; and such section or sections, item or items of appropriation of money objected to shall be returned within the time and in the manner prescribed for, and shall be separately reconsidered as in the case of, a whole bill; but if final adjournment of the general assembly prevents such return the governor shall file said section or sections, item or items of appropriation of money together with his objection thereto in writing, with the secretary of state as in the case of a whole bill, and the secretary of state shall then make public said fact, but shall not further act as in the case of a whole bill (As amended November 3, 1903.)

SEC. 16. Every bill shall be fully and distinctly read on three different days, unless in case of urgency three-fourths of the house in which it shall be pending, shall dispense with the rule. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived, or amended unless the new act contains the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed. Every bill passed by the general assembly shall, before it becomes a law, be presented to the governor for his approval. If he approves, he shall sign it and thereupon it shall become a law and be filed with the secretary of state. If he does not approve it, he shall return it with his objections in writing, to the house in which it originated, which shall enter the objections at large upon its journal, and may then reconsider the vote on its passage. If three-fifths of the members elected to that house vote to repass the bill, it shall be sent, with the objections of the governor, to the other house, which may also reconsider the vote on its passage. If three-fifths of the members elected to that house vote to repass it, it shall become a law notwithstanding the objections of the governor, except that in no case shall a bill be repassed by a smaller vote than is required by the constitution on its original passage. In all such cases the vote of each house shall be determined by yeas and nays and the names of the members voting for and against the bill shall be entered upon the journal. If a bill shall not be returned by the governor within ten days, Sundays excepted, after being presented to him, it shall become a law in like manner as if he had signed it, unless the general assembly by adjournment prevents its return; in which case, it shall become a law unless, within ten days after such adjournment, it shall be filed by him, with his objections in writing, in the office of the secretary of state. The governor may disapprove any item or items in any bill making an appropriation of money and the item or items, so disapproved, shall be void, unless repassed in the manner herein prescribed for the repassage of a bill.

SEC. 17. The presiding officer of each house shall sign, publicly in the presence of the house over which he presides, while the same is in session, and capable of transacting business, all bills and joint resolutions passed by the general assembly.

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SEC. 18. The style of the laws of this state shall be, "*Be it enacted by the General Assembly of the State of Ohio.*"

SEC. 19. No senator or representative shall, during the term for which he shall have been elected, or for one year thereafter, be appointed to any civil office under this state, which shall be created or the emoluments of which shall have been increased, during the term for which he shall have been elected.

SEC. 20. The general assembly, in cases not provided for in this constitution, shall fix the term of office and the compensation of all officers; but no change therein shall affect the salary of any officer during his existing term, unless the office be abolished.

SEC. 21. The general assembly shall determine, by law, before what authority, and in what manner, the trial of contested elections shall be conducted.

SEC. 22. No money shall be drawn from the treasury, except in pursuance of a specific appropriation, made by law; and no appropriation shall be made for a longer period than two years.

SEC. 23. The house of representatives shall have the sole power of impeachment, but a majority of the members elected must concur therein. Impeachments shall be tried by the senate; and the senators, when sitting for that purpose, shall be upon oath or affirmation to do justice according to law and evidence. No person shall be convicted without the concurrence of two-thirds of the senators.

SEC. 24. The governor, judges, and all state officers, may be impeached for any misdemeanor in office; but judgment shall not extend further than removal from office, and disqualification to hold any office under the authority of this state. The party impeached, whether convicted or not, shall be liable to indictment, trial, and judgment, according to law.

SEC. 25. All regular sessions of the general assembly shall commence on the first Monday of January, biennially. The first session, under this constitution, shall commence on the first Monday of January, one thousand eight hundred and fifty-two.

SEC. 26. All laws, of a general nature, shall have a uniform operation throughout the state; nor shall any act, except such as relates to public schools, be passed, to take effect upon the approval of any other authority than the general assembly, except, as otherwise provided in this constitution.

SEC. 27. The election and appointment of all officers, and the filling of all vacancies, not otherwise provided for by this constitution, or the constitution of the United States, shall be made in such manner as may be directed by law; but no appointing power shall be exercised by the general assembly, except as prescribed in this Constitution, and in the election of United States senators; and in these cases the vote shall be taken "*viva voce.*"

SEC. 28. The general assembly shall have no power to pass retroactive laws, or laws impairing the obligation of contracts; but may, by general laws, authorize courts to carry into effect, upon such terms as shall be just and equitable, the manifest intention of parties, and officers, by curing omissions, defects, and errors, in in-

struments and proceedings, arising out of their want of conformity with the laws of this state.

SEC. 29. No extra compensation shall be made to any officer, public agent, or contractor, after the service shall have been rendered, or the contract entered into; nor shall any money be paid, on any claim, the subject matter of which shall not have been provided for by pre-existing law, unless such compensation, or claim, be allowed by two-thirds of the members elected to each branch of the general assembly.

SEC. 30. No new county shall contain less than four hundred square miles of territory, nor shall any county be reduced below that amount; and all laws creating new counties, changing county lines, or removing county seats, shall, before taking effect, be submitted to the electors of the several counties to be affected thereby, at the next general election after the passage thereof, and be adopted by a majority of all the electors voting at such election, in each of said counties; but any county now or hereafter containing one hundred thousand inhabitants, may be divided, whenever a majority of the voters residing in each of the proposed divisions shall approve of the law passed for that purpose; but no town or city within the same shall be divided, nor shall either of the divisions contain less than twenty thousand inhabitants.

SEC. 31. The members and officers of the general assembly shall receive a fixed compensation, to be prescribed by law, and no other allowance or perquisites, either in the payment of postage or otherwise; and no change in their compensation shall take effect during their term of office.

SEC. 32. The general assembly shall grant no divorce, nor exercise any judicial power not herein expressly conferred.

SEC. 33. Laws may be passed to secure to mechanics, artisans, laborers, sub-contractors and material men, their just dues by direct lien upon the property, upon which they have bestowed labor or for which they have furnished material. No other provision of the constitution shall impair or limit this power.

SEC. 34. Laws may be passed fixing and regulating the hours of labor, establishing a minimum wage, and providing for the comfort, health, safety and general welfare of all employes; and no other provision of the constitution shall impair or limit this power.

SEC. 35. For the purpose of providing compensation to workmen and their dependents, for death, injuries or occupational diseases, occasioned in the course of such workmen's employment, laws may be passed establishing a state fund to be created by compulsory contribution thereto by employers, and administered by the state, determining the terms and conditions upon which payments shall be made therefrom, and taking away any or all rights of action or defenses from employes and employers; but no right of action shall be taken away from any employe when the injury, disease or death arises from failure of the employer to comply with any lawful requirement for the protection of the lives, health and safety of employes. Laws may be passed establishing a board which may be empowered to classify all occupations,

according to their degree of hazard, to fix rates of contribution to such fund according to such classification, and to collect, administer and distribute such fund, and to determine all rights of claimants thereto.

Sec. 36. Laws may be passed to encourage forestry, and to that end areas devoted exclusively to forestry may be exempted, in whole or in part, from taxation. Laws may also be passed to provide for converting into forest reserves such lands or parts of lands as have been or may be forfeited to the state, and to authorize the acquiring of other lands for that purpose; also, to provide for the conservation of the natural resources of the state, including streams, lakes, submerged and swamp lands and the development and regulation of water power and the formation of drainage and conservation districts; and to provide for the regulation of methods of mining, weighing, measuring and marketing coal, oil, gas and all other minerals.

Sec. 37. Except in cases of extraordinary emergency, not to exceed eight hours shall constitute a day's work, and not to exceed forty-eight hours a week's work, for workmen engaged on any public work carried on or aided by the state, or any political sub-division thereof, whether done by contract, or otherwise.

Sec. 38. Laws shall be passed providing for the prompt removal from office, upon complaint and hearing, of all officers, including state officers, judges and members of the general assembly, for any misconduct involving moral turpitude or for other cause provided by law; and this method of removal shall be in addition to impeachment or other method of removal authorized by the constitution.

Sec. 39. Laws may be passed for the regulation of the use of expert witnesses and expert testimony in criminal trials and proceedings.

Sec. 40. Laws may be passed providing for a system of registering, transferring, insuring and guaranteeing land titles by the state or by the counties thereof, and for settling and determining adverse or other claims to and interests in, lands the titles to which are so registered, insured or guaranteed, and for the creation and collection of guaranty funds by fees to be assessed against lands, the titles to which are registered; and judicial powers with right of appeal may by law be conferred upon county recorders or other officers in matters arising under the operation of such system.

Sec. 41. Laws shall be passed providing for the occupation and employment of prisoners sentenced to the several penal institutions and reformatories in the state; and no person in any such penal institution or reformatory while under sentence thereto, shall be required or allowed to work at any trade, industry or occupation, wherein or whereby his work, or the product or profit of his work, shall be sold, farmed out, contracted or given away; and goods made by persons under sentence to any penal institution or reformatory without the State of Ohio, and such goods made within the State of Ohio, excepting those disposed of to the state or any political sub-division

thereof or to any public institution owned, managed or controlled by the state or any political sub-division thereof, shall not be sold within this state unless the same are conspicuously marked "prison made". Nothing herein contained shall be construed to prevent the passage of laws providing that convicts may work for, and that the products of their labor may be disposed of to, the state or any political sub-division thereof, or for or to any public institution owned or managed and controlled by the state or any political sub-division thereof.

ARTICLE III.

EXECUTIVE.

SEC. 1. The executive department shall consist of a governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and an attorney general, who shall be elected on the first Tuesday after the first Monday in November, by the electors of the state, and at the places of voting for members of the general assembly. *(As amended October 13, 1885.)*

SEC. 2. The governor, lieutenant governor, secretary of state, treasurer, and attorney general shall hold their offices for two years; and the auditor for four years. Their terms of office shall commence on the second Monday of January next after their election, and continue until their successors are elected and qualified.

SEC. 3. The returns of every election for the officers named in the foregoing section shall be sealed up and transmitted to the seat of government, by the returning officers, directed to the president of the senate, who, during the first week of the session, shall open and publish them, and declare the result in the presence of a majority of the members of each house of the general assembly. The person having the highest number of votes shall be declared duly elected; but if any two or more shall be highest, and equal in votes, for the same office, one of them shall be chosen by the joint vote of both houses.

SEC. 4. Should there be no session of the general assembly in January next after an election for any of the officers aforesaid, the returns of such election shall be made to the secretary of state, and opened, and the result declared by the governor, in such manner as may be provided by law.

SEC. 5. The supreme executive power of this state shall be vested in the governor.

SEC. 6. He may require information, in writing, from the officers in the executive department, upon any subject relating to the duties of their respective offices; and shall see that the laws are faithfully executed.

SEC. 7. He shall communicate at every session, by message, to the general assembly, the condition of the state, and recommend such measures as he shall deem expedient.

SEC. 8. He may, on extraordinary occasions, convene the general assembly by proclamation, and shall state to both houses, when assembled, the purpose for which they have been convened.

SEC. 8. The governor on extraordinary occasions may convene the general assembly by proclamation and shall state in the proclamation the purpose for which such special session is called, and no other business shall be transacted at such special session except

The amendments to the constitution approved September 3, 1912, are printed in bold-faced type. Sections amended or superseded are in small type. See note, page 2121.

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that named in the proclamation, or in a subsequent public proclamation or message to the general assembly issued by the governor during said special session, but the general assembly may provide for the expenses of the session and other matters incidental thereto.

SEC. 9. In case of disagreement between the two houses, in respect to the time of adjournment, he shall have power to adjourn the general assembly to such time as he may think proper, but not beyond the regular meetings thereof.

SEC. 10. He shall be commander-in-chief of the military and naval forces of the state, except when they shall be called into the service of the United States.

SEC. 11. He shall have power, after conviction, to grant reprieves, commutations, and pardons, for all crimes and offenses, except treason and cases of impeachment, upon such conditions as he may think proper; subject, however, to such regulations, as to the manner of applying for pardons, as may be prescribed by law. Upon conviction for treason, he may suspend the execution of the sentence, and report the case to the general assembly, at its next meeting, when the general assembly shall either pardon, commute the sentence, direct its execution, or grant a further reprieve. He shall communicate to the general assembly, at every regular session, each case of reprieve, commutation, or pardon granted, stating the name and crime of the convict, the sentence, its date, and the date of the commutation, pardon, or reprieve, with his reasons therefor.

SEC. 12. There shall be a seal of the state, which shall be kept by the governor, and used by him officially; and shall be called "The Great Seal of the State of Ohio."

SEC. 13. All grants and commissions shall be issued in the name, and by the authority, of the state of Ohio; sealed with the great seal; signed by the governor, and countersigned by the secretary of state.

SEC. 14. No member of congress, or other person holding office under the authority of this state, or of the United States, shall execute the office of governor, except as herein provided.

SEC. 15. In case of the death, impeachment, resignation, removal, or other disability of the governor, the powers and duties of the office, for the residue of the term, or until he shall be acquitted, or the disability removed, shall devolve upon the lieutenant governor.

SEC. 16. The lieutenant governor shall be president of the senate, but shall vote only when the senate is equally divided; and in case of his absence, or impeachment, or when he shall exercise the office of governor, the senate shall choose a president *pro tempore*.

SEC. 17. If the lieutenant governor, while executing the office of governor, shall be impeached, displaced, resign or die, or otherwise become incapable of performing the duties of the office, the president of the senate shall act as governor, until the vacancy is filled, or the disability removed; and if the president of the senate, for any of the above causes, shall be rendered incapable of performing the duties pertaining to the office of governor, the same shall devolve upon the speaker of the house of representatives.

SEC. 18. Should the office of auditor, treasurer, sec-

retary, or attorney general, become vacant, for any of the causes specified in the fifteenth section of this article, the governor shall fill the vacancy until the disability is removed, or a successor is elected and qualified. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after it shall have happened; and the person chosen shall hold the office for the full term fixed in the second section of this article.

SEC. 19. The officers mentioned in this article shall, at stated times, receive for their services, a compensation to be established by law, which shall neither be increased nor diminished during the period for which they shall have been elected.

SEC. 20. The officers of the executive department and of the public state institutions shall, at least five days preceding each regular session of the general assembly, severally report to the governor, who shall transmit such reports, with his message to the general assembly.

ARTICLE IV.

JUDICIAL.

SEC. 1. The judicial power of the state is vested in a supreme court, circuit courts, courts of common pleas, courts of probate, justices of the peace, and such other courts inferior to the supreme court, as the general assembly may from time to time establish. (As amended October 9, 1883.)

Sec. 1. The judicial power of the state is vested in a supreme court, courts of appeals, courts of common pleas, courts of probate, and such other courts inferior to the courts of appeals as may from time to time be established by law.

SEC. 2. The supreme court shall, until otherwise provide [provided] by law, consist of five judges, a majority of whom competent to sit shall be necessary to form a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus and procedendo, and such appellate jurisdiction as may be provided by law. It shall hold at least one term in each year at the seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large, for such term, not less than five years, as the general assembly may prescribe, and they shall be elected and their official term shall begin at such time as may be fixed by law. In case the general assembly shall increase the number of such judges, the first term of each of such additional judges shall be such, that in each year after their first election, an equal number of judges of the supreme court shall be elected, except in elections to fill vacancies; and whenever the number of such judges shall be increased, the general assembly may authorize such court to organize divisions thereof, not exceeding three, each division to consist of an equal number of judges; for the adjudication of cases, a majority of each division shall constitute a quorum, and such an assignment of the cases to each division may be made as such court may deem expedient, but whenever all the judges of either division hearing a case shall not concur as to the judgment to be rendered therein, or whenever a case shall involve the constitutionality of an act of the general assembly or of an act of congress, it shall be reserved to the whole court for adjudication. The judges of the supreme court in office when this amendment takes effect, shall continue to hold their offices until their successors are elected and qualified. (As amended October 9, 1883.)

Sec. 2. The supreme court shall, until otherwise provided by law, consist of a chief justice and six judges, and the judges now in office in that court shall continue therein until the end of the terms for which they were respectively elected, unless they are removed, die or resign. A majority of the supreme court shall be necessary to constitute a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus, prohibition and procedendo, and appellate jurisdiction in all cases involving ques-

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tions arising under the constitution of the United States or of this state, in cases of felony on leave first obtained, and in cases which originated in the courts of appeals, and such revisory jurisdiction of the proceedings of administrative officers as may be conferred by law. It shall hold at least one term in each year at the seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large for such term, not less than six years, as may be prescribed by law, and they shall be elected, and their official term shall begin, at such time as may now or hereafter be fixed by law. Whenever the judges of the supreme court shall be equally divided in opinion as to the merits of any case before them and are unable for that reason to agree upon a judgment, that fact shall be entered upon the record and such entry shall be held to constitute an affirmance of the judgment of the court below. No law shall be held unconstitutional and void by the supreme court without the concurrence of at least all but one of the judges, except in the affirmance of a judgment of the court of appeals declaring a law unconstitutional and void. In cases of public or great general interest the supreme court may, within such limitation of time as may be prescribed by law, direct any court of appeals to certify its record to the supreme court, and may review, and affirm, modify or reverse the judgment of the court of appeals. All cases pending in the supreme court at the time of the adoption of this amendment by the people, shall proceed to judgment in the manner provided by existing law. No law shall be passed or rule made whereby any person shall be prevented from invoking the original jurisdiction of the supreme court.

SEC. 3. The state shall be divided into nine common pleas districts, of which the county of Hamilton shall constitute one, of compact territory, and bounded by county lines; and each of said districts, consisting of three or more counties, shall be subdivided into three parts, of compact territory, bounded by county lines, and as nearly equal in population as practicable; in each of which, one judge of the court of common pleas for said district, and residing therein, shall be elected by the electors of said subdivision. Courts of common pleas shall be held, by one or more of these judges, in every county in the district, as often as may be provided by law; and more than one court, or sitting thereof, may be held at the same time in each district.

Sec. 3. One resident judge of the court of common pleas, and such additional resident judge or judges as may be provided by law, shall be elected in each county of the state by the electors of such county; and as many courts or sessions of the court of common pleas as are necessary, may be held at the same time in any county. Any judge of the court of common pleas may temporarily preside and hold court in any county; and until the general assembly shall make adequate provision therefor, the chief justice of the supreme court of the state shall pass upon the disqualification or disability of any judge of the court of common pleas, and he may assign any judge to any county to hold court therein.

SEC. 4. The jurisdiction of the courts of common pleas, and of the judges thereof shall be fixed by law.

SEC. 5. [*Repealed October 9, 1883.*]

SEC. 6. The circuit court shall have like original jurisdiction with the supreme court, and such appellate jurisdiction as

may be provided by law. Such courts shall be composed of such number of judges as may be provided by law, and shall be held in each county, at least once in each year. The number of circuits, and the boundaries thereof, shall be prescribed by law. Such judges shall be elected in each circuit by the electors thereof, and at such time and for such term as may be prescribed by law, and the same number shall be elected in each circuit. Each judge shall be competent to exercise his judicial powers in any circuit. The general assembly may change, from time to time, the number or boundaries of the circuits. The circuit courts shall be the successors of the district courts, and all cases, judgments, records, and proceedings pending in said district courts, in the several counties of any district, shall be transferred to the circuit courts, in the several counties, and be proceeded in as though said district courts had not been abolished, and the district courts shall continue in existence until the election and qualification of the judges of the circuit courts. (As amended October 9, 1883.)

Sec. 6. The state shall be divided into appellate districts of compact territory bounded by county lines, in each of which there shall be a court of appeals consisting of three judges, and until altered by law the circuits in which circuit courts are now held shall constitute the appellate districts aforesaid. The judges of the circuit courts now residing in their respective districts shall be the judges of the respective courts of appeals in such districts and perform the duties thereof until the expiration of their respective terms of office. Vacancies caused by the expiration of the terms of office of the judges of the courts of appeals shall be filled by the electors of the respective appellate districts in which such vacancies shall arise. Until otherwise provided by law the term of office of such judges shall be six years. Laws may be passed to prescribe the time and mode of such election and to alter the number of districts or the boundaries thereof, but no such change shall abridge the term of any judge then in office. The court of appeals shall hold at least one term annually in each county in the district and such other terms at a county seat in the district as the judges may determine upon, and the county commissioners of any county in which the court of appeals shall hold sessions shall make proper and convenient provisions for the holding of such court by its judges and officers. Each judge shall be competent to exercise judicial powers in any appellate district of the state. The courts of appeals shall continue the work of the respective circuit courts and all pending cases and proceedings in the circuit courts shall proceed to judgment and be determined by the respective courts of appeals, and the supreme court, as now provided by law, and cases brought into said courts of appeals after the taking effect hereof shall be subject to the provisions hereof, and the circuit courts shall be merged into, and their work continued by, the courts of appeals. The courts of appeals shall have original jurisdiction in quo warranto, mandamus, habeas corpus, prohibition and procedendo, and appellate jurisdiction in the trial of chancery cases, and, to review, affirm, modify, or reverse the judgments of the courts of common pleas, superior courts and other courts of record within the district as may be provided by law, and judgments of the courts of appeals shall be final in all cases, except cases involving questions arising under the constitution of the United States or of this state, cases of felony, cases of which it has original jurisdiction, and cases of public or great general interest in which the supreme court may direct any court of appeals to certify its record to that court.

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No judgment of a court of common pleas, a superior court or other court of record shall be reversed except by the concurrence of all the judges of the court of appeals on the weight of the evidence, and by a majority of such court of appeals upon other questions; and whenever the judges of a court of appeals find that a judgment upon which they have agreed is in conflict with a judgment pronounced upon the same question by any other court of appeals of the state, the judges shall certify the record of the case to the supreme court for review and final determination. The decisions in all cases in the supreme court shall be reported, together with the reasons therefor, and laws may be passed providing for the reporting of cases in the courts of appeals. The chief justice of the supreme court of the state shall determine the disability or disqualification of any judge of the courts of appeals and he may assign any judge of the courts of appeals to any county to hold court.

SEC. 7. There shall be established in each county, a probate court, which shall be a court of record, open at all times, and holden by one judge, elected by the voters of the county, who shall hold his office for the term of three years, and shall receive such compensation, payable out of the county treasury, or by fees, or both, as shall be provided by law.

Sec. 7. There shall be established in each county, a probate court, which shall be a court of record, open at all times, and holden by one judge, elected by the electors of the county, who shall hold his office for the term of four years, and shall receive such compensation, payable out of the county treasury, as shall be provided by law. Whenever ten per centum of the number of the electors voting for governor at the next preceding election in any county having less than sixty thousand population as determined by the next preceding federal census, shall petition the judge of the court of common pleas of any such county not less than ninety days before any general election for county officers, the judge of the court of common pleas shall submit to the electors of such county the question of combining the probate court with the court of common pleas, and such courts shall be combined and shall be known as the court of common pleas in case a majority of the electors voting upon such question vote in favor of such combination. Notice of such election shall be given in the same manner as for the election of county officers. Elections may be had in the same manner for the separation of such courts, when once combined.

SEC. 8. The probate court shall have jurisdiction in probate and testamentary matters, the appointment of administrators and guardians, the settlement of the accounts of executors, administrators, and guardians, and such jurisdiction in habeas corpus, the issuing of marriage licenses and for the sale of land by executors, administrators, and guardians, and such other jurisdiction, in any county or counties, as may be provided by law.

SEC. 9. A competent number of justices of the peace shall be elected by the electors, in each township in the several counties. Their term of office shall be three years, and their powers and duties shall be regulated by law.

SEC. 9. [*Repealed September 3, 1912.*]

SEC. 10. All judges, other than those provided for in this constitution, shall be elected by the electors of the

judicial district for which they may be created, but not for a longer term of office than five years.

SEC. 11. [*Repealed October 9, 1883.*]

SEC. 12. The judges of the courts of common pleas shall, while in office, reside in the district for which they are elected; and their term of office shall be for five years.

Sec. 12. The judges of the courts of common pleas shall, while in office, reside in the county for which they are elected; and their term of office shall be for six years.

SEC. 13. In case the office of any judge shall become vacant, before the expiration of the regular term for which he was elected, the vacancy shall be filled by appointment by the governor, until a successor is elected and qualified; and such successor shall be elected for the unexpired term, at the first annual election that occurs more than thirty days after the vacancy shall have happened.

SEC. 14. The judges of the supreme court, and of the court of common pleas, shall, at stated times, receive, for their services, such compensation as may be provided by law, which shall not be diminished, or increased, during their term of office; but they shall receive no fees or perquisites, nor hold any other office of profit or trust, under the authority of this state, or the United States. All votes for either of them, for any elective office, except a judicial office, under the authority of this state, given by the general assembly, or the people, shall be void.

SEC. 15. The general assembly may increase, or diminish, the number of the judges of the supreme court, the number of the districts of the court of common pleas, the number of judges in any district, change the districts, or the subdivisions thereof, or establish other courts, whenever two-thirds of the members elected to each house shall concur therein; but no such change, addition, or diminution, shall vacate the office of any judge.

Sec. 15. Laws may be passed to increase or diminish the number of judges of the supreme court, to increase beyond one or diminish to one the number of judges of the court of common pleas in any county, and to establish other courts, whenever two-thirds of the members elected to each house shall concur therein; but no such change, addition or diminution shall vacate the office of any judge; and any existing court heretofore created by law shall continue in existence until otherwise provided.

Schedule.

If the foregoing amendment shall be adopted by the electors, the judges of the courts of common pleas in office, or elected thereto prior to January first, 1913, shall hold their offices for the term for which they were elected and the additional judges provided for herein, shall be elected at the general election in the year 1914; each county shall continue as a part of its existing common pleas district and sub-division thereof, until one resident judge of the court of common pleas is elected and qualified therein.

SEC. 16. There shall be elected in each county, by the electors thereof, one clerk of the court of common pleas, who shall hold his office for the term of three years, and until his successor shall be elected and qualified. He shall, by virtue of his office, be clerk of all other courts of record held therein; but, the general as-

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sembly may provide, by law, for the election of a clerk, with a like term of office, for each or any other of the courts of record, and may authorize the judge of the probate court to perform the duties of clerk for his court, under such regulations as may be directed by law. Clerks of courts shall be removable for such cause and in such manner as shall be prescribed by law.

SEC. 17. Judges may be removed from office, by concurrent resolution of both houses of the general assembly, if two-thirds of the members, elected to each house, concur therein; but no such removal shall be made, except upon complaint, the substance of which shall be entered on the journal, nor, until the party charged shall have had notice thereof, and an opportunity to be heard.

SEC. 18. The several judges of the supreme court, of the common pleas, and of such other courts as may be created, shall, respectively, have and exercise such power and jurisdiction, at chambers, or otherwise, as may be directed by law.

SEC. 19. The general assembly may establish courts of conciliation, and prescribe their powers and duties; but such courts shall not render final judgment in any case, except upon submission, by the parties, of the matter in dispute, and their agreement to abide such judgment.

SEC. 20. The style of all process shall be "The State of Ohio;" all prosecutions shall be carried on, in the name, and by the authority, of the state of Ohio; and all indictments shall conclude, "against the peace and dignity of the state of Ohio."

SEC. 22. [21]. A commission, which shall consist of five members, shall be appointed by the governor, with the advice and consent of the senate, the members of which shall hold office for the term of three years from and after the first day of February, 1876, to dispose of such part of the business then on the dockets of the supreme court, as shall, by arrangement between said commission and said court, be transferred to such commission; and said commission shall have like jurisdiction and power in respect to such business as are or may be vested in said court; and the members of said commission shall receive a like compensation for the time being with the judges of said court. A majority of the members of said commission shall be necessary to form a quorum or pronounce a decision, and its decision shall be certified, entered, and enforced as the judgments of the supreme court, and at the expiration of the term of said commission, all business undisposed of shall by it be certified to the supreme court and be disposed of as if said commission had never existed. The clerk and reporter of said court shall be the clerk and reporter of said commission, and the commission shall have such other attendants not exceeding in number those provided by law for said court, which attendants said commission may appoint and remove at its pleasure. Any vacancy occurring in said commission, shall be filled by appointment of the governor, with the advice and consent of the senate, if the senate be in session, and if the senate be not in session, by the governor, but in such last case, such appointment shall expire at the end of the next session of the general assembly. The general as-

sembly may, on application of the supreme court duly entered on the journal of the court and certified, provide by law, whenever two-thirds of such [each] house shall concur therein, from time to time, for the appointment, in like manner, of a like commission with like powers, jurisdiction and duties; provided, that the term of any such commission shall not exceed two years, nor shall it be created oftener than once in ten years.

ARTICLE V.

ELECTIVE FRANCHISE.

SEC. 1. Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the state one year next preceding the election, and of the county, township, or ward, in which he resides, such time as may be provided by law, shall have the qualifications of an elector, and be entitled to vote at all elections.

SEC. 2. All elections shall be by ballot.

SEC. 3. Electors, during their attendance at elections, and in going to, and returning therefrom, shall be privileged from arrest, in all cases, except treason, felony, and breach of the peace.

SEC. 4. The general assembly shall have power to exclude from the privilege of voting, or of being eligible to office, any person convicted of bribery, perjury, or other infamous crime.

SEC. 5. No person in the military, naval, or marine service of the United States, shall, by being stationed in any garrison, or military, or naval station, within the state, be considered a resident of this state.

SEC. 6. No idiot, or insane person, shall be entitled to the privileges of an elector.

SEC. 7. All nominations for elective state, district, county and municipal offices shall be made at direct primary elections or by petition as provided by law, and provision shall be made by law for a preferential vote for United States senator; but direct primaries shall not be held for the nomination of township officers or for the officers of municipalities of less than two thousand population, unless petitioned for by a majority of the electors of such township or municipality. All delegates from this state to the national conventions of political parties shall be chosen by direct vote of the electors. Each candidate for such delegate shall state his first and second choices for the presidency, which preferences shall be printed upon the primary ballot below the name of such candidate, but the name of no candidate for the presidency shall be so used without his written authority.

ARTICLE VI.

EDUCATION.

SEC. 1. The principal of all funds, arising from the sale, or other disposition of lands, or other property, granted or entrusted to this state for educational and religious purposes, shall forever be preserved inviolate, and undiminished; and, the income arising therefrom, shall be faithfully applied to the specific objects of the original grants, or appropriations.

The amendments to the constitution approved September 3, 1912, are printed in bold-faced type. Sections amended or superseded are in small type. See note, page 2121.

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SEC. 2. The general assembly shall make such provisions, by taxation, or otherwise, as, with the income arising from the school trust fund, will secure a thorough and efficient system of common schools throughout the state; but no religious or other sect, or sects, shall ever have any exclusive right to, or control of, any part of the school funds of this state.

Sec. 3. Provision shall be made by law for the organization, administration and control of the public school system of the state supported by public funds; provided, that each school district embraced wholly or in part within any city shall have the power by referendum vote to determine for itself the number of members and the organization of the district board of education, and provision shall be made by law for the exercise of this power by such school districts.

Sec. 4. A superintendent of public instruction to replace the state commissioner of common schools, shall be included as one of the officers of the executive department to be appointed by the governor, for the term of four years, with the powers and duties now exercised by the state commissioner of common schools until otherwise provided by law, and with such other powers as may be provided by law.

Schedule.

If the foregoing amendment be adopted by the electors it shall take effect and become a part of the constitution on the second Monday of July, 1913.

ARTICLE VII.

PUBLIC INSTITUTIONS.

SEC. 1. Institutions for the benefit of the insane, blind, and deaf and dumb, shall always be fostered and supported by the state; and be subject to such regulations as may be prescribed by the general assembly.

SEC. 2. The directors of the penitentiary shall be appointed or elected in such manner as the general assembly may direct; and the trustees of the benevolent, and other state institutions, now elected by the general assembly, and of such other state institutions, as may be hereafter created, shall be appointed by the governor, by and with the advice and consent of the senate; and upon all nominations made by the governor, the question shall be taken by yeas and nays, and entered upon the journals of the senate.

SEC. 3. The governor shall have power to fill vacancies that may occur in the offices aforesaid, until the next session of the general assembly, and, until a successor to his appointee shall be confirmed and qualified.

ARTICLE VIII.

PUBLIC DEBT AND PUBLIC WORKS.

SEC. 1. The state may contract debts to supply casual deficits or failures in revenues, or to meet expenses not otherwise provided for; but the aggregate amount of such debts, direct and contingent, whether contracted by virtue of one or more acts of the general assembly, or at different periods of time, shall never exceed seven hundred and fifty thousand dollars; and the money, arising from the creation of such debts, shall

be applied to the purpose for which it was obtained, or to repay the debts so contracted, and to no other purpose whatever.

SEC. 2. In addition to the above limited power, the state may contract debts to repel invasion, suppress insurrection, defend the state in war, or to redeem the present outstanding indebtedness of the state; but the money, arising from the contracting of such debts, shall be applied to the purpose for which it was raised, or to repay such debts, and to no other purpose whatever; and all debts, incurred to redeem the present outstanding indebtedness of the state, shall be so contracted as to be payable by the sinking fund, hereinafter provided for, as the same shall accumulate.

SEC. 3. Except the debts above specified in sections one and two of this article; no debt whatever shall hereafter be created by or on behalf of the state.

SEC. 4. The credit of the state shall not, in any manner, be given or loaned to, or in aid of, any individual association or corporation whatever; nor shall the state ever hereafter become a joint owner, or stockholder, in any company or association in this state, or elsewhere, formed for any purpose whatever.

SEC. 5. The state shall never assume the debts of any county, city, town, or township, or of any corporation whatever, unless such debt shall have been created to repel invasion, suppress insurrection, or defend the state in war.

SEC. 6. The general assembly shall never authorize any county, city, town, or township, by vote of its citizens, or otherwise, to become a stockholder in any joint stock company, corporation, or association whatever; or to raise money for, or loan its credit to, or in aid of, any such company, corporation or association.

Sec. 6. No laws shall be passed authorizing any county, city, town or township, by vote of its citizens, or otherwise, to become a stockholder in any joint stock company, corporation, or association whatever; or to raise money for, or to loan its credit to, or in aid of, any such company, corporation, or association: provided, that nothing in this section shall prevent the insuring of public buildings or property in mutual insurance associations or companies. Laws may be passed providing for the regulation of all rates charged or to be charged by any insurance company, corporation or association organized under the laws of this state, or doing any insurance business in this state for profit.

SEC. 7. The faith of the state being pledged for the payment of its public debt, in order to provide therefor, there shall be created a sinking fund, which shall be sufficient to pay the accruing interest on such debt, and, annually, to reduce the principal thereof, by a sum not less than one hundred thousand dollars, increased yearly, and each and every year, by compounding, at the rate of six per cent. per annum. The said sinking fund shall consist, of the net annual income of the public works and stocks owned by the state, of any other funds or resources that are, or may be, provided by law, and of such further sum, to be raised by taxation, as may be required for the purposes aforesaid.

SEC. 8. The auditor of state, secretary of state, and attorney general, are hereby created a board of com-

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missioners, to be styled, "The Commissioners of the Sinking Fund."

SEC. 9. The commissioners of the sinking fund shall, immediately preceding each regular session of the general assembly, make an estimate of the probable amount of the fund, provided for in the seventh section of this article, from all sources except from taxation, and report the same, together with all their proceedings relative to said fund and the public debt, to the governor, who shall transmit the same with his regular message, to the general assembly; and the general assembly shall make all necessary provision for raising and disbursing said sinking fund, in pursuance of the provisions of this article.

SEC. 10. It shall be the duty of the said commissioners faithfully to apply said fund, together with all moneys that may be, by the general assembly, appropriated to that object, to the payment of the interest, as it becomes due, and the redemption of the principal of the public debt of the state, excepting only, the school and trust funds held by the state.

SEC. 11. The said commissioners shall, semi-annually, make a full and detailed report of their proceedings to the governor, who shall, immediately, cause the same to be published, and shall also communicate the same to the general assembly, forthwith, if it be in session, and if not, then at its first session after such report shall be made.

SEC. 12. So long as this state shall have public works which require superintendence, there shall be a board of public works, to consist of three members, who shall be elected by the people, at the first general election after the adoption of this constitution, one for the term of one year, one for the term of two years, and one for the term of three years; and one member of said board shall be elected annually thereafter, who shall hold his office for three years.

Sec. 12. So long as this state shall have public works which require superintendence, a superintendent of public works shall be appointed by the governor for the term of one year, with the powers and duties now exercised by the board of public works until otherwise provided by law, and with such other powers as may be provided by law.

Schedule.

Section 13 of article VIII is hereby repealed.

SEC. 13. The powers and duties of said board of public works, and its several members, and their compensation, shall be such as now are, or may be, prescribed by law.

SEC. 13. [Repealed September 3, 1912.]

ARTICLE IX.

MILITIA.

SEC. 1. All white male citizens, residents of this state, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty, in such manner, not incompatible with the constitution and laws of the United States, as may be prescribed by law.

SEC. 2. Majors general, brigadiers general, colonels, lieutenant colonels, majors, captains, and subalterns, shall be elected by the persons subject to military duty, in their respective districts.

SEC. 3. The governor shall appoint the adjutant general, quartermaster general, and such other staff officers, as may be provided for by law. Majors general, brigadiers general, colonels, or commandants of regiments, battalions, or squadrons, shall, severally, appoint their staff, and captains shall appoint their non-commissioned officers and musicians.

SEC. 4. The governor shall commission all officers of the line and staff, ranking as such; and shall have power to call forth the militia, to execute the laws of the state, to suppress insurrection, or to repel invasion.

SEC. 5. The general assembly shall provide, by law, for the protection and safe keeping of the public arms.

ARTICLE X.

COUNTY AND TOWNSHIP ORGANIZATIONS.

SEC. 1. The general assembly shall provide, by law, for the election of such county and township officers as may be necessary.

SEC. 2. County officers shall be elected on the first Tuesday after the first Monday in November, by the electors of each county in such manner, and for such term, not exceeding three years, as may be provided by law. (*As amended October 13, 1885.*)

SEC. 3. No person shall be eligible to the office of sheriff, or county treasurer, for more than four years, in any period of six years.

SEC. 4. Township officers shall be elected by the electors of each township, at such time, in such manner, and for such term, not exceeding three years, as may be provided by law; but shall hold their offices until their successors are elected and qualified. (*As amended October 13, 1885.*)

SEC. 5. No money shall be drawn from any county or township treasury, except by authority of law.

SEC. 6. Justices of the peace, and county and township officers, may be removed, in such manner and for such cause, as shall be prescribed by law.

SEC. 7. The commissioners of counties, the trustees of townships, and similar boards, shall have such power of local taxation, for police purposes, as may be prescribed by law.

ARTICLE XI.

APPORTIONMENT.

SEC. 1. The apportionment of this state for members of the general assembly shall be made every ten years, after the year one thousand eight hundred and fifty-one, in the following manner: The whole population of the state, as ascertained by the federal census, or in such other mode as the general assembly may direct, shall be divided by the number "one hundred," and the quotient shall be the ratio of representation in the house of representatives, for ten years next succeeding such apportionment.

SEC. 2. Every county having a population equal to one-half of said ratio, shall be entitled to one representative; every county, containing said ratio, and three-fourths over, shall be entitled to two representatives; every county containing three times said ratio, shall be entitled to three representatives; and so on, requiring after the first two, an entire ratio for each additional

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representative. Provided, however, that each county shall have one representative. (*As amended November 3, 1902.*)

SEC. 3. When any county shall have a fraction above the ratio, so large, that being multiplied by five, the result will be equal to one or more ratios, additional representatives shall be apportioned for such ratios, among the several sessions of the decennial period, in the following manner: If there be only one ratio, a representative shall be allotted to the fifth session of the decennial period; if there be two ratios, a representative shall be allotted to the fourth and third sessions, respectively; if three, to the third, second, and first sessions, respectively; if four, to the fourth, third, second, and first sessions, respectively.

SEC. 4. Any county, forming with another county or counties, a representative district, during one decennial period, if it have acquired sufficient population at the next decennial period, shall be entitled to a separate representation, if there shall be left, in the district from which it shall have been separated, a population sufficient for a representative; but no such change shall be made, except at a regular decennial period for the apportionment of representatives.

SEC. 5. If, in fixing any subsequent ratio, a county, previously entitled to a separate representation, shall have less than the number required by the new ratio for a representative, such county shall be attached to the county adjoining it, having the least number of inhabitants; and the representation of the district, so formed, shall be determined as herein provided.

SEC. 6. The ratio for a senator shall forever, hereafter, be ascertained by dividing the whole population of the state by the number thirty-five.

SEC. 7. The state is hereby divided into thirty-three senatorial districts, as follows: The county of Hamilton shall constitute the first senatorial district; the counties of Butler and Warren, the second; Montgomery and Preble, the third; Clermont and Brown, the fourth; Greene, Clinton, and Fayette, the fifth; Ross and Highland, the sixth; Adams, Pike, Scioto, and Jackson, the seventh; Lawrence, Gallia, Meigs, and Vinton, the eighth; Athens, Hocking, and Fairfield, the ninth; Franklin and Pickaway, the tenth; Clark, Champaign, and Madison, the eleventh; Miami, Darke, and Shelby, the twelfth; Logan, Union, Marion, and Hardin, the thirteenth; Washington and Morgan, the fourteenth; Muskingum and Perry, the fifteenth; Delaware and Licking, the sixteenth; Knox and Morrow, the seventeenth; Coshocton and Tuscarawas, the eighteenth; Guernsey and Monroe, the nineteenth; Belmont and Harrison, the twentieth; Carroll and Stark, the twenty-first; Jefferson and Columbiana, the twenty-second; Trumbull and Mahoning, the twenty-third; Ashtabula, Lake, and Geauga, the twenty-fourth; Cuyahoga, the twenty-fifth; Portage and Summit, the twenty-sixth; Medina and Lorain, the twenty-seventh; Wayne and Holmes, the twenty-eighth; Ashland and Richland, the twenty-ninth; Huron, Erie, Sandusky, and Ottawa, the thirtieth; Seneca, Crawford, and Wyandot, the thirty-first; Mercer, Auglaize, Allen, Van Wert, Paulding, Defiance, and Williams, the thirty-second; and Hancock, Wood, Lucas, Fulton, Henry and

Putnam, the thirty-third. For the first decennial period, after the adoption of this constitution, each of said districts shall be entitled to one senator, except the first district, which shall be entitled to three senators.

SEC. 8. The same rules shall be applied, in apportioning the fractions of senatorial districts, and in annexing districts, which may hereafter have less than three-fourths of a senatorial ratio, as are applied to representative districts.

SEC. 9. Any county forming part of a senatorial district, having acquired a population equal to a full senatorial ratio, shall be made a separate senatorial district, at any regular decennial apportionment, if a full senatorial ratio shall be left in the district from which it shall be taken.

SEC. 10. For the first ten years, after the year one thousand eight hundred and fifty-one, the apportionment of representatives shall be as provided in the schedule, and no change shall ever be made in the principles of representation, as herein established, or, in the senatorial districts, except as above provided. All territory, belonging to a county at the time of any apportionment, shall, as to the right of representation and suffrage, remain an integral part thereof, during the decennial period.

SEC. 11. The governor, auditor, and secretary of state, or any two of them, shall at least six months prior to the October election, in the year one thousand eight hundred and sixty-one, and, at each decennial period thereafter, ascertain and determine the ratio of representation, according to the decennial census, the number of representatives and senators each county or district shall be entitled to elect, and for what years, within the next ensuing ten years, and the governor shall cause the same to be published, in such manner as shall be directed by law.

JUDICIAL APPORTIONMENT.

SEC. 12. For judicial purposes, the state shall be apportioned as follows:

The county of Hamilton, shall constitute the first district, which shall not be subdivided; and the judges therein, may hold separate courts or separate sittings of the same court, at the same time.

The counties of Butler, Preble, and Darke, shall constitute the first subdivision; Montgomery, Miami, and Champaign, the second; and Warren, Clinton, Greene, and Clark, the third subdivision, of the second district; and, together, shall form such district.

The counties of Shelby, Auglaize, Allen, Hardin, Logan, Union, and Marion, shall constitute the first subdivision; Mercer, Van Wert, Putnam, Paulding, Defiance, Williams, Henry, and Fulton, the second; and Wood, Seneca, Hancock, Wyandot, and Crawford, the third subdivision, of the third district; and, together, shall form such district.

The counties of Lucas, Ottawa, Sandusky, Erie, and Huron, shall constitute the first subdivision; Lorain, Medina, and Summit, the second; and the county of Cuyahoga, the third subdivision, of the fourth district; and, together, shall form such district.

The counties of Clermont, Brown, and Adams, shall constitute the first subdivision; Highland, Ross, and Fayette, the second; and Pickaway, Franklin, and Madi-

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son, the third subdivision, of the fifth district; and, together, shall form such district.

The counties of Licking, Knox, and Delaware, shall constitute the first subdivision; Morrow, Richland, and Ashland, the second; and Wayne, Holmes, and Coshoc-ton, the third subdivision, of the sixth district; and, to-gether, shall form such district.

The counties of Fairfield, Perry, and Hocking, shall constitute the first subdivision; Jackson, Vinton, Pike, Scioto, and Lawrence, the second; and Gallia, Meigs, Athens, and Washington, the third subdivision, of the seventh district; and, together, shall form such district.

The counties of Muskingum and Morgan, shall con-stitute the first subdivision; Guernsey, Belmont, and Monroe, the second; and Jefferson, Harrison, and Tus-carawas, the third subdivision, of the eighth district; and, together, shall form such district.

The counties of Stark, Carroll, and Columbiana, shall constitute the first subdivision; Trumbull, Portage, and Mahoning, the second; and Geauga, Lake, and Ashta-bula, the third subdivision, of the ninth district; and, together, shall form such district.

SEC. 13. The general assembly shall attach any new counties, that may hereafter be erected, to such districts, or subdivisions thereof, as shall be most convenient.

ARTICLE XII.

FINANCE AND TAXATION.

SEC. 1. The levying of taxes, by the poll, is grievous and oppressive; therefore, the general assembly shall never levy a poll tax, for county or state purposes.

Sec. 1. No poll tax shall ever be levied in this state, or service required, which may be commuted in money or other thing of value.

SEC. 2. Laws shall be passed, taxing by a uniform rule, all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise; and also all real and personal property according to its true value in money, excepting bonds of the state of Ohio, bonds of any city, village, hamlet, county, or township in this state, and bonds issued in behalf of the public schools of Ohio and the means of instruction in connection therewith, which bonds shall be exempt from taxation; but burying grounds, public school houses, houses used exclusively for public worship, institu-tions of purely public charity, public property used exclusively for any public purpose, and personal property, to an amount not exceeding in value two hundred dollars, for each individual, may, by general laws, be exempted from taxation; but all such laws shall be subject to alteration or repeal; and the value of all property, so exempted, shall, from time to time, be ascertained and published as may be directed by law. (As amended Novem-ber 7, 1905.)

**Sec. 2. Laws shall be passed, taxing by a uniform rule, all moneys, credits, investments in bonds, stocks, joint stock companies, or otherwise; and also all real and personal property according to its true value in money, excepting all bonds at present outstanding of the State of Ohio or of any city, village, hamlet, county, or township in this state or which have been issued in behalf of the public schools in Ohio and the means of instruction in connection therewith, which bonds so at present outstanding shall be exempt from tax-ation; but burying grounds, public school houses, houses used exclusively for public worship, institu-tions used exclusively for charitable purposes, public property used exclusively for any public pur-
pose, and personal property, to an amount not ex-ceeding in value five hundred dollars, for each indi-vidual, may, by general laws, be exempted from taxa-**

tion; but all such laws shall be subject to alteration or repeal; and the value of all property, so exempted, shall, from time to time, be ascertained and published as may be directed by law.

SEC. 3. The general assembly shall provide, by law, for taxing the notes and bills discounted or purchased, moneys loaned, and all other property, effects, or dues, of every description, (without deduction,) of all banks, now existing, or hereafter created, and of all bankers, so that all property employed in banking, shall always bear a burden of taxation, equal to that imposed on the property of individuals.

SEC. 4. The general assembly shall provide for rais-ing revenue, sufficient to defray the expenses of the state, for each year, and also a sufficient sum to pay the in-terest on the state debt.

SEC. 5. No tax shall be levied, except in pursuance of law; and every law imposing a tax, shall state, dis-tinctly, the object of the same, to which only, it shall be applied.

SEC. 6. The state shall never contract any debt for purposes of internal improvement.

Sec. 6. Except as otherwise provided in this con-stitution the state shall never contract any debt for purposes of internal improvement.

SEC. 7. Laws may be passed providing for the taxa-tion of the right to receive, or to succeed to, estates, and such taxation may be uniform or it may be so graduated as to tax at a higher rate the right to receive, or to succeed to, estates of larger value than to estates of smaller value. Such tax may also be levied at dif-ferent rates upon collateral and direct inheritances, and a portion of each estate not exceeding twenty thousand dollars may be exempt from such taxation.

SEC. 8. Laws may be passed providing for the tax-ation of incomes, and such taxation may be either uniform or graduated, and may be applied to such in-comes as may be designated by law; but a part of each annual income not exceeding three thousand dol-lars may be exempt from such taxation.

SEC. 9. Not less than fifty per centum of the income and inheritance taxes that may be collected by the state shall be returned to the city, village or township in which said income and inheritance tax[es] originate.

SEC. 10. Laws may be passed providing for excise and franchise taxes and for the imposition of taxes upon the production of coal, oil, gas and other min-erals.

SEC. 11. No bonded indebtedness of the state, or any political subdivisions thereof, shall be incurred or renewed unless, in the legislation under which such indebtedness is incurred or rehewed, provision is made for levying and collecting annually by taxation an amount sufficient to pay the interest on said bonds, and to provide a sinking fund for their final redemption at maturity.

ARTICLE XIII.

CORPORATIONS.

SEC. 1. The general assembly shall pass no special act conferring corporate powers.

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SEC. 2. Corporations may be formed under general laws; but all such laws may, from time to time, be altered or repealed.

Sec. 2. Corporations may be formed under general laws; but all such laws may, from time to time, be altered or repealed. Corporations may be classified and there may be conferred upon proper boards, commissions or officers, such supervisory and regulatory powers over their organization, business and issue and sale of stocks and securities, and over the business and sale of the stocks and securities of foreign corporations and joint stock companies in this state, as may be prescribed by law. Laws may be passed regulating the sale and conveyance of other personal property, whether owned by a corporation, joint stock company or individual.

SEC. 3. Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock owned by him or her. (As amended November 3, 1903.)

Sec. 3. Dues from private corporations shall be secured by such means as may be prescribed by law, but in no case shall any stockholder be individually liable otherwise than for the unpaid stock owned by him or her; except that stockholders of corporations authorized to receive money on deposit shall be held individually responsible, equally and ratably, and not one for another, for all contracts, debts, and engagements of such corporations, to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares. No corporation not organized under the laws of this state, or of the United States, or person, partnership or association shall use the word "bank", "banker" or "banking", or words of similar meaning in any foreign language, as a designation or name under which business may be conducted in this state unless such corporation, person, partnership or association shall submit to inspection, examination and regulation as may hereafter be provided by the laws of this state.

SEC. 4. The property of corporations, now existing or hereafter created, shall forever be subject to taxation, the same as the property of individuals.

SEC. 5. No right of way shall be appropriated to the use of any corporation, until full compensation therefor be first made in money, or first secured by a deposit of money, to the owner, irrespective of any benefit from any improvement proposed by such corporation; which compensation shall be ascertained by a jury of twelve men, in a court of record, as shall be prescribed by law.

SEC. 6. The general assembly shall provide for the organization of cities, and incorporated villages, by general laws, and restrict their power of taxation, assessment, borrowing money, contracting debts and loaning their credit, so as to prevent the abuse of such power.

SEC. 7. No act of the general assembly, authorizing associations with banking powers, shall take effect until it shall be submitted to the people, at the general election next succeeding the passage thereof, and be approved by a majority of all the electors, voting at such election.

ARTICLE XIV.

JURISPRUDENCE.

SEC. 1. The general assembly, at its first session after the adoption of this constitution, shall provide for the appointment of three commissioners, and prescribe their tenure of office, compensation, and the mode of filling vacancies in said commission.

SEC. 2. The said commissioners shall revise, reform, simplify, and abridge the practice, pleadings, forms, and proceedings of the courts of record of this state; and, as far as practicable and expedient, shall provide for the abolition of the distinct forms of action at law, now in use, and for the administration of justice by a uniform mode of proceeding, without reference to any distinction between law and equity.

SEC. 3. The proceedings of the commissioners shall, from time to time, be reported to the general assembly, and be subject to the action of that body.

ARTICLE XV.

MISCELLANEOUS.

SEC. 1. Columbus shall be the seat of government, until otherwise directed by law.

SEC. 2. The printing of the laws, journals, bills, legislative documents and papers for each branch of the general assembly, with the printing required for the executive and other departments of state, shall be let, on contract, to the lowest responsible bidder, by such executive officers, and in such manner, as shall be prescribed by law.

Sec. 2. The printing of the laws, journals, bills, legislative documents and papers for each branch of the general assembly, with the printing required for the executive and other departments of state, shall be let, on contract, to the lowest responsible bidder, or done directly by the state in such manner as shall be prescribed by law. All stationery and supplies shall be purchased as may be provided by law.

SEC. 3. An accurate and detailed statement of the receipts and expenditures of the public money, the several amounts paid, to whom, and on what account, shall, from time to time, be published, as shall be prescribed by law.

SEC. 4. No person shall be elected or appointed to any office in this state, unless he possesses the qualifications of an elector.

SEC. 5. No person who shall hereafter fight a duel, assist in the same as second, or send, accept, or knowingly carry, a challenge therefor, shall hold any office in this state.

SEC. 6. Lotteries, and the sale of lottery tickets, for any purpose whatever, shall forever be prohibited in this state.

SEC. 7. Every person chosen or appointed to any office under this state, before entering upon the discharge of its duties, shall take an oath or affirmation, to support the Constitution of the United States, and of this state, and also an oath of office.

SEC. 8. There may be established, in the secretary of state's office, a bureau of statistics, under such regulations as may be prescribed by law.

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Sec. 9. License to traffic in intoxicating liquors shall be granted in this state, and license laws operative throughout the state shall be passed with such restrictions and regulations as may be provided by law, and municipal corporations shall be authorized by general laws to provide for the limitation of the number of saloons. Laws shall not be passed authorizing more than one saloon in each township or municipality of less than five hundred population, or more than one saloon for each five hundred population in other townships and municipalities. Where the traffic is or may be prohibited under laws applying to counties, municipalities, townships, residence districts, or other districts now prescribed by law, the traffic shall not be licensed in any such local sub-division while any prohibitory law is operative therein, and nothing herein contained shall be so construed as to repeal, modify or suspend any such prohibitory laws, or any regulatory laws now in force or hereafter enacted, or to prevent the future enactment, modification or repeal of any prohibitory or regulatory laws. License to traffic in intoxicating liquors shall not be granted to any person who at the time of making application therefor is not a citizen of the United States and of good moral character. License shall not be granted to any applicant who is in any way interested in the business conducted at any other place where intoxicating liquors are sold or kept for sale as a beverage nor shall such license be granted unless the applicant or applicants are the only persons in any way pecuniarily interested in the business for which the license is sought and no other person shall be in any way interested therein during the continuance of the license; if such interest of such person shall appear, the license shall be deemed revoked. If any licensee is more than once convicted for a violation of the laws in force to regulate the traffic in intoxicating liquors, his license shall be deemed revoked, and no license shall thereafter be granted to him. License to traffic in intoxicating liquors shall not be granted unless the place of traffic under such license shall be located in the county in which the person or persons reside whose duty it is to grant such license, or in a county adjoining thereto. The word "saloon" as used in this section is defined to be a place where intoxicating liquors are sold, or kept for sale, as a beverage in quantities less than one gallon.

At said election a ballot shall be in the following form:

Intoxicating Liquors.

	For License to traffic in intoxicating liquors.
	Against License to traffic in intoxicating liquors.

The voter shall indicate his choice by placing a cross-mark within the blank space opposite the words "For License," if he desires to vote in favor of the

article above mentioned and opposite the words "Against License," within the blank space if he desires to vote against said article. If a cross-mark is placed opposite both phrases or neither phrase, then the vote upon the subject shall not be counted.

If the votes for license shall exceed the votes against license, then the article above mentioned shall become section 9 of article XV of the constitution, and the present section 9 of said article, also known as section 18 of the schedule shall be repealed.

Sec. 10. Appointments and promotions in the civil service of the state, the several counties, and cities, shall be made according to merit and fitness, to be ascertained, as far as practicable, by competitive examinations. Laws shall be passed providing for the enforcement of this provision.

ARTICLE XVI.

AMENDMENTS.

SEC. 1. Either branch of the general assembly may propose amendments to this constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be published in at least one newspaper in each county of the state, where a newspaper is published, for six months preceding the next election for senators and representatives, at which time the same shall be submitted to the electors, for their approval or rejection; and if a majority of the electors, voting at such election, shall adopt such amendments, the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately.

Sec. 1. Either branch of the general assembly may propose amendments to this constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be submitted to the electors, for their approval or rejection, on a separate ballot without party designation of any kind, at either a special or a general election as the general assembly may prescribe. Such proposed amendments shall be published once a week for five consecutive weeks preceding such election, in at least one newspaper in each county of the state, where a newspaper is published. If the majority of the electors voting on the same shall adopt such amendments the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately.

SEC. 2. Whenever two-thirds of the members elected to each branch of the general assembly, shall think it necessary to call a convention, to revise, amend, or change this constitution, they shall recommend to the electors to vote, at the next election for members to the general assembly, for or against a convention; and if a majority of all the electors, voting at said election, shall have voted for a convention, the general assembly shall, at their next session, provide, by law, for calling the same. The convention shall consist of as many members as the house of representatives, who shall be chosen in the same manner, and shall meet within three months after their election, for the purpose, aforesaid.

Sec. 2. Whenever two-thirds of the members elected to each branch of the general assembly, shall think it necessary to call a convention, to revise, amend, or change this constitution, they shall recommend to the electors to vote on a separate ballot without party designation of any kind at the next election for members to the general assembly, for or against

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a convention; and if a majority of all the electors, voting for and against the calling of a convention, shall have voted for a convention, the general assembly shall, at their next session, provide, by law, for calling the same. Candidates for members of the constitutional convention shall be nominated by nominating petitions only and shall be voted for upon one independent and separate ballot without any emblem or party designation whatever. The convention shall consist of as many members as the house of representatives, who shall be chosen as provided by law, and shall meet within three months after their election, for the purpose, aforesaid.

SEC. 3. At the general election, to be held in the year one thousand eight hundred and seventy-one, and in each twentieth year thereafter, the question: "Shall there be a convention to revise, alter, or amend the constitution," shall be submitted to the electors of the state; and, in case a majority of all the electors, voting at such election, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon.

Sec. 3. At the general election to be held in the year one thousand nine hundred and thirty-two, and in each twentieth year thereafter, the question: "Shall there be a convention to revise, alter, or amend the constitution[?]" shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon.

ARTICLE XVII.

ELECTIONS.

SEC. 1. Elections for state and county officers shall be held on the first Tuesday after the first Monday in November in the even numbered years; and all elections for all other elective officers shall be held on the first Tuesday after the first Monday in November in the odd numbered years. (*As amended November 7, 1905.*)

SEC. 2. The term of office of the governor, lieutenant governor, attorney-general, secretary of state and treasurer of state shall be two years, and that of the auditor of state shall be four years. The term of office of judges of the supreme court and circuit courts shall be such even number of years not less than six (6) years as may be prescribed by the general assembly; that of the judges of the common pleas court six (6) years and of the judges of the probate court, four (4) years, and that of other judges shall be such even number of years not exceeding six (6) years as may be prescribed by the general assembly. The term of office of justices of the peace shall be such even number of years not exceeding four (4) years, as may be prescribed by the general assembly. The term of office of the members of the board of public

works shall be such even number of years not exceeding six (6) years as may be so prescribed; and the term of office of all elective county, township, municipal and school officers shall be such even number of years not exceeding four (4) years as may be so prescribed.

And the general assembly shall have power to so extend existing terms of office as to affect [effect] the purpose of section 1 of this article.

Any vacancy which may occur in any elective state office other than that of a member of the general assembly or of governor, shall be filled by appointment by the governor until the disability is removed, or a successor elected and qualified. Every such vacancy shall be filled by election at the first general election for the office which is vacant, that occurs more than thirty (30) days after the vacancy shall have occurred. The person elected shall fill the office for the unexpired term. All vacancies in other elective offices shall be filled for the unexpired term in such manner as may be prescribed by law. (*As amended November 7, 1905.*)

SEC. 3. Every elective officer holding office when this amendment is adopted, shall continue to hold such office for the full term for which he was elected, and until his successor shall be elected and qualified as provided by law.

ARTICLE XVIII.

MUNICIPAL CORPORATIONS.

Sec. 1. Municipal corporations are hereby classified into cities and villages. All such corporations having a population of five thousand or over shall be cities; all others shall be villages. The method of transition from one class to the other shall be regulated by law.

Sec. 2. General laws shall be passed to provide for the incorporation and government of cities and villages; and additional laws may also be passed for the government of municipalities adopting the same; but no such additional law shall become operative in any municipality until it shall have been submitted to the electors thereof, and affirmed by a majority of those voting thereon, under regulations to be established by law.

Sec. 3. Municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.

Sec. 4. Any municipality may acquire, construct, own, lease and operate within or without its corporate limits, any public utility the product or service of which is or is to be supplied to the municipality or its inhabitants, and may contract with others for any such product or service. The acquisition of any such public utility may be by condemnation or otherwise, and a municipality may acquire thereby the use of, or full title to, the property and franchise of any company or person supplying to the municipality or its inhabitants the service or product of any such utility.

Sec. 5. Any municipality proceeding to acquire, construct, own, lease or operate a public utility, or to contract with any person or company therefor, shall

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act by ordinance and no such ordinance shall take effect until after thirty days from its passage. If within said thirty days a petition signed by ten per centum of the electors of the municipality shall be filed with the executive authority thereof demanding a referendum on such ordinance it shall not take effect until submitted to the electors and approved by a majority of those voting thereon. The submission of any such question shall be governed by all the provisions of section 8 of this article as to the submission of the question of choosing a charter commission.

Sec. 6. Any municipality, owning or operating a public utility for the purpose of supplying the service or product thereof to the municipality or its inhabitants, may also sell and deliver to others any transportation service of such utility and the surplus product of any other utility in an amount not exceeding in either case fifty per centum of the total service or product supplied by such utility within the municipality.

Sec. 7. Any municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government.

Sec. 8. The legislative authority of any city or village may by a two-thirds vote of its members, and upon petition of ten per centum of the electors shall forthwith, provide by ordinance for the submission to the electors, of the question, "Shall a commission be chosen to frame a charter[?]." The ordinance providing for the submission of such question shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after its passage; otherwise it shall provide for the submission of the question at a special election to be called and held within the time aforesaid. The ballot containing such question shall bear no party designation, and provision shall be made thereon for the election from the municipality at large of fifteen electors who shall constitute a commission to frame a charter; provided that a majority of the electors voting on such question shall have voted in the affirmative. Any charter so framed shall be submitted to the electors of the municipality at an election to be held at a time fixed by the charter commission and within one year from the date of its election, provision for which shall be made by the legislative authority of the municipality in so far as not prescribed by general law. Not less than thirty days prior to such election the clerk of the municipality shall mail a copy of the proposed charter to each elector whose name appears upon the poll or registration books of the last regular or general election held therein. If such proposed charter is approved by a majority of the electors voting thereon it shall become the charter of such municipality at the time fixed therein.

Sec. 9. Amendments to any charter framed and adopted as herein provided may be submitted to the electors of a municipality by a two-thirds vote of the legislative authority thereof, and, upon petitions signed by ten per centum of the electors of the muni-

cipality setting forth any such proposed amendment, shall be submitted by such legislative authority. The submission of proposed amendments to the electors shall be governed by the requirements of section 8 as to the submission of the question of choosing a charter commission; and copies of proposed amendments shall be mailed to the electors as hereinbefore provided for copies of a proposed charter. If any such amendment is approved by a majority of the electors voting thereon, it shall become a part of the charter of the municipality. A copy of said charter or any amendment thereto shall be certified to the secretary of state, within thirty days after adoption by a referendum vote.

Sec. 10. A municipality appropriating or otherwise acquiring property for public use may in furtherance of such public use appropriate or acquire an excess over that actually to be occupied by the improvement, and may sell such excess with such restrictions as shall be appropriate to preserve the improvement made. Bonds may be issued to supply the funds in whole or in part to pay for the excess property so appropriated or otherwise acquired, but said bonds shall be a lien only against the property so acquired for the improvement and excess, and they shall not be a liability of the municipality nor be included in any limitation of the bonded indebtedness of such municipality prescribed by law.

Sec. 11. Any municipality appropriating private property for a public improvement may provide money therefor in part by assessments upon benefited property not in excess of the special benefits conferred upon such property by the improvements. Said assessments, however, upon all the abutting, adjacent, and other property in the district benefited, shall in no case be levied for more than fifty per centum of the cost of such appropriation.

Sec. 12. Any municipality which acquires, constructs or extends any public utility and desires to raise money for such purposes may issue mortgage bonds therefor beyond the general limit of bonded indebtedness prescribed by law; provided that such mortgage bonds issued beyond the general limit of bonded indebtedness prescribed by law shall not impose any liability upon such municipality but shall be secured only upon the property and revenues of such public utility, including a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate the same, which franchise shall in no case extend for a longer period than twenty years from the date of the sale of such utility and franchise on foreclosure.

Sec. 13. Laws may be passed to limit the power of municipalities to levy taxes and incur debts for local purposes, and may require reports from municipalities as to their financial condition and transactions, in such form as may be provided by law, and may provide for the examination of the vouchers, books and accounts of all municipal authorities, or of public undertakings conducted by such authorities.

Sec. 14. All elections and submissions of questions provided for in this article shall be conducted by the election authorities prescribed by general law. The

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percentage of electors required to sign any petition provided for herein shall be based upon the total vote cast at the last preceding general municipal election.

Schedule.

If the foregoing amendment to the constitution be adopted by the electors and become a part of the constitution, it shall take effect on November 15th, 1912.

SCHEDULE.

(1851)

SEC. 1. All laws of this state, in force on the first day of September one thousand eight hundred and fifty-one, not inconsistent with this constitution, shall continue in force, until amended, or repealed.

SEC. 2. The first election for members of the general assembly, under this constitution, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one.

SEC. 3. The first election for governor, lieutenant governor, auditor, treasurer, and secretary of state and attorney general, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one. The persons, holding said offices on the first day of September, one thousand eight hundred and fifty-one, shall continue therein, until the second Monday of January, one thousand eight hundred and fifty-two.

SEC. 4. The first election for judges of the supreme court, courts of common pleas, and probate courts, and clerks of the courts of common pleas, shall be held on the second Tuesday of October, one thousand eight hundred and fifty-one, and the official term of said judges and clerks, so elected, shall commence on the second Monday of February, one thousand eight hundred and fifty-two. Judges and clerks of the courts of common pleas and supreme court, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office with their present powers and duties, until the second Monday of February, one thousand eight hundred and fifty-two. No suit or proceeding, pending in any of the courts of this state, shall be affected by the adoption of this constitution.

SEC. 5. The register and receiver of the land office, directors of the penitentiary, directors of the benevolent institutions of the state, the state librarian, and all other officers, not otherwise provided for in this constitution, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office, until their terms expire, respectively, unless the general assembly shall otherwise provide.

SEC. 6. The superior and commercial courts of Cincinnati, and the superior court of Cleveland, shall remain, until otherwise provided by law, with their present powers and jurisdiction; and the judges and clerks of said courts, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office, until the expiration of their terms of office, respectively, or, until otherwise provided by law; but neither of said courts shall continue after the second Monday of February, one thousand eight hundred and fifty-three; and

no suits shall be commenced in said two first mentioned courts, after the second Monday of February, one thousand eight hundred and fifty-two, nor in said last mentioned court, after the second Monday in August, one thousand eight hundred and fifty-two; and all business in either of said courts, not disposed of within the time limited for their continuance as aforesaid, shall be transferred to the court of common pleas.

SEC. 7. All county and township officers and justices of the peace, in office on the first day of September, one thousand eight hundred and fifty-one, shall continue in office until their terms expire, respectively.

SEC. 8. Vacancies in office, occurring after the first day of September, one thousand eight hundred and fifty-one, shall be filled, as is now prescribed by law, and until officers are elected or appointed, and qualified, under this constitution.

SEC. 9. This constitution shall take effect, on the first day of September, one thousand eight hundred and fifty-one.

SEC. 10. All officers shall continue in office, until their successors shall be chosen and qualified.

SEC. 11. Suits pending in the supreme court in bank, shall be transferred to the supreme court provided for in this constitution, and be proceeded in according to law.

SEC. 12. The district courts shall, in their respective counties, be the successors of the present supreme court; and all suits, prosecutions, judgments, records, and proceedings, pending and remaining in said supreme court, in the several counties of any district, shall be transferred to the respective district courts of such counties, and be proceeded in, as though no change had been made in said supreme court.

SEC. 13. The said courts of common pleas, shall be the successors of the present courts of common pleas in the several counties, except as to probate jurisdiction; and all suits, prosecutions, proceedings, records and judgments, pending or being in said last mentioned courts, except as aforesaid, shall be transferred to the courts of common pleas created by this constitution, and proceeded in, as though the same had been therein instituted.

SEC. 14. The probate courts provided for in this constitution, as to all matters within the jurisdiction conferred upon said courts, shall be the successors, in the several counties, of the present courts of common pleas; and the records, files, and papers, business and proceedings, appertaining to said jurisdiction, shall be transferred to said courts of probate, and be there proceeded in, according to law.

SEC. 15. Until otherwise provided by law, elections for judges and clerks shall be held, and the poll books returned, as is provided for governor, and the abstract therefrom, certified to the secretary of state, shall be by him opened, in the presence of the governor, who shall declare the result, and issue commissions to the persons elected.

SEC. 16. Where two or more counties are joined in a senatorial, representative, or judicial district, the returns of elections shall be sent to the county, having the largest population.

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SEC. 17. The foregoing constitution shall be submitted to the electors of the state, at an election to be held on the third Tuesday of June, one thousand eight hundred and fifty-one, in the several election districts of this state. The ballots at such election shall be written or printed as follows: Those in favor of the constitution, "New Constitution, Yes;" those against the constitution, "New Constitution, No." The polls at said election shall be opened between the hours of eight and ten o'clock A. M., and closed at six o'clock P. M.; and the said election shall be conducted, and the returns thereof made and certified, to the secretary of state, as provided by law for annual elections of state and county officers. Within twenty days after such election, the secretary of state shall open the returns thereof, in the presence of the governor; and, if it shall appear that a majority of all the votes, cast at such election, are in favor of the constitution, the governor shall issue his proclamation, stating that fact, and said constitution shall be the constitution of the state of Ohio, and not otherwise.

SEC. 18. At the time when the votes of the electors shall be taken for the adoption or rejection of this constitution, the additional section, in the words following, to-wit: "No license to traffic in intoxicating liquors shall hereafter be granted in this state; but the general assembly may, by law, provide against evils resulting therefrom," shall be separately submitted to the electors for adoption or rejection, in form following, to-wit: A separate ballot may be given by every elector and deposited in a separate box. Upon the ballots given for said separate amendment shall be written or printed, or partly written and partly printed, the words: "License to sell intoxicating liquors, Yes;" and upon the ballots given against said amendment, in like manner, the words: "License to sell intoxicating liquors, No." If, at the said election, a majority of all the votes given for and against said amendment, shall contain the words: "License to sell intoxicating liquors, No," then the said amendment shall be a separate section of article fifteen of the constitution.

[See section 9, article XV.]

SEC. 19. The apportionment of the house of representatives, during the first decennial period under this constitution, shall be as follows:

The counties of Adams, Allen, Athens, Auglaize, Carroll, Champaign, Clark, Clinton, Crawford, Darke, Delaware, Erie, Fayette, Gallia, Geauga, Greene, Hancock, Harrison, Hocking, Holmes, Lake, Lawrence, Logan, Madison, Marion, Meigs, Morrow, Perry, Pickaway, Pike, Preble, Sandusky, Scioto, Shelby, and Union, shall, severally, be entitled to one representative, in each session of the decennial period.

The counties of Franklin, Licking, Montgomery, and Stark, shall each be entitled to two representatives, in each session of the decennial period.

The counties of Ashland, Coshocton, Highland, Huron, Lorain, Mahoning, Medina, Miami, Portage, Seneca, Summit, and Warren, shall, severally, be entitled to one

representative, in each session; and one additional representative in the fifth session of the decennial period.

The counties of Ashtabula, Brown, Butler, Clermont, Fairfield, Guernsey, Jefferson, Knox, Monroe, Morgan, Richland, Trumbull, Tuscarawas, and Washington, shall, severally, be entitled to one representative, in each session; and two additional representatives, one in the third, and one in the fourth session of the decennial period.

The counties of Belmont, Columbiana, Ross and Wayne, shall, severally, be entitled to one representative, in each session; and three additional representatives, one in the first, one in the second, and one in the third session of the decennial period.

The county of Muskingum shall be entitled to two representatives, in each session; and one additional representative, in the fifth session, of the decennial period.

The county of Cuyahoga shall be entitled to two representatives, in each session; and two additional representatives, one in the third, and one in the fourth session of the decennial period.

The county of Hamilton shall be entitled to seven representatives, in each session; and four additional representatives, one in the first, one in the second, one in the third, and one in the fourth session, of the decennial period.

The following counties, until they shall have acquired a sufficient population to entitle them to elect, separately, under the fourth section of the eleventh article, shall form districts in manner following, to-wit: The counties of Jackson and Vinton, one district; the counties of Lucas and Fulton, one district; the counties of Wyandot and Hardin, one district; the counties of Mercer and Van Wert, one district; the counties of Paulding, Defiance, and Williams, one district; the counties of Putnam and Henry, one district; and the counties of Wood and Ottawa, one district; each of which districts shall be entitled to one representative, in every session of the decennial period.

Done in convention, at Cincinnati, the tenth day of March, in the year of our Lord, one thousand eight hundred and fifty-one, and of the independence of the United States, the seventy-fifth.

Schedule.

(1912.)

The several amendments passed and submitted by this convention when adopted at the election shall take effect on the first day of January, 1913, except as otherwise specifically provided by the schedule attached to any of said amendments. All laws then

The amendments to the constitution approved September 3, 1912, are printed in bold-faced type. Section amended or superseded are in small type. See note, page 2121.

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in force, not inconsistent therewith shall continue in force until amended or repealed; provided that all cases pending in the courts on the first day of January, 1913, shall be heard and tried in the same manner and by the same procedure as is now authorized

by law. Any provision of the amendments passed and submitted by this convention and adopted by the electors, inconsistent with, or in conflict with, any provision of the present constitution, shall be held to prevail.

A. Rath

Secretary

Columbus, Ohio, June 1, 1912

Herbert S. Biegelow

President

David F. Anderson

Ernest I. Antrim

John L. Baum

Robert A. Beatty

Richard A. Beatty

A. Beyer

Stanley B. Bonville

Wesley B. Brattain

John Brown

Miller F. Brown

M. A. Brown

William W. Campbell

John R. Cassidy

M. T. Cady

Bernard G. Callitt

Geo. H. Colton

Henry F. Cordes

Henry M. Crites

Robert Crosser

David Cunningham

William C. Darro

Joe DeFries

W. M. Daugherty

Edward W. Doty

Charles O Dunlap
 Alexander Dunn
 Dennis Dwyer
 J. Milton Earhart
 Henry E. Eby
 Henry W. Elson

Glenn Fackler
 W. Farnsworth
 Thomas S. Farrell
 G. F. Fess
 Thos. Fitzsimons
 James M. Hicke
 Henry C. Fox
 Gordon Hahn
 Wm. V. Habelkamp
 James H. Haskill

James W. Harbarger
 Wm. E. Harris
 W. W. Harris
 Otton Hartza
 Wm. H. Hales
 Robert Henderson
 Wm. C. Heppman
 Charles W. Holtz
 Samuel A. Hoskins
 Frank E. Hursh
 Edward W. Johnson
 Solon Johnson
 Wm. H. Jones
 J. W. Kehoe
 Henry C. Keller
 Frank H. Kerr
 Wm. B. Kiepatrick
 E. D. King

G. W. Knight	Wm. Miller
John F. Krauer	Ellon E. Moore
Lawrence P. Kunkel	Caleb H. Norrie
Frank P. Lambert	David J. Nye
E. L. Lampton	J. M. Okey
Fred G. Leece	W. C. Partington
Daniel E. Leslie	William D. Peck, of Hamilton County
Robert B. Longenecker	Edward A. Peters
John Lundy	Geo. W. Peters
Fletcher D. Malin	David Purcell
Frank M. Mansueti	D. D. Price
Allen M. Marshall	A. Ross Read
N. Matthews	Horace G. Redington
Wesley Mauer	Wm. H. Riley
R. G. McClelland	Spencer R. Risher
Geo. W. Miller	John D. Roemer
Frank P. Miller	J. C. Solvick
	Stanley Shaffer

Eli D. Shaw

H. K. Beuth

Starbuck Smith

John C. Poruck

Franklin Stalter

M. Hamm

W. R. Stevens

O. Heltewort

Stephen S. Stilwell

William W. Smith

Frank Jaggart

James L. Gallman

J. W. Farnhill

Percy Dellow

Harry D. Thomas

John Uemon

Edwin Wagner

Wilbur R. Walker

Harvey Watson

Benj. F. Weybrecht

John W. Wines

Frank W. Wise

F. W. Wood

Wm. Worthington