

NINETEENTH DAY

MORNING SESSION.

TUESDAY, February 13, 1912.

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

The journal of yesterday was read and approved.

The PRESIDENT: The next order of business is the consideration of the Amended Proposal No. 118—Mr. Lampson.

Mr. LAMPSON: I move that the Convention resolve itself into the committee of the Whole for the purpose of considering Proposal No. 118, relative to raising the bond limit to aid in good roads.

The motion was carried.

The president called the member from Franklin [Mr. KNIGHT] to the chair.

In Committee of the Whole.

The CHAIRMAN: The committee of the Whole will be in order.

Mr. LAMPSON: The committee on Good Roads has unanimously authorized the gentleman from Highland [Mr. BROWN] to offer a substitute to the pending amendment of the gentleman from Putnam [Mr. MATTHEWS], to which the gentleman from Putnam has agreed, and I give way now to the gentleman from Highland [Mr. BROWN].

Mr. BROWN, of Highland: I offer a substitute to the pending amendment:

Strike out the amendment offered by Mr. Matthews February 7th and insert the following: "And such highways shall be determined under general laws which will provide for the equitable apportionment among the counties and for the payment of the cost by the state."

I have only a few words to say in support of that substitute. We have been thinking—those of us who are of the same opinion—and after consultation with many citizens and delegates here, and particularly of my own county, I have been convinced that as this is a state apportionment the state should have control of it and it should be a state matter exclusively, without any sign of cost being put on the counties for the state roads. The citizens of my county and others at least feel that the money which is necessary to build collateral roads to connect with the great state highways that are contemplated by this resolution will be all that many of our counties can afford. Further, the present law providing that counties may have state aid in building roads by paying fifty per cent of the cost thereof has brought about some friction between the county and state authorities, so that they have not worked harmoniously together in all respects. I believe this is expedient and necessary in order to secure the benefits proposed.

Mr. MATTHEWS: I want to say to the Convention that I have no objection whatever to the substitute offered by the gentleman from Highland [Mr. BROWN], which was agreed to by the Good Roads committee this morning.

Mr. LAMPSON: If there is no objection you will withdraw the amendment you offered.

Mr. MATTHEWS: That can be withdrawn and the substitute can be considered as pending in its place. I have no objection to that.

The CHAIRMAN: The gentleman from Putnam desires to withdraw his amendment. Is there objection?

There being none the amendment was withdrawn, and the amendment just offered considered in its place.

Mr. LAMPSON: At this time I do not desire to say anything more, but I desire to give opportunity to the members of the Convention to discuss the whole subject. So far as I am concerned the chair is at liberty to recognize anyone.

Mr. PETTIT: I think it would be very appropriate to have the proposal now read as amended by the amendment just offered.

The proposal was read as follows:

Proposal No. 118—Mr. Lampson. To submit an amendment to article VIII, section 1, of the constitution.—Relative to raising the bond limit to aid in good roads.

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

ARTICLE VIII.

SECTION 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 the general assembly may contract debts and authorize issues of bonds, to an amount which in the aggregate, outstanding and unpaid at any one time, shall not exceed one per cent of the grand tax duplicate of the state, for the purpose of constructing, improving, repairing or rebuilding highways within the state: Provided further, that not to exceed ten million dollars in bonds shall be issued in any one year for this purpose. And such highways shall be

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determined under general laws which shall provide for the equitable apportionment thereof among the counties and for the payment of the cost by the state.

Mr. DWYER: As I said the other day, when this question was up before the body, I am in favor of good roads, and will do anything that is reasonable to promote them; but I do object to the report of the committee incorporating the provision as to good roads with this section under the present constitution. It is put in a shape that may endanger the entire constitution if passed in that clause, because it is incorporated in one of the sections of the constitution, in the body of the document.

I want this proposal to be a separate section of article VIII instead of incorporating it in section 1 of that article. In the shape it now is presented, if adopted, it will be incorporated in the body of the constitution and it may jeopardize the entire constitution. My proposition is to make a separate section, standing alone, and then to submit it separately to the people. In that way if the people want it let them have it. That relieves us of all responsibility. We submit to them a proposition involving an expenditure by the state of over sixty millions of dollars, and it is provided in the report that that is not the end of it, but that it will not exceed one per cent of the tax duplicate at any one time. At present the tax duplicate would create a fund of over \$60,000,000. Suppose in a few years they pay off a part of that? They can keep on adding to the bonded indebtedness as long as they keep within the one per cent of the tax duplicate. Now, where are you going to stop? You may involve the state in a debt of \$200,000,000 before you get through. I intend to move to recommit this back to the committee when this committee rises to have this made a separate section of article VIII instead of incorporating it in section 1. Then we can act on it, and if it is passed I intend as far as I can to have it submitted to the people separately for their action.

The taxpayers of the state ought to have this before them separately, and if they vote for it I am satisfied. I do not want to shirk any responsibility in the matter, but I want it fairly before the people, and I think it is fair that it should be done that way, to have it made a separate section and submit it separately from the body of the constitution so that if it fails it will not jeopardize the constitution, and if it carries it then becomes a part of the constitution. This is an important objection to the report in the form in which it is pending, and I want to have it a separate section of the article and not incorporated as part of section 1.

Mr. STOKES: Mr. Chairman and Members of the Committee: In Montgomery county we have one thousand miles of road. Ninety-nine per cent of these roads or nearly that, are graded to at least seven per cent grade, and with few exceptions they are all graveled. That is about an average mileage of the state in each county, and if the proceeds arising from the sale of these bonds are distributed equitably, as you say they will be, it will probably be done according to amount paid. If you raise it on a basis of a six billion five hundred million dollars duplicate, you will raise \$65,000,000 and

distribute the amount according to mileage or area. Montgomery county, having a \$197,000,000 tax duplicate, would therefore pay \$1,970,000, and in the distribution it would get back only \$744,000. Montgomery county therefore would be contributing to the roads of the other counties of the state fully \$1,226,000. I say to the members of this Convention that that is not an equitable distribution. It ought to be distributed to the counties according to the amount each county pays. You can talk all you please about a state-wide proposition, but if Montgomery county is only given what you say she will receive under this false equitable distribution, she will be able to build only sixty-three miles of brick road, and if the roads are made of macadam she will only be able to make one hundred and sixty-six miles. So in the case of brick there will be nine hundred and thirty-seven miles of unimproved roads, and in the case of macadam there will be eight hundred and thirty-seven miles of unimproved roads in Montgomery county untouched by any part of the proceeds of these bonds. I say that is unjust and unfair. The money ought to go back to the counties paying it in, and it ought to be put on the roads by local authorities, and made a local proposition rather than a state-wide proposition. The distribution of the proceeds from the sale of bonds among the counties according to the tax valuation is predicated upon the proposition that the roads are more used in counties of dense population than they are in other counties of less density. I am in full sympathy with any county where its assessment is low and where its officers are unable to obtain sufficient money to improve its roads, but they have not the use of the roads that we have where the traffic is much heavier and greater, and for that reason and other reasons that are not necessary to mention I think this money ought to be distributed among the counties according to the unit in which it is raised.

Mr. HARRIS, of Ashtabula: Mr. Chairman and Gentlemen of the Convention: I have been waiting with interest for the day of discussion of this matter to ascertain the sentiment that obtains in different parts of Ohio in regard to this new method of making roads in Ohio. I have been exceedingly interested in the remarks that have been made because they have been until now addressed to the central idea involved in this proposition, namely, that the roads of Ohio belong to the people of Ohio. Our friend from Hamilton county [Mr. PECK] at the beginning, or nearly at the beginning, of this discussion set aside all questions of distribution and said that the roads of Ohio in Ashtabula county and in the remotest parts of northeastern counties belonged to him just as much as the roads in Hamilton county, Clermont county, Brown county, Highland county, or any of the other counties in the vicinity of Cincinnati. Now what is the proposition? If the ideas advanced by our friend from Montgomery county are to obtain the whole proposition will at once fall. And it ought to fall. What does this undertake to do? It undertakes to make the great cities, the centers of population and wealth of Ohio, contribute to the building and improving and maintenance of the country roads. Exactly that and nothing more. It does not propose to change the municipal law in the slightest degree whereby the pavements of Cincinnati are to be maintained by assess-

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ments on the foot frontage. It does not propose to change in any way the matter of building the roads in the cities, but it does propose to exact tribute from the centers of wealth to improve the roads of the whole state of Ohio, and I should like again to say that if they don't concede that, then the whole proposition falls to the ground. If you are going to say that Montgomery county shall get an amount equal to what is paid in by Montgomery county, what difference does that make to me?

Now let us see what the conditions have been in Ohio for the years since Ohio was admitted to the Union. For seventy-five years we went on the theory that the road along my farm belonged to me. If it was to be improved I ought to improve it. If it grew worse I could stand it if the public could. In my boyhood I have gone out under this old method of making improvements of highways with a hired man and we worked day after day. We would work until noon and then unyoke the oxen, turn them into the field, eat our lunch and when through with our lunch take the oxen out of the field, yoke them again and go to work. We were a mile and a half from home and I had opportunity to reflect. There can be no doubt that all this road belongs to me. The mere fact that my father owns a little more land than anybody else makes me stay here and work after the other neighbors have gone. Every now and then someone would come along and swear a little at the way we were doing the work. I couldn't blame them. Conditions had become such that profanity was entirely inadequate to cover the case. After a while the impression got abroad that it would be well if we could do all this road improving under law, and laws were made. Under those laws the county of Montgomery has improved its pikes and the county of Allen, and the whole of it is macadamized and I have not heard Mr. Halfhill say that the roads in the other counties didn't belong to Allen too. I have not heard any such expression until this morning when we had the injection of this idea that we were going to turn down the central idea involved in this proposition, namely, that all the roads belonged to everybody.

Well, we got the pike and let us see how it was done. The people along a certain stretch of road would make a petition to the county commissioners, a certain number of them having to sign it, and the commissioners could go over the proposed road and they could prescribe the manner of grading and of making and the burden of the expense was shifted upon the owners of abutting property for a distance of one or two miles, according to the benefits derived. And they have done that. There are many counties in this state that have built roads under those laws. Now, if you were to attempt to do that all over Ohio you would not long have the present occupants. You might build your roads, but other people would own the property along them after the roads are built. One curious thing that strikes me is I have not heard the gentlemen from Cuyahoga or the gentlemen from Hamilton saying anything against this. Cuyahoga has a large number of improved roads, all built at their own expense. They have an immense amount of wealth which is able to contribute to the improvement of the roads of the country.

Mr. DWYER: Will the gentleman permit me to ask him a question?

Mr. HARRIS, of Ashtabula: Certainly.

Mr. DWYER: Have you any objection to submitting this as a separate proposition, disconnected with section 1, of article VIII, and make it an independent proposition and let the people of the state vote on it?

Mr. HARRIS, of Ashtabula: No, sir.

Mr. DWYER: I am satisfied the people of the state want it, but I want it made a state proposition, disconnected with section 1, article VIII.

Mr. LAMPSON: The method of submitting this proposal, as well as the method of submitting further proposals, is yet to be determined by this Convention. My own idea is that this proposal should be submitted separately. Our committee on Method of Amending the Constitution has not yet made its report.

Mr. SMITH, of Hamilton: The gentleman seems to have the wrong idea. The committee on the Method of Amending the Constitution, of which I am chairman, will not have anything to do with that. We are to deal with the manner in which the constitution may be amended hereafter, when it is adopted.

Mr. LAMPSON: Well, anyhow, the method of submitting these amendments has not been determined by this Convention.

Mr. HARRIS, of Ashtabula: To continue, and I want to make it brief, the idea of universal or common ownership has developed. Following the laws to which I have referred, we have had a law of another kind, and we have had a law of still another kind, until we have now got down to the basis of state aid. The law provides that it shall be distributed among the eighty-eight counties of the state, which so far as the result is concerned to my mind is unfortunate, for the amount is entirely inadequate. It is a drop of water in the ocean. It makes a speck here and a speck there, which is an object lesson, and we have one or two of them up in Ashtabula county and they are good to look at and good to travel on. Perhaps they may be an incentive to further effort on the part of the people there in the way of helping themselves, but it comes back to the idea that we are considering now, the matter of road building, which is new, and we are going to make the amount from which we are going to draw large enough to accomplish something. That is, we are, if we are able to do it.

Now, there is one more phase of this question I want to consider and that has been a strange matter to me. One after another my fellow farmers in Ohio have gotten up to insist that this measure was a wrong to them. Just think of it! Opening up the enormous wealth of the state of Ohio for the good of all and bringing to them money which no other methods devised or put in use thus far have rendered at all possible. They have proceeded to say that something else is back of it, which is all wrong. Perhaps the Automobile Association is back of it. Now I never knew and I never heard of a movement that did not begin somewhere and with somebody, and if it took root and grew and lived and progressed it was because it appealed to the people in a country governed as our country is. If there was nothing in it the utmost promo-

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tion and the greatest expenditure of money only made it the more ridiculous. But if it had in it elements which entitled it to live and grow then we took hold of it because we could not help it.

And that to my mind illustrates the growth of the good roads idea in Ohio. It is not confined to Ohio. It extends all over the country. There is a demand that we shall give aid to our highways in a way that we have never done before. The member from Van Wert [Mr. ANTRIM], who spoke early on this subject, insisted that we ought to have the federal government leading in this field. Let us look a little at the probabilities of that kind of thing and how it would work out. If federal aid to building roads comes, where do you think the money will be spent? In the senate of the United States to-day the chairman of the committee on appropriations and the chairman of the committee on judiciary both come from the state of Wyoming. They have almost as many people in the state of Wyoming as there are in the city of Columbus, and they have two of the most important officers in the senate of the United States. There they go according to tenure of service as they do in the other branch of congress.

The state of Texas is six times as large as Ohio and Montana is also much larger than Ohio. They are states that are awfully far apart. It is as far from the east to the west side of Montana as from the western line of Pennsylvania to the Mississippi river. And there is one thing about the work out there, you would not have to stop for rain. Yet they have as many votes in the senate of the United States as Ohio when it comes to the distribution of public funds in the way of public buildings or rivers or harbors or internal improvements. They can vote just as often as the members from Ohio.

Now Rome built her roads with what idea? I think some of those roads are still in existence. But what were they built for? They were built under an imperial edict in such places as to make it possible to get the armies of imperial Rome into the countries subject to Rome in the best and most expeditious manner, and for no other purpose. When St. Paul traveled in Asia Minor he traveled on those improved roads. He stopped at Antioch. Scripture does not say anything about the country along which he traveled. I don't know that there was anything along there. There was a road there, but the whole thought and purpose was not directed to the advancement of the people who resided along those roads.

Now we have a proposition to do a great thing in the interest of peace and for the whole people, and I cannot see why any farmer in the state of Ohio should object to being helped by Cuyahoga and Hamilton and Montgomery and Franklin counties.

Mr. PIERCE: Mr. Chairman and Gentlemen of the Convention: I have no desire to discuss this subject at any great length, but I propose to talk long enough on it to register my opposition to the whole scheme. I am opposed to it from A to Izzard, and I wish to tell the Convention why I am opposed to it. It is proposed to issue bonds to the amount of one per cent of the general tax duplicate of the state of Ohio. As I understand it the tax duplicate will amount to about \$6,200,000,000; consequently we would raise perhaps in the neighbor-

hood of \$60,000,000 for the purpose of constructing and maintaining roads.

Now, it is admitted in this Convention that we have about eighty-nine thousand miles of public roads in Ohio, and if we figure that it costs \$7,500 a mile to build good roads, out of a total mileage of eighty-nine thousand we could construct probably eight thousand miles of public highway, or one mile out of each eleven. That is true, provided we would use every dollar of the money for the purpose of constructing roads, but this proposal, as I understand it, also proposes that this money is appropriated for the purpose of maintaining the roads.

I want to say that down in Butler county we have already constructed five and a half miles of road under state supervision. I do not know what the exact cost of that construction was, but it was somewhere between \$6,000 and \$7,000 per mile. In New York, according to Governor Dix's letter, which I read the other day in some mining journal, good roads cost more than \$12,000 per mile. Consequently the basis of \$7,500 per mile is perhaps the minimum cost of those roads. That is not all. There is to be an annual interest charge of three and a half per cent. Has this Convention stopped to figure what the annual interest amounts to for a period of thirty-five years at three and a half per cent?

I want to say to you that the interest on \$60,000,000 of bonds at three and a half per cent for a period of thirty-five years amounts to the enormous sum of over \$117,000,000. Here are \$117,000,000 interest and \$60,000,000 of principal, which added together make \$177,000,000. If you construct eight thousand miles of road for this amount your roads are costing over \$22,000 a mile, to say nothing about their maintenance. Is this Convention to inflict upon the people of this state such an enormous sum for such a small mileage of roads?

I am not willing to do it. We have already burdened the people of this state too much, and it seems to me to be the whole theory of politicians who expend other people's money to burden the people all the time. It is bonds, bonds, bonds everywhere until you are reducing the people to absolute slavery, and it is time for the Convention to sit down upon any such proposition. I am opposed to the issue of a dollar's worth of bonds for any purpose except in case of absolute necessity, and this is not an absolute necessity.

I am going to briefly state to this Convention why I am opposed to this system. I am opposed to the issuing of bonds at all for the purpose of building roads. This matter should be left not to the state but to each county, and the roads, if they are built, should be built under the supervision of either the county commissioners or the township trustees of the various counties of the state.

Mr. HARRIS, of Ashtabula: I would like to inquire along the line of common school education. Would you like to apply the same rule that each county under all circumstances shall be required to pay the expenses of its common school education?

Mr. PIERCE: No, I would not; but that is a different case altogether. Each county should build and maintain its own roads under the direction of the county commissioners or township trustees. By doing that, if

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the Convention adopts the initiative and referendum, which I hope it will, the question of good roads can be submitted to each county and each county can determine whether it will have good roads, and after it determines that proposition roads can be built either under the supervision of the county commissioners or township trustees.

Mr. BROWN, of Highland: I want to ask if the gentleman from Butler [Mr. PIERCE] has not forgotten that this is not a county movement. This is distinctively a state movement in the interest of the upbuilding and prosperity of the cities and counties of this state and the lateral roads constitute a separate proposition entirely. Those will be handled by the counties in conjunction with the state.

Mr. PIERCE: In answer to the gentleman from Highland [Mr. BROWN], I have not forgotten that this is a state proposition and I object to it as a state proposition. It is not just or equitable to assess all property alike to construct roads because some people are benefited more than others. It improves their land more.

Now, gentleman, I have a farm out in the country and a free turnpike running by it. If you improve that road you necessarily improve my land. I claim that I should pay more towards the improvement of that road than some other man who lives six or eight miles from it. Under your system a man who may live sixteen or twenty miles from the road pays the same proportion of the tax that I pay, but it runs right by my land.

Mr. ANDERSON: If we are selfish in the counties don't you think the cities should be?

Mr. PIERCE: Yes.

Mr. ANDERSON: Then we would never have any good roads.

Mr. PIERCE: This state now has 89,000 miles of roadways. It has already constructed its roads. Those roads are in good, bad and indifferent condition to-day and now in order to maintain those roads it is proposed to issue \$60,000,000 of bonds, which I say is wrong.

Mr. ELSON: Would you excuse an old bachelor who had a million dollars from contributing to the school funds?

Mr. PIERCE: No; but I would not put more on him than I would on some old married men with a like amount.

Mr. ELSON: Do you not think good roads conduce greatly towards facilitating education and towards cheapening the education of our children?

Mr. PIERCE: In answer to that I reply that I have thought that Ohio was so highly educated that it didn't need any more education, but from the progress it has been making in this Convention I have concluded since we got in the Convention that we need education and need it along the line of good roads. It is either necessary to improve more than one mile out of eleven or it is not necessary to improve any. It gives one class the advantage over another class. The roads first constructed under the proposed plan would be the ones in best condition now, the main or inter-county roads.

Now, there is another objection that I have to this scheme. If this Convention authorizes the issuance of \$60,000,000 worth of bonds and that bond issue is approved by the people of the state, which of the roads will be improved first? I think, gentlemen, it will be

the main or inter-county roads that will be improved first and they are already the best roads in the state of Ohio. The idea is to connect the county seats by these good roads and the people who live off on lateral roads can stay there in the mud as long as they want to. I say under this system you will go to work at the wrong end of this proposition. In other words, you will construct the good roads and leave the bad roads unconstructed. I say that is wrong. It is a violation of the principle of home rule. The money should be expended by those over whom the people have control.

As I said a while ago, we have constructed five and a half miles of road in Butler county under the supervision of the state of Ohio, and I want to say to you that those roads were not fully constructed until they had to go to work and repair them. The original work was done in such an unsatisfactory and defective manner that it was necessary to put repairs on them before they were completed. I don't say that any of these roads will be constructed in that manner, but the chances are they would not be constructed any better. I don't see why they would be and I am opposed to the whole system. I want the people of Butler county to construct their own roads and I want to hold the people responsible for constructing them. If they are constructed by state aid the people of Butler county have practically nothing to say.

It is little less than criminal to issue bonds for thirty-five years. It is wrong in principle, vicious in practice, and if persisted in will in time break down credit.

It will be argued that future generations will get the benefit of those roads. I say it is not true. No future generation will get the benefit of any of the roads you may construct. Why? Because the roads will wear out long before the bonds mature.

Mr. BROWN, of Highland: Is it not comprehended in all the terms of this movement that these roads shall be constructed and maintained under these provisions, and is it not true that the properly constructed road maintained in a proper manner is indefinite in its life and durability?

Mr. PIERCE: All roads wear out, if you are asking that. But I want to know where you are going to get the money to construct and maintain those roads? The fact is, as the gentleman knows, that within the period of thirty-five years the roads will wear out two or three times and they will have to be replaced.

Mr. BROWN, of Highland: You do not comprehend that a road is indefinite in its life if properly constructed and maintained. Now, is it not comprehended in all this movement that these roads shall be maintained in a proper way after having been built in a proper manner?

Mr. PIERCE: We have eighty-nine thousand miles of road and their life is indefinite, and that is what I am kicking about.

Mr. STEWART: Would you be in favor of building walls around the counties?

Mr. PIERCE: No, sir; I leave that to the gentleman on the other side. I don't want any wall built except a wall around spending other people's money for things that it should not be spent for.

Mr. BROWN, of Highland: What is it that maintains every city except the contiguous territory?

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Mr. PIERCE: Labor maintains everything.

Mr. BROWN, of Highland: Where is wealth to come from in years to come if it is not from the fertility of the soil made possible by good roads?

Mr. PIERCE: Everything comes from the fertility of the soil and is produced by the labor of the people. The fact is the gentleman knows that the road material is inexhaustible, and will be here for millions of years to come.

Mr. ELSON: Do you not think it takes a good deal more labor to get the produce of a farmer to market over a mud road than over a good road?

Mr. PIERCE: Certainly; but is that any argument why the people should bond themselves for sixty years so that the people who are to come after us will have to labor under the burden?

Mr. BROWN, of Highland: Have you any better way of getting good roads than to bond the state?

Mr. PIERCE: Yes.

Mr. STAMM: Does the gentleman include the power of his draft horse as labor?

Mr. PIERCE: Sure. Now the gentleman from Highland [Mr. BROWN] asked me if I had a better plan, and I say "Yes; I have an infinitely better plan." I believe this \$117,000,000 should not be paid to the bondholders, it should not be paid to the men who have plenty of money, but should go direct on the roads. I do not want the people of this state to get eight thousand miles of road and have to pay over \$22,000 for each mile. I want the money to go directly on the road, and how can they get it? They can get it under the initiative and referendum and let each county vote on the proposition and if they vote for good roads, construct them themselves and they will save all the interest on bonds.

Mr. WALKER: If I understood you aright your statement was there would be \$117,000,000 of interest on these bonds?

Mr. PIERCE: Yes.

Mr. WALKER: I have been doing a little figuring on the interest and I can not make it that way. I can not make it anything like as much as the gentleman does and I would like to have him show me how he figures to get that amount of interest. I figure it about \$18,715,000.

Mr. PIERCE: I will reply to the gentleman from Holmes [Mr. WALKER] that I never was very good at figuring and it is possible I may have made a miscalculation; but if I have made any it has been an unintentional error. I want to say if you take \$60,000,000, at three and a half per cent interest, the interest amounts to more than \$2,000,000 a year. Is not that true?

Mr. WALKER: The proposed bond issue will be \$50,000,000.

Mr. PIERCE: No; the amount is one per cent of the general tax duplicate. I know the gentlemen are constantly figuring this at \$50,000,000, but there isn't one of you here who thinks it will be left at that figure. It will go to one per cent of the tax duplicate. That is what I think and that is what everybody else thinks and what everybody else knows.

Mr. LAMPSON: If you will take these tables you will see that it figures at a good deal less than that on an average.

Mr. PIERCE: It makes no difference what the tables show. I know if you issue sixty million dollars of bonds and they bear three and a half per cent interest, the interest amounts to more than two million dollars a year.

Mr. PECK: But suppose you are redeeming some annually?

Mr. PIERCE: And I know if they run thirty-five years, thirty-five times \$2,000,000 will amount to \$70,000,000. That is true according to Ray's Arithmetic and every arithmetic that I ever heard of. If I have not made an error the interest certainly will be over \$73,000,000. You can see what it will make. It is a mere matter of computation, and I think I am correct.

Mr. STAMM: Have you ever made any calculation on the subject of how much benefit the road would be?

Mr. PIERCE: No; and you haven't and nobody else can.

Mr. STAMM: It is calculated that it costs the United States a thousand million dollars a year for poor roads.

Mr. PIERCE: I know one thing, Mr. Chairman and gentleman of the Convention, and that is that it is impossible for anybody to figure out what it costs by reason of not having good roads.

I want to say in this connection that I am as much in favor of good roads as any man in this Convention, but I am not in favor of their method in getting them. I am a farmer and I own land and a good road runs right through my land, and if a majority of the people in my township and county want to improve that road and they say my assessment is \$100 or \$200 or \$300, I am ready to go down into my pocket and pay it, but I am not willing to stand here or anywhere else and advocate paying interest on that money for thirty-five years or fifty years or seventy-five years to come. I say the principle is wrong, and every man who has the right conception of his duty to posterity ought to recognize it.

Mr. ANDERSON: Have you devised or figured out any plan by which the individual would be able to get the same advantages in interest rates in making improvements of this sort that the large counties would?

Mr. PIERCE: Sure; the plan is to tax them and build the roads, and not borrow the money to do it. Let the property itself pay the cost of building the roads. Here is another thing I want to say. I live in town and I own property in town and when it is proposed to build or improve a street what do they do? They figure up the total amount of it, they figure up the number of feet, and they make me pay for all but the street crossings?

Mr. LAMPSON: Don't you think that is unjust, inasmuch as everybody uses those streets?

Mr. PIERCE: I do not.

Mr. ELSON: The future will have the advantage of the good roads. Don't you think the future ought to help pay for them?

Mr. PIERCE: I do not. I tell you there is no future in this matter. It depends altogether upon circumstances whether there is any future. As I said before, these roads will be worn out at least two or three times before these bonds mature. That is the reason there is no future to it. I want to say that in cities when a

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street is made the entire amount is assessed against the abutting property owners except for the street crossings. Now, I want to know on what principle of equity you propose to tax the entire people of the state of Ohio as if they received equal benefits from that tax when the improvement is made along some man's farm who gets ten or twenty times the benefit that someone else gets who lives fifteen or twenty miles from it? Where is that equitable or just?

Mr. HARRIS, of Ashtabula: The gentleman is away off from the real idea in the matter. This rests upon the idea that a great many are willing to have an unequal distribution for the benefit of those needing it most.

Mr. PIERCE: If the gentleman wants the floor I will yield to him. If any of these gentlemen have any questions that they want to propound I am perfectly willing to answer them, but I don't propose to yield to interruptions for questions and have them eternally getting up and injecting arguments.

The CHAIRMAN: The chair will endeavor to confine the gentlemen to questions and not allow arguments.

Mr. PIERCE: Now a lot of these gentlemen think because I am attacking bonds I am opposed to good roads. They are mistaken entirely. I am in favor of good roads, but not in favor of their methods. In other words, I am a good deal like a fellow said about bedbugs. He said he was not opposed to bedbugs, but he did object to the manner in which they get their living. I am not opposed to good roads, but I am opposed to the manner in which you are attempting to get them. If my estimate is too low on the cost of roads per mile, and I think it is, because over in New York it costs more than \$12,000 per mile, you will find instead of getting eight thousand miles of roads you will get perhaps five thousand, and if you put anything on those roads to maintain them—which you will have to do, from the time they are completed for about thirty-five years—you will probably not get more than three thousand miles of roads for your \$60,000,000.

The reason I am opposed to bonds, I am opposed to paying interest. I don't believe it is a good thing for a man in his private business to pay interest, and I do not think it is right for the public. As I have said, we are issuing bonds on every occasion. Nothing can come up but that some fellow gets up and says "Let's issue bonds." You think somebody else will pay the debt and you go on and issue bonds. It is bonds, bonds, bonds, until, in the language of ex-Governor Herrick, of this state, you propose to break down credits and it finally means that the bonds will not be paid or you will enslave the people. You can take your choice, but I am against both.

Mr. LAMPSON: What is the outstanding bonded indebtedness of the state of Ohio?

Mr. PIERCE: Very small. But what is the bonded indebtedness of the counties and municipalities?

Mr. LAMPSON: I don't know. We are talking about the state of Ohio issuing bonds, not a county or municipality.

Mr. PIERCE: And I am talking about the people of the whole state. Why, every man, woman and child in the city in which I live is bonded to the extent of \$55,

and less than two years ago it was proposed to issue \$400,000 for the purpose of building parks and playgrounds, but the people of my city had the good sense to vote down that proposition by three and a half to one. And if you put this proposition in the proposed constitution of the state, the people of the state will vote it down by more than three and a half to one, and you mark my word.

Mr. ANTRIM: By way of introduction to the remarks that I expect to make, I want to correct a very serious blunder made by the gentleman from Butler [Mr. PIERCE].

I hate to see a serious mistake in arithmetic made and it go uncorrected. He said the interest would amount to \$70,000,000 or \$80,000,000. He figured that the \$60,000,000 will be issued and let the whole run for the first five years, and of course if you do that the interest will amount to \$70,000,000 or \$80,000,000. But as the gentleman from Holmes [Mr. WALKER] figured, these bonds will be issued gradually, and the amount of interest will not amount to more than \$18,000,000.

Mr. HURSH: Do you think there is any probability that as soon as \$10,000,000 of these are paid there won't be another \$10,000,000 issued right away?

Mr. ANTRIM: I can not answer that question.

Mr. HARRIS, of Hamilton: The proposition in question reads as follows, commencing at line thirty-two: "Provided, however, that the general assembly may contract debts and authorize the issue of bonds, but the amount in the aggregate outstanding and unpaid at any one time shall not exceed one percent of the grand tax duplicate of the state." Is there a shadow of doubt in the mind of the gentleman from Van Wert [Mr. ANTRIM], or in the mind of any other person in the Convention at all familiar with financial transactions, that that gives the distinct right to keep outstanding and unpaid at all times one per cent of the grand tax duplicate? With all due respect to the others who differ with me, the gentleman from Butler [Mr. PIERCE] is not incorrect, and will the gentleman from Van Wert [Mr. ANTRIM] indicate by some arithmetic how far and wherein the gentleman from Butler [Mr. PIERCE] is mistaken?

The CHAIRMAN: The gentleman is out of order. His remarks are more in the nature of a statement than of a question.

Mr. ANTRIM: I didn't know that I was going to get into such trouble when I got up. I simply rose to say that if we continually pay off these bonds we won't have to be paying interest on the whole amount.

Now the point to which I wish to address myself briefly is this. The gentleman from Highland [Mr. BROWN] raised the question of maintenance, and that is a matter in which I am vitally interested. Coming down here yesterday on the train I was in conversation with two or three members of the Good Roads committee. I said to them, "As far as I understand your proposal you do not provide for maintaining these roads? They said, "Of course we do. If we have not that is certainly what we intended." Now let us take the words used in line sixteen of Proposal No. 118 and you will find these words, "constructing, improving, repairing and rebuilding." Now if anybody can get out of those four words the idea of maintenance in the

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strict sense of the word, I will give up. I know there are many definitions of "words." One authority says a word is the sign of an idea. Another authority, finding that sometimes words do not express just exactly what they ought to express, defines words as something that should be signs of ideas and then Talleyrand says that words are used to conceal ideas.

Mr. FACKLER: How else will a road be maintained except by being repaired when it gets out of order?

Mr. ANTRIM: Take for example that there is nothing but a mud road, we spend \$5,000,000 or \$6,000,000 or \$7,000,000 "building" the road. Suppose the road is somewhat run down and we go to work and spend \$1,000 a mile or \$3,000 a mile, we greatly "improve" that road. Now suppose the road has a lot of chuck holes, we "repair" that road. Suppose the road is so badly run down, as some roads are, that they are not worth one-half of what they were when first constructed, you rebuild that road, but where is there anything about maintaining? I have my idea about maintaining from the standards they have in Europe. In the first place they build a road and then begin to take care of it immediately. The day after the road is built there are men assigned to that road and they keep after that road continually, so that the road does not have a chance to get in a condition that rebuilding or repairing or improving is necessary. As I said the other day, in France there are twenty-three thousand miles of roads that cost for maintenance \$6,000,000. If we pike the inter-county roads of the state of Ohio and put them in as fine shape as the roads of France we shall have roads that will cost us to maintain them probably—and I am opposed to anything that does not involve maintenance—we shall have roads that will cost us at least \$2,000,000 to maintain. So that I wish at the present time, if it is in order, to offer an amendment to this proposal, the insertion of the word "maintaining" right after the word "repairing." If it is found when this matter comes before the committee on Phraseology that we have one more word than we ought to have, they can strike it out, but let us above everything keep before us the idea of maintenance.

The CHAIRMAN: The amendment of the gentleman from Van Wert will be reported.

The SECRETARY (reading): Move to amend Proposal No. 118 as follows: In line sixteen insert after the word "repairing" the word "maintaining."

Mr. DOTY: Up to ten or fifteen years ago the roads in the country were primarily local institutions. That is to say, their usefulness was confined entirely to the people in the vicinity of the road itself. The necessity for the road was local. Its usefulness was local, and it was maintained from local taxation, as it ought to have been. The state of Ohio, like other states, has been growing in its desire to use the roads of the state. The roads have long since ceased to be local institutions, and if they were local institutions, as they used to be, the argument of the gentleman from Butler and others along the same line of county unit in the care of roads would be very opposite. But we have grown out of that sort of view of our roads. The people who live in Columbus use the roads in Butler county. The people who live in Cleveland use the roads in Harrison county.

And so we find that the people in various parts of the state use the roads in many other parts of the state. The roads across the northern end of this state are used by the people of Ashtabula and Lake and Cuyahoga, and so on clear across to the Indiana line. And the roads are used too by people who don't live in the state of Ohio at all. The roads in that part of the state are no more local than Euclid avenue in Cleveland is local to my part of that city. Therefore, it appears to me that we have to deal with this question upon a very different basis than formerly obtained in the state.

When we come to build sewers in a city we are up against the same proposition that this road proposition has developed into so far as the state is concerned. When we come to build sewers in a city the first piece of engineering laid out is a trunk-line sewer. There happens to be one in the street in front of my house. Now it is not fair for me to have to pay the whole expense of building that trunk-line sewer. Therefore the law provides that I shall be assessed to a certain amount, that is, enough to pay for an ordinary sewer in that street, and the difference between that and the total cost of the trunk-line sewer is taxed upon the community; and it should be, because sewers are not local to the particular piece of property they go by. The usefulness of the sewers depends entirely upon its connection with other sewers clear out to the outlet. Now our roads are comparable to that. A road simply in front of the farm of the gentleman from Butler [Mr. PIERCE] would be of no earthly use to him if it were not connected with other roads, leading to some center of population in either direction. Therefore he could spend \$10,000 and put the very finest kind of pavement on a road in front of his farm, but if the road stopped there his money would be wasted, because until it is connected up with some way of getting to some other part of the county it is of no use, and therefore should not be built.

Now, just where does this use of the road stop? So far as the member from Butler [Mr. PIERCE] is concerned, taking him as an illustration, it does not stop at the next farm or at the next cross roads. The usefulness of the road in front of his farm only attaches when he can use it for a stretch of miles. And if perchance he happens to be within three miles of the county line he will find, when he gets into his buggy or automobile or whatever vehicle he uses and goes to that county line, that he does not stop and get out and lift the machine or buggy or what-not over that line. He just goes on. In fact, counties, which some of us seem to think are holy, are after all only instruments of convenience. They are units for the purpose of administration of our common affairs, and whenever our common affairs are confined to things which affect the community only, we keep them within county lines. But you will notice that in hundreds and hundreds of things that affect the people regardless of county lines the counties are obliterated. The county is not an institution for building roads and maintaining schools.

I think the comparison of the gentleman from Ashtabula [Mr. HARRIS] was strictly in point. Schools are comparable to this situation. The education of our people is not local. The people of Cincinnati are concerned about the education of the people of Ashtabula, the peo-

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ple in Cuyahoga county are concerned about the education of the people in Holmes county, and so it applies across the state in every direction. We are all of us interested in the upbuilding of the whole state of Ohio in every department of human endeavor that affects the whole state. Education is one of those things. It has always been. Good roads have recently come to be that sort of thing. It was not so a generation ago or even fifteen years ago, but inventions have come into existence now that did not exist formerly. We have had evolution. From horseback we went to the bicycle and on to the automobile and that has changed the whole relation of the people of the state of Ohio to the necessity and usefulness of the roads, and we have to face that changed condition. We can talk all we choose about counties and county lines, but when you come down to the final analysis of this subject it must be that this is not a local question and is not a question that can be properly dealt with from a local standpoint. If we were to run our educational department on county lines, what would be the result? Why the county of Cuyahoga and the county of Hamilton, the two richest counties in the state, would have no difficulty whatever in raising all the money they need to educate their people to the very highest efficiency they desired, but what would happen to some of the smaller counties that have not such wealth? They would not have the necessary money, and are we going to allow them to grow up in ignorance? No; we say it is our duty, to a certain extent at least, to be concerned with the welfare of all our people, and we are concerned from an educational standpoint in taking care of the people in other counties who are not so fortunately situated as the larger counties. Therefore we contribute, over and above what it costs us to educate our people, a certain number of dollars in real money—not stage money, not fictitious money, but real money—for the education of the youth in other counties; and I say that is exactly what ought to be done.

A good deal has been said about what the counties are doing or have done, and a great many arguments have been made on a great many points. I shall not be able to refer to all of them, but I want to call attention to the remarks of the gentleman from Butler [Mr. PIERCE]. He says the building of a road increases the value of the property of the man who happens to be on the road. Of course; that is true. But he wants to know where there has been any benefit shown in dollars and cents in the building of good roads. I only have to call his attention to the fact that the farm lands of Cuyahoga are more valuable than farm land in any county in the state of Ohio.

Mr. DEFREES: Not on account of good roads.

Mr. DOTY: It is entirely on account of good roads.

Mr. DEFREES: Is it not on account of the population of Cleveland?

Mr. DOTY: The population of Cleveland would not be there were it not for our good roads. Suppose a man has the finest farm in the world ten miles from Cleveland and he has to come through a mud road and cannot get to Cleveland, what good would his farm do him? Do you know that millions of apples and pears and peaches rotted under the trees of Northern Ohio because of lack of transportation? Don't you know that enough of these fruits rotted there to feed every

man, woman and child in the city of Cleveland on fruit? And it was the same in many other counties in the state. This can be verified by many of the members here.

Mr. MARSHALL: The same thing existed in our county, but—

The CHAIRMAN: Does the gentleman desire to ask a question?

Mr. MARSHALL: The same thing existed in our county, but it was not because of roads. You couldn't employ men to pick them and take them to market.

Mr. DOTY: Fine. You couldn't hire men to work on that road, it was so bad. You couldn't get people to go out from Cleveland on those mud roads to work.

Mr. MARSHALL: We didn't have mudholes in August.

Mr. DOTY: No, they were dust-holes.

Mr. PIERCE: Does the gentleman tell the Convention that the cause of apples and peaches going to waste was because they didn't have good roads?

Mr. DOTY: There is no question about it.

Mr. PIERCE: Then answer this: How does it come that they went to waste in Butler county?

Mr. DOTY: Because they are so far from Cincinnati that they can't get them to that city, and you have not enough people in Butler county to eat them up.

Mr. PIERCE: I don't think the gentleman has stated the real reason. There are other reasons.

Mr. DOTY: Lots of them.

Mr. PARTINGTON: Will you tell us in what way Cuyahoga county has contributed to schools in Shelby county?

Mr. DOTY: We may not have contributed to Shelby county. Some counties in Ohio pay more for school taxes than they draw out. Shelby may be one of them. What the balance is in favor or against Shelby I cannot tell you, but the gentleman probably knows.

Mr. PARTINGTON: Are you certain that Cuyahoga county does not receive more than it pays in?

Mr. DOTY: It used to, but it does not any longer. Twelve or twenty years ago they were educating us, but we have gotten over that and we are now to the point where we are educating other people. It may be that we are not helping to educate Shelby, but we are helping to educate some other counties.

Mr. EARNHART: So far as that fruit that went to waste in Cuyahoga county—

Mr. DOTY: We don't raise fruit there. We don't have any fruit except onions. We raise those.

Mr. EARNHART: Have you railroads in Cuyahoga county, and does not all produce come in on railroads?

Mr. DOTY: No, sir; the railroad is not for the short haul. I will give you my speech on railroads. The railroads are for long hauls. The electric lines are for short hauls and the wagon road is to bring them up to the railway lines. That is the way it works out where you have good roads, but without good roads the whole scheme will fail.

Mr. EARNHART: Is it not a fact that outside of the dairy and gardening interests practically all of the produce goes on the railroads?

Mr. DOTY: Does not the gentleman know that the dairy and gardening interests are something tremendous near a large city? Did you happen to know that you can make more money raising cucumbers around a big

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city than anything else? If you don't know that I will tell you. Don't you know that you can make more raising onions than anything else but wheat?

Now we have more good roads in the county of Cuyahoga than any of your counties, and we have paid for them ourselves. It has raised the value of our farm land, because it raises the opportunity of getting from the farm to the city. What good is the produce that you raise on your farm if you can't get it to market? You farmers are all meeting in your farmer associations—I don't know whether in any caucuses or not; I believe the word "caucuses" is tabooed—you meet and rail against the exorbitant rates the railroad charges you for transporting your stuff to market, and the reason you complain is because it is a tax on your farm and your energy and you think it is too large. Don't you know that a poor road from your place to a large center of population is a bigger tax on you than you would have if you had to pay the railroad twice what you do now? Yes, it is. You can say "rats" all you like. It costs money to maintain good roads, but it costs a great deal more to have bad ones and every one of you know it.

Now, I have a very extensive speech on good roads and I have not got time to get through with it, yet—

Mr. WATSON: Will the gentleman answer me a question?

Mr. LAMPSON: I move that the committee arise and report to the Convention that it has come to no resolution on Proposal No. 118.

Mr. PECK: I would like to say just a few words.

Mr. CHAIRMAN: Does the gentleman from Cuyahoga yield for any other purpose except a motion that the committee rise?

Mr. DOTY: I want to have the floor when we again go into committee of the Whole.

Mr. PECK: I want five minutes because the Judiciary committee is compelled to have a meeting this afternoon whether or not, and I perhaps won't have a chance to say what I want to say at that time and I want to say it now.

Mr. DOTY: I will yield to Judge Peck.

Mr. PECK: Since I last spoke on this subject, when I expressed my general opinions, I have not changed them at all notwithstanding all the discussion I have heard. I have always been of the opinion that when local selfishness comes into any matter there will be trouble and you see it has commenced already. Now we won't build any good roads in Ohio unless there is a general concurrence. There must be. Talk about home rule! Do you mean your township or school business or your own family, or do you mean your county or the state of Ohio? In one sense the state of Ohio is our home and we have home rule there. Some may make it your school district or your city, and there have home rule. It is all the way you look at it as to what is your home. The state of Ohio is our great home. It has many mansions in it and if we are going to consider that each mansion must be improved precisely as every other one we'll never make any progress.

You cannot build any great improvement like this to affect everybody alike any more than you can levy a general tax which will affect everybody alike. You are all men of experience and pay taxes, and everybody

within the sound of my voice knows that it is impossible to make a levy of taxes absolutely equal, just and equitable in every respect. There will always be some people who pay more than they ought to pay, and there will always be some people who pay less than they ought to pay, and the general attempt to do it right and fairly is all that you can expect of officials. So it is in making any great public improvement. Say you lay a street in a city. It benefits A, B and C and increases the value of their property. It damages D, E and F, and so it goes. But it is for the general benefit, and whatever is for the general benefit must prevail.

Now we want to take up a great improvement for the state of Ohio and it must be done in my judgment, by a central agent—by the state. I would not have the county commissioners or any other local body have anything to do with it. These roads ought to be built by a central agency and the money ought to be expended by a central agency, and the county commissioners will not have anything to do with it, if I have anything to say about it. Each county would have its benefits from the roads within its border.

The complaint from the gentleman from Montgomery [Mr. STOKES] and some of the gentlemen from the other large counties that they would pay more than they would get back is probably correct. But it cannot be avoided if we are to have any system of state roads at all. Some of the poorer counties are just as big in area as the richer ones. Some of them are larger. But they require just as much road to go through them as the richest and most populous county in the state requires. Therefore, if one county that cannot afford to pay for those roads gets one hundred miles and another richer county that is more able to pay for them only gets one hundred that is all right. It is all that we can expect and everybody must contribute taxes according to their means.

Since I last spoke I have received nothing but favorable talk for this movement. I have been to Cincinnati and addressed a club before which I was invited to speak down there about the work of this Convention, and when I came to the subject of good roads and told them what we were doing here it aroused positive enthusiasm and they rose right up and howled in favor of the proposition. I have met bankers and business men and lawyers and merchants, and everybody's opinion is that the state of Ohio should have good roads. Let us have them. That is the feeling in Cincinnati and I think it is the same elsewhere.

Now, I received a communication from the business men's club in Cincinnati. Some of you have been there and know something about that club, and to those of you who have not I will say that it is our largest social organization. It has fifteen hundred members and its membership comprises the most active and energetic business men we have in the city of Cincinnati. This club has done more in the way of civic progress than any other organization we have. It is the most progressive body in the city. It is truly progressive. Many a measure for the benefit of that city has originated right in that club and they are still at it. They wrote me and they took the trouble to send this letter by special delivery. I will read it:

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We understand that a final vote will be taken Tuesday, February 13, on state aid for public roads.

We are strongly in favor of this movement and hope we can depend on not only your vote but also your influence in favor of this amendment.

I have received another communication from the secretary of the same club along the same line, but here is a rather unexpected communication. Perhaps some of you have received it as well as I. It is a little peculiar. This is from the County Commissioners' Association of Ohio. I didn't know that there was an association and it is rather peculiar that we should receive a communication from that source.

The county commissioners have had jurisdiction of the making of roads in this state for more than one hundred years, and they more than any other body are responsible for the present condition of affairs, and the sort of roads we have, good, bad and indifferent, is largely attributable to them. Ever since Arthur St. Clair, the governor of the Northwest Territory, organized Hamilton county in 1792 we have had county commissioners, and they have always had jurisdiction of the roads. They have made what roads we have, and they have failed to make or keep those roads in the proper shape in a great many instances, but often they have not had the money to properly take care of the roads and were not allowed to raise it. Often they did everything that any set of men could do under the circumstances and very often they did not.

Mr. DWYER: I would say for the benefit of Judge Peck that the county commissioners do not control the keeping up of roads generally. That is in the hands of the township trustees. The roads have been taken out of the hands of the county commissioners and put in the hands of the township trustees.

Mr. PECK: I have not followed legislation in regard to that matter, but I know the county commissioners have been a good deal short, and I have always understood that they had the jurisdiction of the county roads and that the township trustees had charge of the township roads. There are the two classes of roads. The result, however, whoever has charge of it, is that we must be satisfied that we can not build any great general system on any such basis. We must cling to the central idea. If I had my way this money would be expended by a central body at the capital of the state and these roads would be built by that body and nobody else would have any hand in it. As I say the counties would get the benefit coming to them by the building of the roads—

Mr. FLUKE: May I interrupt the gentleman?

Mr. PECK: Certainly.

Mr. FLUKE: You say the roads should be built by a central body?

Mr. PECK: Yes.

Mr. FLUKE: Are you prepared to say that the roads to be built shall be designated by that body?

Mr. PECK: Certainly I am. They are to be built on some great central system. You can't allow one county to say we want a road here and another county to say we want it there. If you do there will be no

harmony or unity. We want a comprehensive plan, extending all over the state. This is a state enterprise, not a county enterprise, and the county should have nothing to do with it. The people of the counties, like the people of the cities, like the people of all other parts of the state, will help to pay the taxes, but the counties as units should have nothing to say about it.

I was going to read you what the County Commissioners' Association say:

Hon. Hiram D. Peck,
Constitutional Convention,
Columbus, Ohio.

Dear Sir:—At the last annual meeting of the County Commissioners' Association of Ohio, held January 10 and 11 of this year, the following resolution was unanimously passed:

Resolved, We favor both state and national aid for the construction and maintenance of public roads—state aid in Ohio by a provision in the constitution to permit the issuing of state bonds not to exceed one per cent of the grand duplicate of the state, and national aid, by appropriation to be made by the congress of the United States in aid to the states.

Respectfully submitted,

RICHARD SINCLAIR,
Secretary.

Now I think that shows the proper spirit on the part of the county commissioners of the state, and it shows that it is an association that represents every county in the state. There is a long list of officers at the head of the letter, where each county seems to be represented, and they ignore the idea of what public opinion of different counties is.

I have not been able to discover any public opinion opposed to this proposition, and I think it would be little short of a calamity if this Convention should adjourn without passing a good measure for the construction of roads. I cannot enter into the details of it; I have neither the time nor the information necessary to go into the details of it, but I do insist that the power shall be given to the general assembly to levy the necessary taxes to construct and maintain a state-wide system of good highways in Ohio.

Mr. LAMPSON: I now renew my motion that the committee rise and report to the Convention that we have come to no resolution on Proposal No. 118.

The motion was seconded and carried and Vice President Fess took the chair.

In Convention.

Mr. KNIGHT: Mr. President: The committee of the Whole, having had under consideration Proposal No. 118—Mr. Lampson, has decided to rise and has instructed its chairman to report it back to the Convention and say we have had it under consideration, but have come to no resolution thereon.

Mr. DOTY: I move that the report be received.

Mr. LAMPSON: I think it is sufficient just as the report is made. It is received; there is nothing else to be done.

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Mr. WATSON: I move that we adjourn until 1:30 o'clock.

Mr. DOTY: I move to amend by making it until two o'clock. There is no use of working us to death.

Mr. WATSON: I am willing to have it two o'clock.

Mr. BROWN, of Lucas: I desire unanimous consent to introduce a short resolution.

The consent was not given.

Mr. PECK: It is very important that the committee on Judiciary have a meeting this afternoon and I would ask that the members of that committee be excused from attending the session of the Convention this afternoon.

Mr. WINN: I don't want to be absent from the Convention this afternoon and I am a member of the Judiciary committee.

Mr. SMITH, of Hamilton: I would like to be at both places. I would be glad if the chairman of the Judiciary committee would call off the meeting.

The meeting of the Judiciary committee was canceled and the members so notified.

Mr. DWYER: Can I make a motion? It is pertinent to what is going on.

Mr. DOTY: Well, now, just "where are we?"

The VICE PRESIDENT: There is a motion to recess until two o'clock. The gentleman from Montgomery wants to make some motion.

Mr. DWYER: I want to offer an amendment to have the good roads matter submitted to the committee—

Mr. DOTY: I object to that.

Mr. BROWN, of Highland: The resolution of the gentleman from Lucas [Mr. BROWN] was objected to and I think, after having looked it over, that it is very apropos at this particular moment, and I ask that the gentlemen hear it without objection.

Mr. DOTY: I object. I withdrew the motion to recess for the purpose of allowing Judge Peck to make his speech, which he could not make this afternoon, but now I insist on the motion to recess.

The motion was carried.

AFTERNOON SESSION.

The Convention was called to order pursuant to recess, Vice President Fess in the chair.

Mr. BROWN, of Lucas: I desire unanimous consent to introduce a resolution which is particularly timely just now.

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

Resolution No. 71:

WHEREAS, Theodore Roosevelt, in response to the invitation of this Convention, has designated Wednesday, the 21st inst., at about 11:30 a. m., as a convenient time to address this body;

Be it resolved, That the president appoint a committee of five members to make appropriate arrangements for the reception of Colonel Roosevelt and to escort him to the chair;

Be it further resolved, That the following special rules shall govern admission to the Conven-

tion hall during the whole of the forenoon session on the 21st inst:

1. Admission upon the floor of the Convention shall be in accordance with the rules provided for regular sessions except that all state officers and chief clerks in state departments shall be admitted.

2. Admission to the galleries shall be by card only. The number of cards issued shall not exceed the number of seats provided. Admission cards shall be divided equally among the members of the Convention, save that three of such cards shall be issued to the president, secretary and sergeant-at-arms each, and that one of such cards shall be issued to each newspaper correspondent regularly accredited to this Convention.

Mr. BROWN, of Lucas: I move that the rules be suspended and the resolution be now placed upon its passage.

The rules were suspended and the resolution was adopted.

Mr. LAMPSON: I now move that the Convention resolve itself into committee of the Whole to further consider Proposal No. 118.

The motion was seconded and carried and the vice president called the member from Lucas [Mr. BROWN] to the chair.

In Committee of the Whole.

Mr. DWYER: Mr. Chairman—

Mr. DOTY: I yielded the floor before recess with the understanding that I was to have the floor when we again went in the committee of the Whole. I have no objection to yielding to the gentleman from Montgomery [Mr. DWYER], but I supposed I had the floor.

Mr. DWYER: I desire as far as possible to extend the olive branch to all the gentlemen of this Convention as to the good roads matter. I believe in good roads. I think we all believe in good roads. We may differ somewhat on the method of carrying out the plans for the roads, but I think all the gentlemen in this Convention can come together on some plan that can be agreed to. The feeling is that we are all in favor of good roads, but the question is as to the method of working out that proposition. Now, we recognize that the automobiles are here to stay. We shall have automobiles increasing in number every day, and increasing in utility and all that, and I believe we ought to have good roads, not only for the automobiles but for the farmers.

Now if we could get together, and I believe we can on the suggestion I make, and it is this, that you will separate the good roads proposal from section 1, article VIII, and let it stand on its own merit as an independent proposition and let that proposition be submitted to the people of Ohio apart from the constitution. I do not want to jeopardize the constitution by putting that section into the instrument itself. Submit it separately and if the people of Ohio want these roads you speak of and are willing to spend the money and issue the bonds, God knows I have no objection. It is a matter entirely with the people of the state. They are the taxpayers, they furnish the money, and if they are will-

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ing to vote in favor of this proposition submitted as an independent proposition, no man will more cheerfully give accord to it than I.

And I believe that my friends, although they may differ with me slightly, will agree to that plan, and then we need not spend days here discussing the question. If you will come to that view of the case and eliminate your proposition from section 1 of article VIII, make it an independent proposition and submit it independently of the constitution to the vote of the people, and if the vote of the people carry it, I believe our people will agree to it. Is not that fair?

The taxpayers should have something to say on the proposition, and I believe my friends who are not entirely in line with you on this question will come into line on that and I believe it can go through. The people should rule, and if the people want to build these roads by bonding themselves, God knows I have no objection, and I believe if you meet us on that proposition we shall have no trouble in getting this matter through.

Mr. DOTY: I am very glad I yielded to the Judge because it brings out a point that may be well discussed. But before we take that up, I would like to go back a little to the question of advantage of good roads, the specific advantage, the advantage that may be given in dollars and cents, especially for the farmer who is located remotely from the centers of population and who produces things that are needed at the center of population.

The whole question is one of transportation. Now since recess, at noon, I have come into possession of the exact facts of an instance I knew of before, but I did not have the details. This instance illustrates what the effect of good roads is upon an intelligent use thereof. Some years ago a man who was a street-car conductor in our city, named—we will call him Eugene Walker. He had an ordinary man's job and working for ordinary wages. He conceived the notion that he would like to be a farmer. All of us in the city have ambition to be farmers, to get rich in the city and go out to live in the country. He got that notion and went to Michigan and bought a farm eleven miles from Grand Rapids. There was a good, straight pike from his place to the center of population—his market. This is what he did. Last year—he didn't have a large enterprise, the amount of his entire investment being only \$7,000—he produced fifteen acres of apples, fifteen hundred and eighty bushels, \$800; sixteen acres of peaches, fifteen hundred bushels, for which he received \$3,000; nine acres of beans, one hundred and forty bushels, \$320; total income, \$4,120. His expenses outside of his own labor were \$720, leaving him \$3,400, which paid him for his time and the profit on his investment. How much of that \$3,400 of profit, or rather of the gross \$4,120, would that man have had if he had had a mud road to carry his stuff to market? Now, just remember this, that first he produced things on his farm and second there was a market sufficient to absorb the products of his farm and of the farms surrounding it.

But neither of these things would have been any good if there had not been a connecting link, namely, a good road, and that good road enabled him to gather his produce and take it to the market and dispose of it.

I presume he raised other stuff, but these three were

the main items. He got them to market and he obtained a reward for the services he was performing for the community; because he was only performing a service, and he himself must collect the toll.

Now, what one man can do in a small way others are doing in a larger way in this state, and how many are not doing it, partly because of their own inability and partly because of being too far from the market? Often there is the market at one end and the producer at the other end, but no connecting link.

Now the question Judge Dwyer has raised is rather an important one. For my part I am in favor, as he is, of a separate submission to the people of Ohio, as I am in favor of submitting all the work of our Convention separately to the people of Ohio. I believe, however, that the Judge and others who feel as he does can safely vote at this hearing their sentiments upon the good roads proposition, as they all appear to be in favor of good roads. Then when we come to read the proposal the third time they can bring their matter up. In the meantime this Convention will have come to a conclusion on how to submit, and then if the method doesn't appeal to the gentleman from Montgomery [Mr. DWYER] and others they will be perfectly justified in voting against this proposition, notwithstanding they have voted for it at the second reading. The records can show their votes and they will be perfectly consistent. The reasons would be apparent to anyone looking to see why they in fact voted one way once and a different way another time.

I would like to take up just what our county is willing to do or ought to be willing to do. Of course I could not undertake to say that I know what every man, woman and child in our county agrees to on this proposition, and having no other means of coming to a conclusion on that I must conclude what they ought to want, whether they want it or not. Now what they really ought to want and what they do want, so far as I have information, is to do their part towards the unification of the road system of this state. And to show you that we are somewhat disinterested in this matter, I want to say that Cleveland has built seven miles of brick road out in the county. We have over four hundred miles of good brick and macadam road for which the county has paid or agreed to pay \$5,000,000. Of that five million Cleveland must pay eighty-eight per cent. So nearly all of it falls on Cleveland. In addition to that Cleveland has built probably six hundred miles—I don't remember the exact mileage—of city pavement and paid for them entirely by its own population. So that the city of Cleveland is paying for its own streets, paying for eighty-eight per cent of the roads of the county, and on top of that, if this proposition goes through, we having one-tenth of the taxable property of the state, will have to bear a total of one-tenth of this fifty millions, or five millions and interest. Now coming down to that interest matter—I don't want to butt into any problems of arithmetic, but one member says the interest is only eighteen millions, and another member says it is seventy millions.

Mr. PIERCE: One hundred and seventeen millions.

Mr. DOTY: And the member from Hamilton [Mr. HARRIS] apparently agrees with you, but he is a banker

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and figures as a banker figures, and that is the way a banker would figure.

My information is that you are both wrong. I am not very good on figures, but Mr. FitzSimons is an expert, and he has figured it and he says the interest is thirty-eight millions. With all due respect to the delegate from Butler [Mr. PIERCE] and to the delegate from Van Wert [Mr. ANTRIM], I am going to take Mr. FitzSimons's figures. Suppose it is \$8,000,000 or \$9,000,000 more, you can all be quite satisfied that you can see the result of what we have done and that it has been to our advantage. It is to our advantage to live in the city and be able to go to any part of the county, and it is to the advantage of the county to come from any part into the city. It is an advantage from a social standpoint and a business standpoint as well. We people in Cuyahoga county believe that the investment in good roads next to education is perhaps the best investment we can make, at least, one of the best, and it is for that reason that we are willing not only to do our share at home, but to do our share in paying for the expense of the road building throughout the state, so that when we come to a county line we don't have to stop and go back. We would like to go to Geauga, to Ashtabula and to Lake, and we would like to come to Columbus when the weather is good, and without good roads we cannot do it.

The prejudice against automobiles is not so pronounced now as it used to be, especially among our friends from the country. This is largely because they own automobiles themselves now and they are in the habit of going spinning about the country in automobiles. I am glad of it. It is a good thing for them from a business standpoint and from a social standpoint. It is elevating in every sense of the word. I want to fix it so they will be able to go to any part of the state in their automobiles. Then, of course, if they go our people can go too.

But what I want to say in connection with this more than anything is that the question of good roads is not a county matter. The question of good roads has grown from being a county matter, as it was a generation ago, to being a state matter and a state-wide matter. There is not a single road in any county that stops at a state line. Therefore we must treat this as we do other state matters exactly, and not as separate units, because our county units were not made for the purpose of road districts. They were not made for the purpose of educational districts. They are simply a convenient part the state sets aside for a convenient way of doing our public business. That is all the county is for. We use it for representation in such bodies as this, because it is an easy thing to do. How many of you know anything about any natural division of counties. They are arbitrarily divided. A line runs right straight in most of the cases. They have to be divided somewhere. So the counties are mere matters of convenience for the purpose of doing our general business, but not for the purpose of performing our general functions when it comes to things like good roads and education.

I have no authority to accede to the request of the gentleman from Montgomery [Mr. DWYER], but I think that is an important matter, and I think it can be

handled as I suggest—that they vote at this stage for good roads, and when the matter comes up for the third reading their objections can be handled.

Mr. PRICE: Mr. Chairman and Gentlemen of the Convention: I have listened with a great deal of profit to the discussion of this question and I am certainly more than gratified to know that we have one county in the state whose roads are in perfect condition and that with its broad mantle of charity that county is more than anxious to assist other counties whose roads are not in such excellent condition. If this question is carried in Ohio and we should issue bonds to construct these roads I take it that it will have to be placed before the people in some form that will command the support and approval of a majority of the taxpayers—the electorate—of the state. I agree that this is a state-wide measure as we have it before the house at the present time. Proposal No. 118 has been amended and a second amendment offered. I agree with those two amendments, and in order to present all these questions which appeal to me and others I am compelled to offer a substitute which I will send to the desk and have read.

Mr. LAMPSON: It can be read for information, but there are now pending one substitute and two amendments. That is all that is allowable under our rule, but this can be read for information and when one of those is disposed of this can come up regularly.

Mr. PRICE: The substitute proposition carries all the amendments with it.

Mr. LAMPSON: One of our rules provides that only two amendments and a substitute can be pending at the same time and that is the condition now.

Mr. PRICE: I understand the rules and I was particularly careful to understand at the time the rules were adopted that the substitutes could be offered when we were in the exact situation we are in now. One original proposition and two amendments thereto and a substitute carrying the original and amendments with it and the substitute could therefore be amended. This substitute carries the original proposition and both the amendments, so the gentleman is not injured in any way. I offer it as a substitute to the original proposition and the amendments.

Mr. LAMPSON: If I understand it there is now a substitute and two amendments. There is the amendment by the gentleman from Erie [Mr. KING] and one by the gentleman from Van Wert [Mr. ANTRIM] and a substitute by the gentleman from Highland [Mr. BROWN]. There will be no trouble about the gentleman from Perry [Mr. PRICE] getting a chance to vote upon his proposition, but it will come when we have voted up or down one of the pending amendments.

The CHAIRMAN: The secretary informs the chair that there is no substitute pending.

Mr. LAMPSON: How does that happen? Oh, I see where the trouble is. The amendment which was really offered by the gentleman from Highland [Mr. BROWN] is being treated simply as an amendment. That being so I have no objections to this substitute.

Mr. BROWN, of Highland: I rise to a point of order.

Mr. CHAIRMAN: State the point.

Mr. BROWN, of Highland: In view of the procedure, my substitute by consent having taken place of

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the amendment of the gentleman from Putnam [Mr. MATTHEWS], thereby leaving only the two amendments pending, that would permit this substitute under the rule to come in, but this morning another amendment was offered, and I think accepted by the gentleman from Van Wert [Mr. ANTRIM], which would preclude the consideration of this under the rule.

Mr. LAMPSON: That was my impression. There is pending the amendment of the delegate from Erie [Mr. KING], the amendment of the delegate from Van Wert [Mr. ANTRIM] and the substitute amendment for the one that was withdrawn by the gentleman from Putnam [Mr. MATTHEWS] offered by the gentleman from Highland [Mr. BROWN].

The CHAIRMAN: The chair is not clear about that point of order.

Mr. LAMPSON: Our rules provide for two amendments and a further amendment by way of substitute. The other day when the report was made the gentleman from Putnam [Mr. MATTHEWS] offered an amendment. The gentleman from Erie [Mr. KING] offered another amendment.

The CHAIRMAN: Was not the amendment by the gentleman from Putnam [Mr. MATTHEWS] withdrawn?

Mr. LAMPSON: Upon the presentation of the substitute amendment of the gentleman from Highland [Mr. BROWN] which was to take the place of the amendment by the gentleman from Putnam [Mr. MATTHEWS]. After that the gentleman from Van Wert [Mr. ANTRIM] offered an amendment simply inserting the word "maintaining," so there are two amendments together with a substitute amendment now pending. It will make no difference in the outcome, for when the substitute of the delegate from Highland or either the amendments of the gentleman from Erie [Mr. KING] or the gentleman from Van Wert [Mr. ANTRIM] is voted up or down, the way will be open for the offering of any other amendment. Further, this is not a complete substitute. It does not take care of the amendment of the gentleman from Erie at all.

Mr. PRICE: Yes; it does. It is a complete substitute.

Mr. LAMPSON: Does it take section 6 of article XII?

Mr. PRICE: Every bit of it. It is a complete substitute and it takes care of everything that is before us.

Mr. LAMPSON: As the chair reads the rule it provides for two pending amendments and one substitute, and we have that already.

The CHAIRMAN: The chair is of the opinion that the point of order is well taken and the substitute is out of order at this time.

Mr. PRICE: I respectfully appeal from the decision of the chair.

Mr. FESS: There is no appeal from the decision of the chair in the committee of the Whole. Let me read you the rule:

The only motions in order in committee of the Whole are to amend and adopt, and that the committee rise and report.

Then at another place it says that the rules that apply in the Convention shall apply in the committee of the Whole and there can be no question about this. There can be two amendments and a substitute, but it would be out of order for a third amendment. And there is no appeal from the decision of the chair.

The CHAIRMAN: The chair is very much obliged to the gentleman, but the chair is inclined to put the appeal, and the question is, shall the decision of the chair be sustained?

The chair was sustained.

Mr. WOODS: I want to say a word or two in regard to this matter. There is one thing I have not liked about the debate on this proposal and that is this: The talk here has been simply a question of whether we were in favor of or against good roads. I do not believe there is a man in this house who is against good roads. I know I am not, and I do not need to tell my people back home that I am in favor of them.

Mr. NORRIS: Your county has been in existence a good while.

Mr. WOODS: Yes.

Mr. NORRIS: How recently is this conversion to good roads? You haven't any?

Mr. WOODS: Yes.

Mr. NORRIS: How many miles?

Mr. WOODS: I can not say, but we have been building for a good many years. Here is the proposition I want to call attention to. This proposal is not a proposal for or against good roads. That is not the reason this proposal is for. I want you to read it before you vote on it. There is no necessity to speak for or against good roads in this hall. If I thought I would have to argue about a matter like this I would be in favor of going home. I will go the limit to get good roads, but I would like to have somebody, somewhere, tell me why the state of Ohio has to issue bonds in order to get good roads. There is not anybody on this floor who has undertaken to tell us why. Every township, every road district, every county, has a right to build good roads under all kinds of road laws. Why, there are more road laws on the statute books than any lawyer can count in several days. There are just simply all kinds of them. You can build roads in all kinds of forms and you can issue bonds in all kinds of forms. The trouble is there is something else back of this thing.

Mr. ANDERSON: Is there any law on the statute books that permits a county as a unit to build roads? Is not the township the largest subdivision that is allowed to build roads?

Mr. WOODS: No, sir. Old 4998 is still the law. We have built several miles in Medina under that. Now I ask you to tell me just why the state of Ohio has to issue bonds to build good roads. The legislature of this state can make a levy for the purpose of building the good roads. They can appropriate money for that purpose, and why issue bonds for that purpose? I can not understand it. Then this proposition provides that no more than ten millions can be issued in any one year. The duplicate of this state is about six billions, and a little levy of one and a half mills will give you about \$10,000,000 a year for good roads. What do you want to issue bonds for? I will tell you there is only one thing this proposal is for when you get at the bottom of

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it. The counties and municipalities of the state of Ohio have issued bonds and taxed themselves to the limit. Bond holders have all the bonds they can get under municipal laws. Now they come to this body under guise of asking us whether we are for or against good roads, and are trying to put through something that will let us raise the limitation of debt and let us come under our constitution and buy the bonds of our state. I want to tell you if there is any good reason, and anybody can show me any good reason, why the state should issue bonds to build good roads I am for it, but I am not going to sit here in this Convention and vote to open up a door which never again will be closed. Never! I am not here to let that door be opened unless some person can show me a good reason for it, and I tell you there has not been a man on this floor who has told us why we should pass a proposal of this kind.

You have been talking about good roads all the time, but we are all for them. They have been working all sorts of schemes to get this through. I have telegrams from my home county, and every one of them is written in practically the same words, asking me to promote this measure. Here is one: "Our body strongly urges you to favor changing our state constitution to permit a generous fund to be appropriated by the state for the building of good roads."

They can do that now. We don't have to change the constitution to do it. You don't get a dollar more by putting this provision in the constitution than you can get under existing laws.

Mr. ANDERSON: Do you mean to claim that under section 7419 (old section 4998) you can build good roads in any county?

Mr. WOODS: Yes, sir.

Mr. ANDERSON: I would like to have you read the section.

Mr. WOODS: We have built roads under it.

Mr. ANDERSON: How many miles?

Mr. WOODS: A good many. Now, gentlemen, I want you to study this proposal before you vote on it. I want you to know what you are doing. I don't see any reason why you should issue these bonds. You say you can not issue more than ten millions in any one year. That is all the money the state can raise in any one year, and it is all it can judiciously or economically spend in any one year. You can raise that much with the one and a half mill. In my county we have districts that have levied \$3,000,000 in a year and the people didn't kick.

Mr. LAMPSON: How can we raise that money with the present limitation on the levy under the Smith law?

Mr. WOODS: The Smith law will have to be taken care of anyhow. If this is a way of getting around the Smith law this proposal ought to be killed. There is no question about that proposition. If this is a scheme to avoid the Smith one per cent law by dodging around it, why not amend the constitution for the very purpose and get around the Smith law?

I don't agree with the governor of this state on very many propositions, but the purpose for which the Smith law was enacted was a proper one, and I don't believe this body wants to do anything to nullify it. I do not. I think if there is any one thing that the people of Ohio

have to have someone to watch over them on, it is this matter of bonding themselves. It has gotten to be a serious proposition in all our large cities. I have sat in this house for five years as a member of it and in our big cities part of that time one party was in power and another part of the time the other party was in power. Every winter, no matter who was in power, those fellows have swooped down on the state house trying to get us to raise the bond limit and we have raised it nearly every winter. We did it for them and they issued bonds, bonds, bonds, until they could not issue any more. The Smith law has stopped it, and it ought to have been stopped. Not only that, but I think we should put something like the Smith law right in our fundamental law. And why? I have some children and I am looking out for them. I am here to say that I don't believe the people of this state want this body to do something here that will tie our people up forever. I am for building roads. If I were in the general assembly I would be in favor of the state appropriating the money. I would be in favor of making a levy for it, if you please, but I would like to know, when the state for all purposes is only making a levy of about one-third of a mill, why should they issue bonds instead of simply making a levy? Let us pay for these things as we go along. Let us not borrow when we have money. This bill is for one purpose in my judgment. I can not see any other purpose in it, and that is to give something to the owners of the bonds in this state.

Mr. DUNN: I only desire to consume a few minutes. The tax duplicate of Ohio is about \$6,000,000,000. If the state should levy a state tax of one mill it would have \$6,000,000 a year in cash for road building. One of the propositions gives us only \$5,000,000, and yet we have to issue bonds. Then suppose the counties should be permitted to levy a tax of one mill, making a total tax of two mills, and you would have \$12,000,000 a year in cash from the state and counties. It seems to me it would be a good plan for the state to build these roads and permit the counties to build their own roads and lesser improvements. Now \$12,000,000 a year would give us two thousand miles of road. In forty years, only five years above the time mentioned in this proposal, we would have eighty thousand miles of roads. Divide the eighty thousand by four hundred, the length of the road across this state each way, and you would have two hundred, or one road for every mile each way. You would have turnpikes and good roads a mile apart in forty years by levying a mill for the state and a mill for the county. I want someone to answer the question why can't we pay cash? Why can't we follow the French system, which is the cash system, in building these roads?

Mr. LAMPSON: May I ask the gentleman a question?

Mr. DUNN: Certainly.

Mr. LAMPSON: With a limitation of ten mills for the total duplicate, don't you think it would be impracticable to devote two mills out of the ten, or one-fifth of the entire levy, for good roads?

Mr. WOODS: Where does the limitation come from, the Smith law?

Mr. LAMPSON: Yes.

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Mr. WOODS: We would have to have taxes to pay these bonds.

Mr. LAMPSON: This table shows that at no time would it exceed six-tenths of a mill, and at not much of the time would it amount to half a mill.

Mr. WOODS: The Smith law is a mere statute, is it not? It would be very easy to add two mills to that statute.

Mr. LAMPSON: If I am allowed to answer, it will be a very difficult matter in view of public sentiment on the question.

Mr. WORTHINGTON: I am in favor of good roads. I believe good roads are essential to the prosperity of the state. Like my colleague who spoke this morning, it seems to me these roads should be built by the state; that the road that comes to an end at the boundary line of the county is not of much service. But I object to this proposal. I am not afraid of the state going into debt and matters of this kind. I have never been. I think it is well sometimes to go into debt. The proposal now before us puts a limitation on the bond issue, measured by one per cent of the grand tax duplicate. I have called the attention of the chairman of the committee on Good Roads to the fact that the state tax commission has recently said that the time seems not to be far distant when there will be no necessity for a grand tax duplicate, that the revenue necessary for the state can be raised without a tax duplicate. Then is it wise to put a provision in the constitution that would require the retention of the tax duplicate to furnish a measure?

There is another matter. Gentlemen have spoken throughout in discussing this question as if what was proposed was good roads. If they will look at the proposal they will find that the word "roads" is not used, but "highways." Now roads are only one species of highways. When railroads were first organized and grants made by the state and counties to aid railroads, they rested upon the proposition that the railroad was a public highway, and that the grants were supporting the highways of the state. I happen to know that in some charters granted by the state of Ohio about that time there was a provision inserted that a private individual might have his own car carried over the tracks of the road at the regular rate of toll. So if this proposition is carried in the form in which it now stands, there is nothing in the proposition—and I challenge any of my legal friends to dispute the fact—there is nothing in the proposition that would prevent the state, if it wanted to, from going into the business of constructing, improving, maintaining or rebuilding railroads. And that is not all. Highways are not only by land, but by water. The ordinance of 1787 has been criticised a good deal in this Convention, but it has never been criticised as being of faulty construction, or as containing inaccurate expression. Now I read from that ordinance:

The navigable waters leading into the Mississippi and Saint Lawrence, and carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory as to the citizens of the United States, and those of any other states that may be

admitted into the confederacy, without any tax, impost or duty therefor.

This state has built canals traversing the state from one end to another. I say there is nothing under this provision to prevent the state from using these bonds that are authorized here for the construction of a canal or for improving the present canals.

Does the Convention want to consider seriously a proposition of that kind? It seems to me when the committee rises it should amend the proposition to cure the defect I mention, or else recommend that it be referred back to the committee on Good Roads for further consideration.

One thing more and that is, how are these bonds, if issued, to be paid? The provision says nothing about a tax and nothing about a sinking fund. I am one of those who think the state should never borrow money without providing at the same time it borrows for the repayment. The present constitution contains a provision which may be applicable to this subject. It is section 7 of article VIII:

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.

When this was adopted in 1851 six per cent was a rather low rate to pay for money, but I don't think we would like to compound our sinking fund now at that rate. It seems to me if this proposal goes through there should be coupled with it another proposition similar to the clause I have just read.

Mr. LAMPSON: The suggestions of the gentleman from Hamilton [Mr. WORTHINGTON] have been made to myself as chairman of the committee especially, and I have no objection to that at all. I don't know what other members of the committee think about it. We think, when the proper times comes, if such a proposition were presented, we would let the Convention decide it for itself. I think there is considerable force in the suggestion, but all of those matters have been considered and will be taken care of. The main question to decide first is whether we will adopt the principle involved in this proposition. There are two chances to amend it, even after passing through its second reading. It can be amended on its third reading.

Mr. JONES: Like every other member of this Convention when the proposition was presented to them as to whether they were in favor of good roads, I unhesitatingly said, "of course." I confess that I have been, during the sessions of this Convention and particularly

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since this proposition has attained the prominence it has, in a formative state of mind in regard to the proposal and I am so yet. The consideration which I have given to it, aside from the casual consideration which we doubtless all gave the matter when presented under the guise merely of a proposition for good roads, I have given in the last few days since this discussion has commenced, and like other gentlemen I have been greatly benefited in the consideration of the question by what has taken place on the floor of this Convention.

We are all prone to be misled by a mere name. With every body of men that seeks to forward any particular idea or any particular plan or scheme, no matter what it relates to, the very first thing they do is to get the most plausible and the least objectionable name to write upon the banner which they will carry in the advocacy of their idea or scheme. Why, when we came to make and maintain and uphold the tariff laws of this country, which we now all have come to realize have in a great many respects never been justified and are not now justified—and it is now simply a race between the two political parties to see who first can correct those wrongs—inscribed upon our banner was the slogan, "Protection of labor." The cry was, "Are you in favor of protecting the labor of this country?" "Certainly." "Then vote for the maintenance of this high tariff." But underneath all of that who was it and who has it been in the last twenty-five years that has been besieging congress, session after session, not only to hold the tariff where it is, but to put it up higher? It has been those who have been specially interested, not because they wanted to favor labor, but because they had some other purpose to advance.

Now, we have illustrations of that right here, and I am not criticising the gentleman at all. If I had some proposition to advance I would do it that way myself; that is the common way of doing it. We will have appeals to us on the proposition that will shortly come before us under the banner of personal liberty. "Are you in favor of personal liberty?" "Yes." "Then favor our proposition." Gentlemen, that does not follow at all. As has been said by others, I too am in favor of good roads, but let us get down underneath this proposition and see what it really is.

In the first place, what kind of good roads is it that this proposal contemplates? Is it good roads for the people generally? Is it good roads for the greatest number of people, or is it good roads for a particular portion of the people? If the proposition were put to you, "Are you in favor of good roads for one particular class of people at the expense of another?" you would unhesitatingly say, "No," and say it promptly.

Are you in favor of taxing the whole people to make good roads for one class of people? That is the proposition, and I say it has given me some concern and caused me to hesitate and to reflect about this matter, and I think it should give every member of this Convention cause to hesitate and to go back to his people and to put to them this proposition as it really is, not are you in favor of good roads, because we are all in favor of good roads, but are you in favor of taxing the whole people to make good roads for a few people? Now, let us get down to the gist of this matter as it is. Who, now, is behind this movement for this class of good

roads? And that involves the question of what kind of good roads is urged. They say inter-county good roads, good roads leading from one point in the state to another. We are not proposing to build good roads out into every nook and corner of the state to reach the farmers and to enable them to reach the markets with their crops; we are not proposing to bond the state for any such purpose. The roads that the people generally use will be nine or ten times the length of the roads that are proposed to be improved under this proposition, but we are not proposing to tax the state to improve or build those roads. I say again the proposition, stripped of everything connected with it and reduced to its last analysis, is simply to build automobile roads in the state of Ohio at the expense of the whole people for the benefit of the comparatively few who use automobiles. Is not that all there is to it?

Who is behind this proposition? Are the people behind this proposition, those who are interested in the roads themselves, those who desire to get the cost of bread and butter and meat reduced, are they behind it? Or are the persons behind this proposition those who desire special benefits and special advantages and gains from the issue of the bonds? We all know there is but one correct answer.

Now I am a user of an automobile myself and have been for years, and I expect to continue to be, and I would like to see good automobile roads built, but the proposition here involved is whether or not you are going to reverse the policy of the state and adopt a principle that has always been recognized as vicious and wrong—that the many should be taxed, for the benefit of the few. Are you going to throw down the bars which sixty years of experience in Ohio have kept up against the bonding of the state for any public improvements and now permit this to be done?

It is conceded on all hands that you could not carry out this scheme if the people who are behind it were to appeal directly to the voters, or directly to the legislature.

The power now exists in the legislature to raise \$10,000,000 or \$15,000,000 or \$20,000,000 a year. Why don't you gentlemen, if you want an automobile road, go and ask it for an appropriation of \$10,000,000 a year? Can the people of Ohio pay \$10,000,000 a year for that purpose? Certainly; it is only a mill and a half on the grand duplicate. You say that the Smith law is in the way. The Smith law is a creature of the legislature and can be disposed of by the legislature at any time it stands in the way of doing anything the legislature wants to do. If it is in the way of building automobile roads or inter-county roads, it is easy, with the majority of the legislature and the consent of the governor, to get it out of the way. There is nothing in that argument whatever as the matter now stands. The legislature of this state is absolutely supreme in the matter of the amount of taxes. It can levy taxes without limit except one, and that is that it must not mortgage the future, or in other words issue bonds. You could raise all the money you want for roads. You can raise all the money you want for any other purpose, if you pay as you go. Now why has not this proposition been submitted to the people through the legislature? Why has not the proposition to raise five millions

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a year been submitted? Why, they don't do it for the very manifest reason that they know the people of Ohio would never stand to be taxed five million dollars a year for roads to be used practically by automobiles only.

Mr. BROWN, of Highland: Is it not true that this matter will be submitted to the people before it becomes a part of the constitution?

Mr. JONES: Certainly. That is the very reason why you don't want to put it in here as part of the constitution to be submitted to the people, because it will imperil the whole thing. What is the use of submitting this proposition to the people to enable the legislature to mortgage the people, to write up obligations that they shall have to pay, when the people now have all the power to determine how much they will pay, with this limitation only that they must pay as they go?

Now there is another reason for that. Why is it, to get down to the last analysis, that you cannot build these inter-county roads by taxing the people and paying as you go? Simply because the people will not stand for that much taxation. You cannot get the legislature representing the people to agree to levy that much taxation. Why adopt the principle of bonds? Why, it is simply a subterfuge to get the people to do in an indirect way what you know they will not approve if directly presented to them. The same old story that applies to us in our private business, applies to us in our collective capacity. Oh, if we can just put off this debt, if we can issue our notes, we will go into debt and make improvements rapidly. That is the experience in our private affairs, and the people are nothing but a collection of individuals who act collectively and very largely as they do individually, and for that reason this proposition is framed to appeal to that weakness, the weakness we all have to go into debt if we can only give our notes payable in the future for it.

Create this indebtedness and it will only be \$175,000 the first year. It will be a little more the next year, and the next year, and according to these figures we are only going to go up to fifty millions. Does anybody in this Convention think if the bars were thrown down that we would not go above that sum? Does anybody in the Convention think that when the bars are thrown down there ever will be a time when we won't have the full amount of bonded indebtedness that is authorized here?

If the people would not consent to taxing themselves \$750,000 a year now, why do you suppose and why do you act on the theory that if you defer it for five or ten years that then they will consent to it? Will they be any more able to pay it then than now?

Mr. LAMPSON: I desire to ask this question: Cannot the people afford to borrow money at three and a half and use their own money at larger profit? In other words, would it not be to the advantage of the people to borrow this money at three and a half per cent and use the money that they would pay in the form of taxes in their business and make a larger profit than three and a half per cent?

Mr. JONES: I answer that by putting the proposition, fundamental in business, that a man should never borrow money at any rate of interest when he already has the money on hand.

Mr. WOODS: Is there anything in this proposition

that provides that money can be borrowed at three and a half per cent?

Mr. JONES: No, sir; there are counties in this state now that, by reason of the heavy bonded indebtedness already piled on them, cannot borrow money at anything like ordinary rates, and the time may come, if you throw down the bars, when the state of Ohio can not borrow at such a rate.

Now let us examine some of the provisions of the constitution in relation to indebtedness and see the reasons that brought them about and see what if anything has occurred to change those reasons. Now what is the present constitution? The state of Ohio can levy as much taxes for any purpose as desired.

Mr. BROWN, of Highland: Was not the provision passed last winter by both houses of the legislature providing for half a mill levy for the purpose of building roads, and was it not killed by the governor?

Mr. JONES: Yes; and why was it killed? Just for the simple reason that the public sentiment demanded the execution of the Smith one per cent law which took away from the legislature and other taxing bodies the power to increase taxes beyond that amount.

Mr. BROWN, of Highland: Which is the greater exponent of public sentiment, the representatives from the different districts of the state of Ohio or the governor of the state?

Mr. JONES: The people of this state in amending their constitution gave the power of the veto to the governor. They deliberately decided that there are occasions when the judgment of the governor is superior to the judgment of any legislature.

Mr. BROWN, of Highland: I submit that this generation never gave the governor the veto power.

Mr. LAMPSON: Did not the governor in this hall the other day express his judgment as in favor of this proposition?

Mr. JONES: That may be true; but I did not so understand the governor, and if I had understood him so, while it would have been persuasive argument, yet with me it would have been entitled to no more weight coming from Mr. Harmon, simply because he occupies the position of governor, than the same argument or the same statement would after he stepped down from the office. After all it is simply the view of one individual man upon the question.

Now, I want to proceed a little along the line on which I started out. As I say, the state now can tax itself just as much as it wants to for any improvements. It can build railroads or canals or do any other thing in the way of improvement that it wants to do with the simple limitation that it must pay as it goes. The legislature can authorize the counties to do more than that. The legislature now has full power to authorize the counties to bond themselves to any extent that they want, bond themselves by virtue of the authorization from the legislature so that they would never be able to pay the debt, and they can by authorization of the legislature bind themselves for any purpose. We have the case of the Cincinnati Southern Railway Company. Hamilton county bonded itself for the construction of a railroad starting at the Ohio river and leading into two different states. It bonded the county and taxed the people to pay for that. If that could be done with refer-

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ence to a railroad it could be done with reference to a highway or it could be done with reference to any other improvement. These limitations that the legislature has put upon the power of the counties, the power of the cities and the other political subdivisions, are purely statutory provisions that can be abrogated at any time the legislature wants to.

Mr. PECK: What has the gentleman to say about that provision of the constitution which prohibits any county or municipality from lending its credit in aid of a public improvement?

Mr. JONES: That is distinguishable and I am glad that Judge Peck suggested it. I do not think Judge Peck caught my statement or he would not have asked the question. My proposition is that the legislature can authorize the counties to make any sort of improvement they want. It cannot authorize them to go into partnership with a private person, or with a corporation, or to subscribe to the capital stock of some corporation, or to aid or to assist somebody else in doing it; but the county itself, if the people want to, can be authorized by the legislature to make any sort of improvement it desires.

Mr. PECK: You base that statement or proposition on the Cincinnati Southern Railroad case?

Mr. JONES: Yes.

Mr. PECK: Don't you know that the supreme court has several times said lately that they would not decide that proposition that way again? There was a law passed some years ago to enable townships to build railroads through the townships and that law was declared unconstitutional, was it not? Didn't the supreme court in that case overrule the decision in the Cincinnati Southern Railway Company; and didn't they say that they would never decide that question that way again?

Mr. JONES: But, gentlemen, this proposition cannot be questioned, that if the legislature wishes to it can authorize the building of any amount of public roads that it deems fit. We must all agree that the legislature has the power to authorize counties to issue just as many bonds as they please.

Mr. PECK: Well, then, why haven't the roads been built?

Mr. JONES: I will answer that question, but I want to pursue my own line a little further. Under the constitution of 1802 there was absolutely no limit or check placed upon the legislature. The legislature could authorize the counties to enter into partnership or take stock in companies and issue bonds for all sorts of improvements, and that was done until the constitution of 1851 came to be adopted and what was the situation in Ohio?

We had a tax duplicate of \$500,000,000 and we had a state bonded debt of twenty millions. Think what that meant. We had four per cent of the taxable property of the state in outstanding bonds of the state. Then there were bonds of almost every county in the state issued for building railroads, etc., until the bonded debt of the state, taking the counties, municipalities and state all together, amounted to twelve or fifteen per cent of the taxable property of the state. That was a great evil that had to be remedied and the remedy proposed for it was to take away from the legislature the power to issue bonds for any purpose of internal improvement,

and that was done by this amendment that is now sought to be changed. Other provisions were put in the constitution prohibiting the counties from giving aid to any corporation by subscribing to its stock or in any way aiding any public improvement. These provisions have stood here in Ohio for sixty years, and the proposition is now, not to build good roads, but to lift that barrier against the issuing of bonds of the state of Ohio for any public purpose. The proposition is to abandon the policy of making the state pay as it goes and substituting therefor the policy of permitting the legislature to run the state into debt by the issue of bonds.

Now, I come to the question suggested here, why have not more of the counties, with all our statutory provisions with reference to the building of good roads, built good roads?

Why, I see by looking over a report issued by this highway commission, that Ashtabula county, represented here by the two gentlemen who spoke in favor of this proposition, has only thirty-six miles of improved roads out of twelve hundred and fifty-one miles of roads in the county.

Why have not the people of Ashtabula county availed themselves of some of the statutes of Ohio with reference to the building of good roads? Haven't they had the money to do it? Aren't they able to do it? Haven't they got a country up there that needs improving in the way of good roads? Why haven't they done it? Aren't the people up there able to determine what is the best for them in a business way? I submit if the two honorable gentlemen who stood up here and argued in favor of this proposal are a fair sample of the people of Ashtabula county, they certainly have the ability to determine what they need and what is best for them. Why haven't they spent their money in improving these roads? There is only one answer to the question, and that is that in the judgment of a majority of the people the good roads that they could build would not under the circumstances justify the expenditure. Is there any other reason?

Mr. LAMPSON: May I reply to the question? There is in process right now the building of another macadam road past my property and I expect to contribute about a thousand dollars by way of an assessment.

Mr. JONES: But you are not doing what you are proposing to do here now, and why haven't you in the past forty years done what other counties in the state have done? Why down in Fayette county some of my earliest recollections, more than forty years ago, were of seeing the roads of that county being improved with great gangs of men and teams of horses, all of it done under the two-mile assessment pike law where the people on each side of the road had to pay the cost. I have seen the time when farms stood assessed for pike taxes more than twenty-five per cent of their value. Now I see from this same report of the highway commission that in Fayette, Clark, Montgomery and some other counties they have every mile of the road in those counties improved. Why have those counties in that portion of the state spent their money so liberally to improve their roads and Ashtabula done nothing in that line?

Mr. HARRIS, of Ashtabula: The member from

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Fayette county [Mr. JONES] says that it is surprising that Ashtabula county has not more improved roads. May I answer that?

Mr. JONES: I am not saying that it is surprising.

Mr. HARRIS, of Ashtabula: May I answer why they have not?

Mr. JONES: Yes.

Mr. HARRIS, of Ashtabula: We are waiting for Hamilton and Cuyahoga and the other counties, except Fayette, that are willing to help.

Mr. JONES: Then the the answer is that you cannot build good roads yourselves, but you must wait for somebody else to build them, at least in part, for you.

Mr. LAMPSON: Will not somebody else use them in part?

Mr. JONES: Yes; but has not somebody else been for the last forty years using in whole the rest of the roads that have been built in this state? Take the counties down around Scioto and Lawrence, come up the Scioto valley to Newark, and go north to Lake and swing off to the east and take in the little county of Lake, and you practically have, west of that line, counties in this state which have burdened themselves with taxes for the purpose of improving their roads, and this report itself shows how well they have done that work. Why in Clark county there is a total of eight hundred and sixty-two miles of highway and eight hundred and sixty-two miles of it is improved with gravel, macadam, and brick roads. Butler county has nine hundred and thirty-three miles of roads, the total improved eight hundred and seventy-two miles; only sixty-one miles of road in the county not improved. Greene county, eight hundred and thirteen miles of road, six hundred and seventy-two miles of improved roads; only a hundred and forty-one miles of road in the county not improved; Madison county, six hundred and twelve miles, improved five hundred and forty-six; only sixty-six miles of road in that county unimproved, and the list could be extended indefinitely. More than that, anybody familiar with this question knows that in addition to what you call the improved roads built by taxes on the whole county or township, or under the one-mile assessment law, the two-mile assessment law, or the joint assessment plan—in addition to those roads, every little cross road is graveled up by the neighbors and the township authorities so that it is in passable condition. You have all those roads today, so far as benefit to the producer of what you and I eat and consume is concerned, practically in as good condition as they would be put by any system of highway improvement.

Now, I want for a moment, and I fear I am trespassing on the time of the Convention, to examine this proposition a little more in detail.

What is the proposition—we will say nothing about the bonds—but what is the proposition? It takes the whole of the state for the purpose of building these roads and apportions it equitably among the counties, or, according to another proposition, apportions it among the counties according to their area, or, still another proposition apportions it according to the number of miles of road in each county. But if you adopt the equitable apportionment have you stopped to think what that means and what would be the result? There could be to my mind only one basis upon which there

could be an equitable apportionment of this money thus raised by taxation. Why, if it is equitably apportioned, it ought to go back to the counties just in the proportion that it was raised, and if Hamilton county, Cuyahoga county or any other county raises a certain amount of money it equitably ought to receive in return a proportionate amount of the whole sum raised in the state. If you adopt that proposition what does it do? Boiled down to its last analysis, it is that the individual counties will tax themselves to raise money to build roads and will turn over to the state highway commission to be expended in the counties just the same amount that was raised in each county. It will be expended, not by the people of the county who know best where and how the roads should be improved, but that money is to be expended by the highway commission located here at Columbus, which is expending it for the purpose of forwarding a system of alleged inter-county roads, or a system of roads intended primarily for the use of a special portion of the people of Ohio. The local authorities will have nothing whatever to say as to which road shall be improved, or how, but the highway commission will have the authority, for instance, to say we will build a brick road through Montgomery county at a particular place. It may not be of any special benefit to the people of Montgomery county as a whole; they might think they would rather have the road built over here at another place, but they have nothing whatever to say. The highway commission says: "We have drawn the money from you and we have to spend the same amount in your county, but we reserve the right to do as we please with the money." Is that progressiveness in the line of giving home rule to localities? Is that letting each county or locality determine what they want to do? Admittedly, if this money is raised from all the people, it should be expended for the benefit of all the people; and if the highway commission is to be under obligation to spend that money in Montgomery county, admittedly that money should be expended so as to realize the most benefit not to a few in Montgomery county or other parts of the state, but to the greatest number of people in that county; or if you make it a state-wide matter, the greatest number of people in the state. Can you do that if you adopt the proposed plan?

Mr. ELSON: The gentleman raises a man of straw to knock him down. Nobody has made any pretense of returning to the counties just the amount they pay.

Mr. JONES: The gentleman is in error in assuming that there will not be apportionment to each county, if this proposition to distribute equitably is carried, upon the basis of what they pay in. Upon what other basis will you make the distribution equitable?

Mr. PECK: Do I understand that the money is to be distributed equitably or that the roads are to be distributed equitably?

Mr. JONES: If it is the roads that are to be distributed equitably, upon what basis will they be distributed?

Mr. PECK: I don't know that any of us know.

Mr. JONES: That is it. We don't know what it will be.

Mr. PECK: But it is just as easy to make an equita-

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ble distribution of the roads as it is to make an equitable distribution of the money.

Mr. JONES: I can see that is true, but what does that involve? It involves locating in somebody the power to determine where your money is to be spent. And that will be lodged where? Why, in the state highway commission. Would you want to lodge that in the legislature? Let me put it that way. Would you want the legislature of one hundred and nineteen men to determine where this money shall be spent and the basis upon which the distribution shall be made?

Mr. HALFHILL: Where would it be lodged except in some central authority like the highway commission?

Mr. JONES: My proposal would be not to lodge it either with the legislature or with any other central body, but to leave it with the people who pay this money and who raise this fund — to leave it to them to determine where the money shall be expended.

Mr. HALFHILL: Do you know of any state that has established a system of good roads unless it operates through a central authority like the highway commission?

Mr. JONES: Does the gentleman know of any state that has established any system of good roads that is beyond the mere experimental stage?

Mr. HALFHILL: Yes.

Mr. JONES: What is it?

Mr. HALFHILL: The state of New York and the state of Pennsylvania.

Mr. JONES: And how long have they had them?
Just a few years.

A DELEGATE: Massachusetts.

Mr. JONES: But just a few years.

A DELEGATE: New Jersey.

Mr. HALFHILL: The state of California by a constitutional provision.

Mr. JONES: But in all of those states the provision with reference to good roads is a matter of very recent history. We have not had time yet to see how they are going to work out. Take the great state of New York, about which so much has been said with reference to the system of good roads. Bonded itself for \$50,000,000 and now proposes to bond itself again for \$50,000,000. But what is the situation in New York as compared with Ohio? You start out of New York city, take a line running up the Hudson river to Albany and along the Erie canal over to the city of Buffalo, and a little strip of ground five miles wide on each side of the Hudson river and on each side of the Erie canal has nine-tenths of the total taxable property of the state of New York and over eight-tenths of the population. That makes an entirely different proposition from this great state of Ohio, where you have the people scattered all over the state, practically a uniform distribution of population outside of the large cities. The proposition here is not the building up of a particular strip of Ohio, as it would be in New York in making roads leading into a little five-mile strip on each side of the Erie canal for the purpose of reaching, as they say, the compact country where the railroads go, but here we have a state with railroads builded all over it everywhere. The proposition in Ohio is not to get to one line of transportation facilities like the Erie canal or the New York Central and West Shore railroads, but

the proposition here in Ohio confronting the farmer is to get his produce from his farm to the nearest railroad station by the most economical means. And will any gentleman tell me that any considerable per cent of the farmers are to be benefited in getting their crops from their farms to the nearest railroad stations by building inter-county roads from one county seat to another?

The argument in favor of this proposition is that it is going to reduce the cost of the necessaries of life, that it is going to solve the problem of the high cost of living. The great argument in favor of it is that it is going to enable us to get the apple crop into the market so that it won't waste on the ground, that the people are suffering for the want of apples.

That argument of Mr. Lampson and of Mr. Doty and others is as unsound as the fallen apples of which they speak. They can not appeal to the people in support of this proposal merely as a proposition to build automobile roads — they are not doing that, but their claim is we are going to benefit the farmer and the producer and the consumer in the city. How are you going to do it? What is it that the people of the city want that is produced on the farm? They want bread and butter, and milk and meat and potatoes. There are a few other essential articles but those are the principal ones. The others are delicacies but the great staples upon which the people of this state and every other state feed are the articles which I have named. With the roads as contemplated by this proposal would there be a single wagon load of wheat hauled over a single one of those roads to the city of Columbus by a farmer five or six miles outside of the city? Would there be a single can of milk hauled into this city by anybody who lives five miles away from it? Would there be a single load of produce of any kind come over the roads for any considerable distance to the market of this city? No. What would the farmers of Franklin county and adjoining counties do? Just what they have done for the last forty years. They would simply haul this stuff to the nearest railroad station and you would see the stuff coming in on a train. Is not that what actually occurs?

Now you get these fine roads built and you would find that there wouldn't be thirty minutes in a day in good weather that you would not see an automobile spinning by. That is the purpose for which they would be used. But would you see a man with a load of wheat or corn or any farm produce on them?

Mr. ELSON: Did not the speaker at the outset say that he was very much in favor of good roads?

Mr. JONES: Yes.

Mr. ELSON: And is not his argument decidedly against good roads?

Mr. JONES: No; it is in favor of the proposition of good roads for the greatest number and not good roads for the few; good roads that will really reduce the cost of produce and the necessaries of life; good roads leading, not from one county seat to another that will be used by nothing but automobiles, but good roads extending all over the byways of these counties that produce what we feed upon, so as to actually reduce the cost of those articles.

Mr. STAMM: Is Proposal No. 118 such that they have to spend so much money as indicated?

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Mr. JONES: It will be compulsory whenever you give the legislature, which is subject to influences that can be brought to bear upon it by the special interests we all know of, the power to issue notes of the state of Ohio which you and I will have to pay; it will then be compulsory, but not before that.

Mr. HARRIS, of Ashtabula: Are you in favor of an issue of bonds or of an annual tax levy on our grand duplicate, the money derived to be employed in the building of roads in Ohio by methods to be determined upon? Will you answer that?

Mr. JONES: I would be in favor—

Mr. HARRIS, of Ashtabula: Are you in favor, I asked you?

Mr. JONES: I would be in favor of a light tax, if at all, but I would be in favor of this proposition, to let the people of Ohio determine from year to year what they want to expend on roads, and not tie them and their posterity up with a bonded indebtedness which will make a heavy burden in the future.

Mr. HARRIS, of Ashtabula: You are in favor of having roads built where the people are able to build them?

Mr. JONES: Yes; and if the people are able and want to they can build these roads today without removing the bond limit.

Mr. HARRIS, of Ashtabula: A slip has been handed me. We were contemplating the building of roads under the so-called two-mile law, which provides that the abutting property can pay a part and the township a part. It was progressing nicely until we got the Smith law and we are absolutely shut off from building roads in the township.

Mr. JONES: And why are you shut off? Simply because the people have finally resolved that the only way to prevent themselves being burdened with taxation beyond what they ought to be asked to bear, is by putting a limitation on the power of taxation.

Mr. HARRIS, of Ashtabula: Haven't you talked all around the proposition of having the legislature raise the tax limit to enable the counties to build roads?

Mr. JONES: I don't see how I have talked around the proposition. I certainly recognize the fact that the sentiment of the people of Ohio is in favor of the one per cent limitation upon taxes. That being so, why do you presume by this proposal that the people of Ohio want to do away with that limitation in effect by permitting the issuing of bonds which will start in at a small amount and in a little while pile up to such a sum as to render absolutely ineffective the one per cent tax limit?

Mr. HARRIS, of Ashtabula: It is not necessary to do away with the Smith law. It is possible to do that in most counties and most localities now.

Mr. JONES: Any county in the state can go before the people and get the right to tax themselves notwithstanding the Smith law if it wants to. You can build those roads under several plans.

This proposition as I view it is simply this, to build these inter-county roads for the purpose of benefiting a particular few who want to use them. There would be nobody using them practically but the owners of automobiles. Those who happen to live right along a line of road that is improved would use it for a short distance,

but if any man wanted to travel from one county seat to another, would he think of getting into his buggy and traveling on the best road in Ohio or any other state to go a distance of say fifteen miles, if he could get to a railroad station? If anybody wanted to go from here to Newark and there was the best road that it is possible to build or that ever has been built, do you suppose he would hitch up his horse to a buggy and drive to Newark? He would simply go to the nearest railroad station and take the train. And out around in that section, if they had a can of milk or a lot of butter to sell, would they drive in to Columbus with the produce? They would simply haul it to the nearest point on the railroad and ship it in.

Mr. ELSON: You evidently have a prejudice against automobiles?

Mr. JONES: I have no prejudice against automobiles. I am a user of them and always expect to be, but because I am a user of automobiles, because I like hundreds of others, delight in the use of an automobile, is that any reason why we should upturn the policy of the state of Ohio not to issue bonds for public improvements and thereby subject the legislature to all the logrolling and wire-pulling and hauling by special interests that will result from that?

And I want to suggest, if you confine the expenditure of this money to this central board, what are the influences that will be brought to bear with reference to where the money shall be expended? They will have \$10,000,000 in hand to expend each year. Now who is to determine where it is going to be spent?

Mr. KERR: May I ask the gentleman a question? Are you in favor of employing convict labor on the highways?

Mr. JONES: That is so irrelevant that I shall not attempt to answer. Now, if the legislature is to determine where this money is to be spent there will be wire-pulling and logrolling of the worst sort.

If you let the board of highway commissioners determine that, there will be such a scene of activity with reference to the handling of that fund as was never before seen.

Mr. STAMM: Before we got the law about cruelty to animals could you think of a more cruel act than to make a horse pull a load of wheat through a mud road like we had this fall?

Mr. JONES: That is the reason I want the money the people desire to spend on the roads spent by themselves. I want to see the money spent so the horses won't be overstrained when they are pulling the produce of the farmers of Ohio to the railroad stations. This traffic that goes on between the producers and the consumers, does not extend from one county seat to another, but the produce is hauled to the railroads all over the county and is then shipped in. I want to see the system of roads that is used for that purpose improved so that we can transport the produce at the least possible cost and get the greatest possible benefit for the greatest possible number; and I want to say that no one here would be willing to vote in favor of putting any higher tax on land for the purpose of building roads than I. I allow no man to be more in favor of good roads than I am, but I am not in favor of the kind of good roads that it is proposed to make the people of the state pay for

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under this proposition. I am not in favor of spending the whole of this money for a few roads to make them extremely good—not to assist in the movement of the produce from the hands of the farmers of Ohio to the railroad stations in order that it may be cheaply and quickly taken to the consumer, not for that purpose, but that the owners of automobiles, including myself, may have a nice road to ride over from one county seat to another, and from one part of the state to another.

Mr. PECK: Haven't there always been statutes on our statute books that enable township trustees and commissioners to build county roads such as you refer to?

Mr. JONES: Yes.

Mr. PECK: Why have the roads not been built?

Mr. JONES: Why, in Fayette county and dozens of other counties we have built them, and there is no man familiar with those counties who will not say that for practical purposes of the farmer with his wagon teams and his other kinds of vehicles for moving his crops and produce and for the purposes of travel with horse-drawn vehicles, the roads are in good shape now, and that we are not suffering on account of lack of good roads in a great number of the counties of the state.

Now why in some counties haven't they exercised their right to build these roads under the powers now existing? Simply because in the judgment of the people in those localities the expenditures would not be justified. So you come right back after all to the proposition whether you are going to leave it to the people of the localities to determine the matter of these roads or are going to vest the power in a central board.

I would like to have good roads, I would like to have good roads leading past every farm in the state, a regular network. We all can see that it would be a benefit to us, but under the circumstances of our situation we can not justify the expenditure.

Now if the people of a county feel that the expenditure is not justified for the purpose of building roads all over the county that will benefit everybody in the county, I submit that if they will not bring themselves up to the point where they will improve the roads for the purpose of cheapening the movement of their crops from the farms to the railroad stations, how do you expect to work them up to the proposition of building these fine brick roads from one county to another?

Mr. ANDERSON: Is your objection to Mr. Lampson's proposal based upon the argument—as I take it from what you have said—that because the roads all over the state can not be made at the same time, that therefore you object to start the making of them?

Mr. JONES: No; as I have said a time or two, the basis of my objection to it is that it is taxing the whole people to build roads to be used only by a few of the people. It is not taxing the people of Ohio to build roads to cheapen the cost of production, or to reduce the cost of living, but it is simply a proposition to take the money of the whole people and build roads for the use of a comparatively few, the users of automobiles.

Mr. STAMM: Are we not providing laws for the next twenty years, basic laws?

Mr. JONES: Certainly.

Mr. STAMM: Suppose we have during the next twenty years a crisis or a panic, and have an army of

unemployed labor that is willing to work on the roads or any public work, should not our Convention provide for such emergency?

Mr. JONES: If there is anything in that argument there is too much. If that holds good to the extent of \$65,000,000, it would be good to the extent of \$600,000,000. I don't suppose anybody would seriously contend that we ought to raise the bond limit in the state of Ohio merely to provide for emergencies such as the gentleman suggests. There are many ways that it can be done better and with less injury to the public.

Mr. ANDERSON: Since you object to building the main roads and not building the side roads at the same time, could you propose any plan whatever by which that objection could be overcome in the building of the roads?

Mr. JONES: Yes.

Mr. ANDERSON: Will you please suggest it?

Mr. JONES: I was coming to that. There are now about sixty thousand automobiles in the state of Ohio. Inside of two years at the present rate of increase there will be more than one hundred thousand of them. Inside of five to ten years there will probably, increasing at the same rate, be more than three hundred thousand. If you take it upon the basis of one hundred thousand automobiles in Ohio—these roads are built primarily for them; they are the ones who are going to use them, myself along with the rest of them. I am willing to pay my share for securing automobile roads, and I am willing as a landowner and a farmer to pay my share for getting the roads that the great majority of the people are interested in. I have an interest in decreasing the expense of getting the produce to market and decreasing the cost of living, and I put this proposition this way: We automobile owners want good roads so that we can travel from one county seat to another, and from one point in the state to another; therefore, let the automobiles contribute their proper share towards building these roads.

Now, here you will have one hundred thousand automobiles in the next year or two.

Mr. ELSON: Well, suppose there are three hundred thousand. Don't you know that those owners will pay a lot of taxes on their machines, and won't they object to the license?

Mr. JONES: No; I don't think they will.

Mr. HALFHILL: Do you take into account in your automobile matter the mercantile automobile? Don't you know that the mercantile automobile is coming into use for the handling of freight?

Mr. JONES: But what per cent of the present automobiles are mercantile automobiles? Very small; and what per cent of the mercantile automobiles would use the roads from one county seat to another? Suppose you had these automobile roads already built and had a lot of commercial automobiles in the city of Columbus; if anybody wanted to send something to Newark, do you think for a moment it would be done with an automobile truck? If you wanted to transport to Springfield or from here to Chillicothe, does anybody suppose that it would be done with automobiles? The railroads can carry it at one-tenth of the cost. So, as I say, these inter-county roads are to be built only for the pleasure vehicles.

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The only way to make these roads so that they will stand the use of automobiles is to make them of brick, and that means \$15,000 a mile in level country and more in the hilly country. If you have a brick road built that is what it is going to cost you. There is no use building them in any other manner. There will be one hundred thousand automobiles in a very short time. Fifty dollars is nothing to an automobilist. That is not the price of one tire, ordinarily, and an automobilist thinks no more of \$50 than the rest of us do about 50 cents. What owner of an automobile is not willing to spend \$50 per annum for good roads so that he and his friends can go spinning along at 50 miles per hour? Why, the road from Jamestown to Xenia is one of the finest roads in the state of Ohio, and the automobilists of Fayette county when they want a real nice spin go up there to run over that road. We will drive fifteen miles to get on that road for a spin of an hour or so. As I say automobilists would readily pay \$50 per annum to be spent in having good roads. That would raise \$5,000,000 per year in Ohio. You have refused to appeal to the legislature to levy a tax for good roads because you have all admitted that you could not get them to vote a tax for which the people would stand. Now under this proposal you start out with one hundred and seventy-five thousand per year and you run it up to three million five hundred thousand per year in ten years, because you know you cannot get the people to consent to it in any other way; but you can get the automobilists with practical unanimity into a proposition to pay \$50 each per annum for good roads.

Now when you come before the people with the automobilists of Ohio willing to raise \$5,000,000 per annum to be expended on automobile roads to run from county seat to county seat, there will be no trouble in getting the people generally to submit to a direct tax of that much more, especially if the amount to be raised is apportioned properly between abutting land owners and the general public in a proper manner; but that is entirely a different proposition from issuing bonds of the state of Ohio that must be paid by every man and woman all over the state. No matter how much property they have or how little, every home and every farm all over the great state of Ohio must be taxed to raise the funds to build those roads when not one out of a hundred has an automobile to run on them.

Mr. ELSON: Your idea is to raise the whole amount by taxing automobiles?

Mr. JONES: No, sir; not the whole of it, but to raise from the automobilists the larger part of this fund that has been proposed to be raised by bonds.

Mr. ELSON: I said a moment ago that ninety-seven per cent of the taxes were paid by the automobile owners. I should have said as far as paying taxes for the citizens of Ohio are concerned, but we know a large portion of taxes in the future will be raised by taxing the great corporations. Would you not say that they should build the roads generally?

Mr. JONES: The gentleman said that ninety-seven per cent of the taxes of Ohio would be paid by the owners of automobiles.

Mr. ELSON: I just corrected it.

Mr. JONES: Because he said the owners of automobiles represented that per cent of the property. That

only leaves three per cent, and now he says a great part will be paid by corporations.

Mr. STAMM: In order to let the gentleman from Fayette county [Mr. JONES] get some more gasoline for his machine, I move to recess for half an hour.

Mr. JONES: Oh, the machine has plenty of gasoline, but I don't want to get in the position of wearying any gentleman in this Convention. Had I been permitted to say what I wanted to say without interruption I would have been through quite a while ago. Probably these interruptions are all right, but they do take time and they interfere with the line of thought of anyone on any subject.

Mr. HALFHILL: Can't you now by the license tax on automobiles create a fund—

Mr. JONES: Yes.

Mr. HALFHILL: By the classification of property?

Mr. JONES: No, sir; not by the classification of property, but simply by requiring a license to run an automobile.

Mr. HALFHILL: Did I understand you to advocate that as a method of raising a fund sufficient to establish the road system?

Mr. JONES: Yes, sir; that is the important solution of the whole question. And I advocate that because the automobile owners are going to be the parties who use the roads, and they should contribute a large proportion toward their construction.

Mr. LAMPSON: If the legislature should conclude it wise to exercise that power and raise money that way, could not they do so notwithstanding the bond limit?

Mr. JONES: Yes, they could; but we all know what the result would be if the state of Ohio through its legislature would issue bonds. These gentlemen who own automobiles, instead of being up here beseeching the legislature to put higher licenses on automobiles would be here asking the legislature to issue bonds, and from experience in the past they would likely carry it.

Mr. HOLTZ: I would like to ask this question: Can your county or my county (Seneca) build the same mileage by our own assessment and by our own efforts, limited to our own counties, as cheaply as can be done if we take into partnership such counties as Cuyahoga, Franklin, Hamilton, Lucas and others?

Mr. JONES: I will answer that in this way. If you take into partnership with you Cuyahoga or Hamilton with the provision suggested of apportioning this fund equitably to the counties and that equitable apportionment is to be either based on the tax duplicate or the population or anything else that would make it equitable (I assume that nobody would contend for a moment that mere mileage or number of miles in the county would be equitable), then I say you would not be getting anything out of partnership with Cuyahoga or Hamilton. All you would do would be to turn over your fund to the highway commission to be spent back in your county just as the highway commission pleased, and that would be determined by influences which we know are brought to bear on the legislature or any other body having the power of distribution over such a large fund.

Mr. KNIGHT: Since the gentleman has not an-

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swered the question just propounded him I would like the privilege of repeating the question. The question was, can your county or Seneca county build the same mileage of road in those counties by your own assessments, limited to your own county, as cheaply to those counties as can be done by taking into partnership Cuyahoga, Franklin and others? That was the question and may we have your answer to it?

Mr. JONES: That depends on the kind of partnership you have. If the kind of partnership you have is that this fund shall go back in expenditures in the county equitably, either according to population or tax duplicate, then your partnership amounts to nothing.

Mr. KNIGHT: But what about building the road as cheaply?

Mr. JONES: I do not suppose that the gentleman would contend for one moment that a road in Fayette county or Seneca county would be built as cheaply with the persons having control of it located in Columbus, as it could be built by those right on the ground, having the matter under their immediate view.

Mr. HOLTZ: My question was whether it could be built as cheaply by our own efforts as in partnership with the bigger counties?

Mr. JONES: That would depend on the nature of your partnership. If you mean mile for mile I would say no. If you mean whether or not the county would get as much money expended, I would say outside of what might be wasted in the extra expense of getting it to the headquarters at Columbus and then getting it back from Columbus, the amount expended would be about the same, but that amount would be expended on different kinds of road.

Now when you go back to your county submit this question to your people, "Are you willing to tax yourselves for the purpose of building a brick road running north, south, east and west from your county seat?" Ask your people, "Are you willing to bond the state of Ohio and have a tax levy on you in the future which will be enough to build that kind of road?"

The first thing that will pop into their heads will be: "We farmers won't use those roads unless we have automobiles. What we want and what we are interested in is the road leading from our farms to the railroad station. These automobile roads will be very nice, but we won't use them. We will not use any inter-county road because all over Ohio we have much better means of transporting both people and produce to the commercial and business centers than with wagons and horses."

Mr. ANDERSON: Is it not true that in all the counties where we have good roads one good road was built and then that was added to on the installment plan, and was there any objection by the people of the county because all could not be built at once? Or rather, can you name me one single county where they didn't build one road first and then add to it?

Mr. JONES: Certainly not.

Mr. ANDERSON: What is the difference between that proposition and this?

Mr. JONES: The difference is just this: You are proposing to build a particular kind of road for a particular use and purpose and nobody would think of

building roads all over any county of the same class you are proposing to build in these main roads.

Mr. HARRIS, of Ashtabula: Does this proposition say anything about any kind of road or what the cost shall be?

Mr. JONES: No; but I call your attention to a statute enacted last winter—

Mr. LAMPSON: We are not trying to repeal that.

Mr. JONES: You are trying to carry that into effect. That statute provides for inter-county roads, and it has been recognized again and again that you could never get the people to consent to tax themselves and pay taxes as they went along for the inter-county roads, and now you propose to give the legislature the right to bond the people.

Mr. WATSON: As a matter of good sound business principle, if it can be done, is it not better to build a road and pay as we go than to create a fund by bonding with overhead charges that will take half of it?

Mr. JONES: I was trying to say that. It is better to pay as we go along than to run into debt. Now I feel that I have trespassed long enough on the time of the Convention and shall say no more.

The CHAIRMAN: The parliamentary situation is this. There are three amendments. One of the three was offered as a substitute for the amendment by the gentleman from Putnam [Mr. MATTHEWS], and the amendment of the delegate from Putnam was evidently withdrawn. We now have two amendments standing and one substitute. No two of the three relate to the same subject. This tangle the chair inherited and did not create. The matter now pending is the general amendment, that of the member from Van Wert [Mr. ANTRIM] and the question is on agreeing to that amendment.

Mr. STILWELL: I have looked over these matters the committees have furnished and I have done some figuring, and if there is any merit in the figures I have prepared I want this committee of the Whole Convention to have the benefit of it.

At the outset I want to say I, too, am in favor of good roads exactly as I believe in good railroads or electric railway lines, the same as I believe in good water-ways or any other good form of communication between the people of different nations, between the people of different states, or between the people of different communities in a state. The debt limit that was permitted at the time of the present constitution was a charge against the valuation of all the property in Ohio of about 1.62 mills. The charge which this proposal would make if fifty million dollars is ultimately raised thereby would be 7.69 mills, or 4.74 times as great as the present constitution now permits, and that only at the end of ten years when \$50,000,000 that have been considered here will have been raised. This example of calculation indicates two methods by which \$50,000,000 might be raised and the debt liquidated at the end of thirty-five years. It also suggests a very interesting comparison. In that thirty-five years we will have paid off the debt of \$50,000,000, but in addition we will pay an interest charge of \$36,750,000, or \$1,050,000 for a year. To those who have this example in their hands I want to call attention to the first part of the example on the left of the sheet under the column headed

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principal and interest due annually. You will notice that at the end of the first ten years we will have paid \$14,000,000 in interest and no principal. At the end of the eleventh year we pay \$3,750,000, \$2,000,000 of which is principal and \$1,750,000 of which is interest. It occurs to me that Ohio could better afford to raise that sum of \$3,750,000 now or in 1913, and not in the manner proposed here subject itself to the charge of \$14,000,000 interest.

Then take in 1923, when we will already have paid \$14,000,000 of interest, we are called on to pay \$3,750,000. The point I am seeking to make is that now or next year, when heretofore we have had no interest charged against us, we can better afford to pay that sum than we can in 1923, when we have already had to pay the \$14,000,000. That interest charge of \$14,000,000 in my judgment is merely for the purpose of building good roads and not for the good roads. In other words, we pay the bondholder for the privilege of making roads, when in my judgment the state is amply able to raise the funds without asking that privilege.

Now, for the sake of simplicity and reducing the sum to the per capita as indicated in the last column of their table, divide the sum that we are seeking to raise by the population of the state, which is averaged at five million people, and we find that for the privilege of each of us borrowing two dollars in each of the next five years we will pay \$1.05 interest back by the time we have borrowed the \$10, and then we commence paying back the principal and we pay in the next five years \$1.75 more in interest, or a total of \$2.80, before we start to pay anything back upon the principal of \$10.

In the eleventh year, as indicated in the example, we pay seventy-five cents on the debt of \$10, forty cents of which is principal and thirty-five cents of which is interest, and so on for each of the next twenty-four years, we pay forty cents for principal and one and four one-hundredths cents less each year on the interest, until at the end of that time—the end of thirty-five years—our \$10 debt is fully paid.

The per capita column list in either example is of little interest, as that is not the method by which we raise our revenue or pay our debts.

After we have started to pay on the principal at the end of eleven years, when we have already paid \$14,000,000 of interest, the annual levy varies from 6.25 mills in the eleventh year to 3.45 in the thirty-fifth year, or an average approximately of 4.85 mills each year. Here is the point I want the Convention and the committee to consider, and I am going to furnish the figures to the committee. By eliminating from the column "Annual levy necessary," in the last column but one in each example, the first ten years before we start to pay anything on the principal and applying immediately, or in 1913, the average levy of the last twenty-five years, which is 4.85 mills, we find that we can raise \$3,152,500, which, at an average cost of \$14,000 per mile, will build us two hundred and twenty-five miles of road annually, and if that average is continued for only sixteen years instead of twenty-five, we will have our \$50,000,000 in good roads, fully paid for, without having to pay a single dollar interest to the bondholders. It is true that we will not get our roads as soon, the accomplishment of that fact being spread over sixteen years instead of

us getting them in five, but it seems to me that the saving in amount more than justifies the delay, for we certainly save the state \$36,000,000 in interest.

Now, under this first example here, it is said that Ohio could build about seven hundred miles of road at an average cost of \$15,000 per mile, but I doubt if seven hundred miles of road can be built in many parts of the state in Ohio with expedition and economy. In other words, I believe the state would not embark in this expensive good-road program, but should pay as it goes, and not saddle the expense of our business on the next generation.

It has been suggested by the delegate from Van Wert [Mr. ANTRIM] that the national government should take the initiative in this matter. There may be much wisdom in that suggestion, but does he mean if the government fails to act that Ohio should wait? I am very much of the opinion that the magicians at Washington are too busy moving the tariff up and down, or devising ways and means to ward off the yellow ghost, to devote any serious attention to the question of good roads. When the gentleman at Washington will devote less revenue to the building of battleships to maintain our honor abroad and a little more to maintaining our glory at home for the peace and happiness of our teeming millions, there may be some substance in the suggestion of the gentleman from Van Wert [Mr. ANTRIM], but in my judgment there is not now.

Some twelve years ago our government built one of these battleships and named it Ohio. It was built at a cost of something over \$5,000,000. It of course has as yet never been used, except as a pleasure craft, and in a few more years it will be sent to the scrap heap. The fact of the matter is that the first-class battleship Ohio—that is, first-class twelve years ago—is today less than half the size of the battleships that were constructed eight or ten years later than it was. The original cost of that single ship, together with the cost of maintenance since it was placed in commission, would build a twenty-four foot boulevard entirely around the state of Ohio. I want to call your attention to the last item in this example which has been taken from the estimate of the secretary of the state board of agriculture. If the amount stated in that report is correct, then why should we hesitate any longer with this project? He states in this estimate that the annual contribution of Ohio to the mud tax is estimated at \$12,000,000. Perhaps, allowing for some exaggeration in this matter, and cutting the estimate squarely in two in order that we may not in any degree exaggerate, the cost of the mud tax to the state of Ohio as indicated would be \$6,000,000, paid to the mud tax and not to the good-road tax. My point is this. We now have the tax and the mud-road if this statement is correct. If we must have the tax, why not have the good roads? I think along the lines I have suggested, if the committee will take it seriously and eliminate from either of their two estimates the first ten years under the title, "Interest and Principal Due Annually," and start in immediately by levying the tax as indicated here, .625 of a mill would raise \$2,750,000, and by incorporating along with that proposition perhaps, some such license fee or tax as indicated by the delegate from Fayette [Mr. JONES] upon those who will ultimately be the largest users of the

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road, the automobilists, it seems to me that we might get some better conclusion than we have yet reached either by the proposal or amendment suggested. Incidentally I want to suggest that it has been my intention from the outset of the contest to offer an amendment providing for the employment of only American citizens—or those who have made application for American citizenship—to employ only that class of labor in the construction of these good roads. I have lately come to the conclusion that perhaps that question ought to be put squarely before the Convention and stand upon its own merits so that at this hour at least I shall not propose such an amendment.

Mr. NYE: Gentlemen of the Convention: There are a few things I desire to say before this debate is closed, but in starting out I desire to express the opinion, echoed by my friend the member from Medina county [Mr. Woods], that I would be in favor of writing into this constitution a limitation as to the amount or rate that might be placed upon the taxable property of the entire state. I will go as far as he will upon that proposition, but I am in favor of the general measure as provided by this proposal.

As to the details of it, as to whether it shall read "highways" or "good roads," I shall not undertake to discuss. It has been asked here upon this floor, why we need a state law to build state roads? I desire at this time to answer that question. The different townships and the different districts, composed of two or three different townships, and the various counties of the state have experimented upon good roads for a number of years past. They have experimented without knowing how to build good roads, and thus millions of dollars have been spent in the state of Ohio on building that kind of roads, and, as has been said here upon this floor, the automobiles and other conveyances have very easily worn out those roads. That is why I say these roads ought to be built, in my judgment, by central authorities that can study the question of good roads and not waste so much money in building poor roads.

Those of you who have traveled upon the good roads in the east—and I would especially call attention to the good roads in Massachusetts. Down around Cape Cod, where the land is low and wet, they have built roads that defy the swiftness of the automobile. They are built in such a way that they are perfect roads, and within half an hour after a heavy rain upon those roads they are as dry and perfect as our roads are in the summer time, and they do not give way to the use of the road by automobiles. It is because they have scientific men to build those roads.

Now under the laws that we have in Ohio, we elect a commission of road commissioners in the districts, and it is suggested that we might leave it to the trustees in townships, or leave it to the commissioners in counties to experiment with our money. I don't wish now to cast any reflection on those officers. They are good officers, they are good men, but they have not the time, the money or the means to learn how to build good roads. The roads that are built in various townships are not consecutive—they are not built on any uniform plan as they would be if they were built by the state or by a commission for the whole state. I am not particular what the commission should be. I think that it

should be left for the legislature to determine the details of how these roads should be built.

Now I desire to call your attention to another proposition that has not been spoken of in this discussion. It has been said that the money for these roads is a large amount. You will spend millions of dollars in building these good roads. It is a well-known fact that in the construction of any great enterprise, like the building of a mausoleum or good roads, probably ninety per cent of the cost of that construction is labor. You take the raw material from the earth, from the quarries or the woods, or whatever place it comes from, but ninety per cent of the whole cost is labor. Then if we build good roads in Ohio in my judgment ninety per cent of the cost of those roads will be in labor. Then the money that you put into those roads is not thrown away. It is paid to whom? It is paid to the people of Ohio and goes back into the very pockets of the men who pay the taxes. You have to have a roadbed made. That is one of the first things. That is to be done by teamwork and men, by handwork. It is labor. Then you have to have the foundation built. You have to have the grading. The foundation has to be constructed and the stone and the granite or whatever material you put into it has to be drawn there. That is labor. That goes back into the hands of the people who are constructing the road and it is not all thrown away. The men along the line of the road will use their teams. Men will be employed. Idle labor will be employed, and the money will go into the pockets of the very people who are paying for the road. The farmers who pay the taxes and the laboring men who have their little homes can go upon those roads and labor and the money can be used in that way and it is not lost.

Another proposition. It has been said here and is urged strongly that the only people who get the benefit of these good roads are the men who have automobiles. I want to question that proposition. Does not a man who lives between here and Newark and has a horse and buggy want to ride upon those roads? He travels on those roads just the same as anyone else. He uses the road. Perhaps he doesn't go the whole distance, but he goes a part of the way. Another thing. Up in our part of the country only a few months ago the farmers had difficulty in getting an electric line of railway to carry their milk to Lorain. They made a combination by which they carried it with teams and they had to carry it over muddy roads. I say it is not impossible, but greatly probable, that if you have good roads, much of the teaming can be done by the farmer who has teams to put at such work, and you can carry your produce and milk to market and thus save the expense of the transportation haul on railroads. Again, there is another interest in this matter. It is well known that the town which keeps up its pavements and has good streets and looks prosperous will draw custom, and if you have good roads leading from all directions into that town, the people will come there to trade. The merchants will get the benefit of that trade—the dry goods man, the clothing man, the boot-and-shoe man—all will get benefit by reason of having good roads, so the people will come in and do their trading. They do not have to go to a distant town by rail. How does that affect other people? There isn't a man who has a store

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rented who doesn't know that if he has a good business and a good trade he can afford to pay more rent than he could otherwise. Therefore, the man who owns a block of stores can afford to be taxed for this same purpose of good roads. Again, a man has a machine shop and people come into market there and go to his machine shop and get their work done there. He gets the benefit of those good roads by the people coming in more frequently and coming from longer distances, and in that way the laboring man in the shop gets the benefit of the good roads. You cannot improve a town and make a great state without benefiting all of the people. Then I say it is for the benefit of all the people of the state that we have good roads and that we have them built upon scientific principles by a state commission or by state authorities.

Something has been said about paying interest. What would you think of the young man starting out in life without much money and wanting a home if he says he will not build a home until he gets all the money to pay for it? Would you not say it was economy on his part when he got a portion of the money to go and build a home and mortgage it and pay the interest until he could pay off the principal? Would you not say that was a good proposition? Then why is it not a good proposition for the state to build good roads for them and sell bonds and pay the bonds off as they can and pay for the interest by taxation?

Mr. DEFREES: You don't compare the state of Ohio to a boy starting to build a home and not having money enough? The state of Ohio should pay as she goes.

Mr. NYE: That illustration has been used and I desire to answer that it is the principle I wish to illustrate. Ought we go without the roads for many years, to go in mudroads, when the citizens of Ohio, by reason of loss of crops and loss of markets and inconvenience in getting to points of consumption, will lose many times more than would pay off the interest and pay off the indebtedness which they would not have otherwise if they waited until they had all the money to build all the good roads with?

Mr. FLUKE: If the young man had the money, ought he borrow the money to build the house?

Mr. NYE: No; but the state has not got the money. And why should we go without good roads until the state can get all the money?

Mr. WOODS: Could not the state get the money quite easily without issuing bonds?

Mr. NYE: If they taxed the people by a large tax and made the present generation pay it. But I am for the principle you favor, and that is to keep the taxes down within the limit of the Smith law. I agree with the gentleman from Medina [Mr. Woods], and, as I have said, I shall be glad to write in the constitution a limitation that there shall never be in Ohio a tax for all purposes more than one and a half cents.

Mr. WATSON: What richer legacy could we leave to our posterity than a worn-out soil on the top, the mineral scooped from the bottom, and then overburdened with debt?

Mr. NYE: If having good roads would result in that I would say not to have good roads, but I deny that good roads would result in any such proposition.

I say if you have good roads, raise good crops and keep up the fertility of your soil you can pay off your debts earlier by having good roads than in any other way. Some people are in favor of erecting great monuments to leave to posterity. They leave them in the shape of stone, marble, etc., but I believe that this Convention could erect no better monument to itself or to the people of Ohio than to make a stone road that would not be simply something to look at, but something to ride over, something that all the people of all the state could use.

Now, one more thing before I take my seat. I believe, as has been said today, that the automobile has come to stay. I believe that automobiles will increase in number. I know we had a company formed in my town, twenty-five miles west of Cleveland—and we have good roads between our place and Cleveland—and they go to Cleveland and bring out their produce and make a profit by it by the use of business automobiles. I think this Convention could do no greater service to the state and the people, and could do no greater service to itself, than to put ourselves in good shape to have good roads all over the state and build them by taxing the people and by bonding the state so we can have them now and for all time to come.

Mr. HARRIS, of Hamilton: If the Convention will bear with me and not interrupt me I shall consume only five to ten minutes, but if you interrupt me I shall take two hours.

There is a large number of us who have frequently stated on the floor of this Convention that we were heartily in favor of the spirit of Proposal No. 118 and that our only objection to it was that the bars were being let down for an enormous debt, far in excess of what was contemplated by any one. At the proper time I shall submit the following amendment, which I believe will be accepted by the author of the proposal and which will cover all the objections that those who think with me have to the proposal. The amendment will read:

Strike out lines 13, 14, 15, 16, 17 and 18 and substitute the following: "Provided, however, that the general assembly may contract debts and authorize issues of bonds to an amount which in the aggregate shall not exceed fifty millions of dollars for the purpose of constructing, improving, maintaining, repairing and rebuilding wagon roads within 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 provide a sinking fund for their final redemption at maturity."

Now I want to correct an idea that is quite erroneous which was impressed upon the minds of the Convention by the gentleman from Cuyahoga [Mr. STILWELL], who does not want to burden posterity with this debt. I want to call your attention to the fact that posterity will not be burdened any more than the present generation. The operation of the sinking fund provides a fixed amount annually which computed at three and a half per cent will equal the principal of the bonds at maturity. That fixes the amount annually. It does not vary

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one cent. The amount that is levied in the year 1912, assuming that the bonds are to run for forty or fifty years, will be exactly the same and not one cent more than will be levied in each and every one of the years during the life of the bonds. That is absolute mathematics. So that posterity will not be burdened. Now the gentleman from Fayette [Mr. JONES] assumes as the chief reason for his objection to the measure, for I think I have removed the greater part of his doubt, that the original proposal might incur a debt on the state of Ohio anywhere from \$200,000,000 to \$300,000,000. But he assumes as the real basis of all his objections, and if that is not well taken the major part of his objection naturally falls to the ground—he assumes that the legislature will be corruptible or incompetent, corruptible in so far as the automobile or some other special interest may be able to induce the legislature to so use the fund that only such roads as are favored by the automobilists will be built. Now I think my proposal disposes of both of those propositions.

The mere statement of them shows their weakness. The question, and it is a fair question, is whether the amount required to build the roads should be raised by direct tax without incurring debt or by bonds. It is an almost fundamental proposition in economics that bonds may justifiably be issued for any improvement that benefits not merely the parties immediately at the time of the issuance of the bonds, but those who live and get the benefit of the improvement subsequently. That is the proposition accepted by all parties. I believe it is almost invariably considered that the building of public roadways in a state, the same as building streets in a city, is properly the subject of a bond issue. It is rare that any municipality builds its streets save by a bond issue, and I personally do not know of any state having built a large number of highways save by a bond issue. The state of New York has made an appropriation of fifty millions secured by a bond issue for the purpose of building highways, and it has authorized a hundred millions in addition to be expended on its canals. As my colleague, Judge Worthington, says, canals are public highways. Now, when we have the maximum of bonds fixed, and when we have it safeguarded by a sinking fund, I think we have it in the best possible shape. I think this proposition answers most of the objections that have been made, save as to the distribution of the money, and that can be properly a question for further discussion by those more competent to handle that subject than I am.

Now I caution the members in this Convention from offering any temptation to the legislature to increase the maximum tax under the Smith law, namely, fifteen mills. If you cannot use a bond issue you can only get the money by a direct levy, and that levy will assist materially in persuading the legislature to throw down the bars on the fifteen mills maximum in the Smith bill. I say that is very dangerous and I would not do it. I would stand with a very solid front to prevent any increase in that maximum and a great responsibility will rest on those who, disregarding the conditions that confront us, offer the legislature the temptation and the reason to let down the bars of that fifteen mills maximum for the purpose of covering in the beginning simply this direct tax by the state for roads.

You know that that will lead to an increased expenditure over the fifteen mills and I say again that it is a great danger. Further, we know the sentiment throughout the state against a direct levy. It may be based on psychological or other reasons, but nevertheless there exists a bitter opposition to a direct tax by the state.

Somehow or other the American people abhor a tax which is laid other than by their own local officials. You will remember that there is in this Convention now a proposal to prevent this very proposition, to prevent a direct state tax, so that all the revenue required by the state may be secured in other forms. Now, why should you in the face of these facts give the slightest grounds for a greater state tax? And outside of that proposition you know that when the burden comes in the way of a direct tax you will get many less good roads than you are likely to get under the bond issue. You may say that the principle is as broad as it is long, but that has nothing to do with it. The only problem that troubles me, and it troubles those who have spoken to me about it, is the disposition of the fund. The presumption—think of it—the whole argument of the member from Fayette [Mr. JONES], knowing how valuable it was to defeat the bond issue and so defeat good roads, was to create the impression in the minds of the other farmer delegates that there is no power in the legislature that will actually put these funds to the improving of such roads that the farmer wants improved. It is ridiculous on its face. I think we may safely trust the state commission for good roads. The state tax commission has raised the grand duplicate from two and a half billions to six and a quarter billions. Are there any of our local organizations which could return as faithful an account of their trusteeship? I do not think it incredible that the legislature may have the wisdom and sound judgment to name a commission that will exercise the same good sense in disposing of the money for the roads as the state tax commission has shown. I think it is a reasonable conclusion. Now, as I say, if all objections have been removed save as to the question of disposing of the money, why not take some time to consider that apart from the passion of debate? Let half a dozen men interested in the proposition come together and discuss the proposition in a quiet way and see if we cannot agree on some proposition which will have not only the elements of fairness but of practicability. I think we ought to leave the details of the matter to the legislature. When we have carried out the principle we have done all that was expected of us or that can be expected of us.

Mr. LAMPSON: I would like to have the gentleman from Van Wert [Mr. ANTRIM] state whether he is in favor of the amendment offered by the delegate from Hamilton [Mr. HARRIS].

Mr. ANTRIM: I notice that the gentleman emphasizes the word "maintain" and I am glad to withdraw my amendment.

Mr. LAMPSON: As far as I am concerned I have consulted with several members of the committee and I am perfectly willing to accept that amendment. I do not desire to debate it much further, but the member from Geauga [Mr. SMITH] would like to say a word.

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The CHAIRMAN: The question is on the amendment of the delegate from Hamilton [Mr. HARRIS].

Mr. LAMPSON: The consensus of opinion of the committee is that we would rather have the matter go over now, and I move that the committee rise and report to the Convention that we have had Proposal No. 118 under consideration and have come to no resolution thereon.

The motion was carried.

Vice President Fess resumed the chair.

In Convention.

Mr. BROWN, of Lucas: As chairman of the committee of the Whole Convention I beg leave to submit that the committee of the Whole, having had under consideration Proposal No. 118—Mr. Lampson, relative to good roads, has decided to rise and has directed its chairman to report progress.

The VICE PRESIDENT: The report is received.

Mr. LAMPSON: I move that Proposal No. 118 be placed at the head of the calendar for the second reading.

Mr. DOTY: That is where it is now.

Mr. LAMPSON: All right, if it is understood.

Mr. BOWDLE: A brief personal matter. The resolution introduced by the gentleman from Sandusky [Mr. STAMM] the other day resulted in my appointment as one of a committee to invite here the members of the Casual Workers Association. I understood it in the vein in which it was offered, that it was jocular, but it turns out that several of the Casual Workers have come up to Columbus and from time to time I have gone out and talked to them in the hall. I have explained to them that the whole thing was in a jocular way and I asked them to save their money and their valuable time, but they have kept coming and some of them are here and like everybody else here they want to talk.

Mr. LAMPSON: Is the gentleman himself a member of the order?

Mr. BOWDLE: Being a member of the legal fraternity I am a Casual Worker, but I am not actually a migratory member like most of them. Of course, I know just about what they will say just as I know what Roosevelt will say. It is just a matter of filling in blanks in America, and while we must hear the remarks of Roosevelt, I do not know that we must hear the remarks of the migratory workers. I do not know just what disposition to make of these workers, but I leave it to the Convention to say just what ought to be done. At all events they are here and are on your hands.

PETITIONS AND MEMORIALS.

Mr. Baum presented the petitions of J. W. Rittenour and thirty-eight other citizens of Ross county; of Harry B. Vail and twenty-nine other citizens of Ross county; protesting against the passage of King Proposal No. 4, in regard to the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Beyer presented the petitions of L. J. Crawford and sixty other citizens of Van Buren; of L. H. Myers and other residents of Liberty township, against licensing the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Cunningham presented the petition of B. H. Black and other members of the Presbyterian church, of Freeport, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Colton presented the remonstrance of J. E. Wilkin and thirty-two other citizens of Kent, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Cassidy presented the petition of H. Baumgardner and ninety-seven other citizens of Logan county, asking that the Convention defeat King Proposal No. 4, relating to the liquor traffic and asking that some proposal be passed looking toward the further prohibition of the liquor traffic in this state; which was referred to the committee on Liquor Traffic.

Mr. Baum presented the petition of George B. Warner and five hundred thirty-six other citizens of Tuscarawas county, asking for the adoption of Proposal No. 4, in regard to the liquor traffic; which was referred to the committee on Liquor traffic.

Mr. Davio presented the petition of J. W. Tille and sixty-three other citizens of Cuyahoga county, in favor of Proposal No. 4 by Mr. King; which was referred to the committee on Liquor Traffic.

Mr. Donahey presented the memorial of Brotherhood of Carpenters and Joiners on miscellaneous subjects; which was referred to the committee on Miscellaneous Subjects.

Mr. Donahey presented the petition of J. R. Carson and one hundred twenty-five other citizens of Tuscarawas county, against the passage of the King proposal; which was referred to the committee on Liquor Traffic.

Mr. Dunn presented the petition of L. A. Hart and many other citizens of Columbus, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Dwyer presented the petition of Robert Cowden and other citizens of Dayton, asking for cigarette legislation; which was referred to the committee of the Whole.

Mr. Fackler presented the petitions of C. C. Freund and eighty other citizens of Cleveland; of George A. Marlitz and sixty-seven other citizens of Cleveland, favoring the licensing of the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Fackler presented the petition of Chas. W. Harshman and other citizens of Cleveland protesting against the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Fluke presented the petition of the Bible Class of the Lutheran church, of Ashland protesting against King proposal; which was referred to the committee on Liquor Traffic.

Mr. Farrell presented the petition of Nick Naegoe and fifty other citizens of Cleveland, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Fess presented the petition of Willis Jones against double taxation; which was referred to the committee on Taxation.

Mr. Fess presented the petition of College Equal Suffrage League and other citizens of Columbus, in favor of equal suffrage for women; which was referred to

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the committee on Equal Suffrage and Elective Franchise.

Mr. Fess presented the petitions of the Evangelical Bible school, of Lindsey; of Willis Jones, of Ridgeway; of the U. B. church, of Rawson; of the churches and citizens of Yellow Springs; of the Presbyterian church, of Xenia; of the Warren County Teachers' Association; of the Pleasant Hill Christian Sunday school and other citizens of Miami county, against licensing the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Fess presented the petition of Mrs. Charles Miller and sixty-six other citizens of Greene county, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Hahn presented the petition of twenty-two other citizens of Cuyahoga county, asking for the adoption of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Kerr presented the petitions of W. H. Rodgers; of I. D. Anderson; of the Reverend A. T. Wooley and eighty other citizens of Jefferson county; against licensing the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. King presented the petitions of I. W. Hoover and twenty-one other citizens of Milan; of C. W. Dildine and twenty-six other citizens of Erie county, protesting against licensing the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Farrell presented the petition of George Moses and thirty-nine other citizens of Cuyahoga county, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Farrell presented the petition of Harlan M. Clark and members of the Brooklyn M. E. church, of Cleveland, protesting against the license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Halfhill presented the petitions of the Rev. S. R. Dunham and thirty-four other citizens of Allen county; of the Rev. H. J. Jewett and eighty-six other citizens of Allen county; of the Rev. A. J. Bussard and fifty-six other citizens of Allen county, protesting against the adoption of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. DeFrees presented the petition of A. W. Miles and many citizens of Miami county, against any license law on the liquor question being introduced into the constitution; which was referred to the committee on Liquor Traffic.

Mr. Lambert presented the petition of the Rev. R. O. Williams and fifty-three other citizens of Jackson county, protesting against the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Lambert presented the petition of the Rev. Earl B. Holtz and other citizens of Coalton, Jackson county, protesting against the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Pierce presented the petitions of Frank McCord and eighty-nine other citizens of Butler county; of J. F. Gillespie and sixteen other citizens of Butler county, protesting against the passage of Proposal No. 4, and

asking for the further prohibition of the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Thomas presented the petition of Nicholas Papp and sixty-eight other citizens of Cuyahoga county, in favor of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Thomas presented the petitions of Brooklyn M. E. church; of F. E. Carr and twelve other citizens of Cuyahoga county; of the Men's League First German M. E. church, of Cleveland; of the First German M. E. church, of Cleveland; protesting against unrestricted license of saloons; which were referred to the committee on Liquor Traffic.

Mr. Longstreth presented the petition of Edwin D. Ricketts and ninety-seven electors of Hocking county, protesting against the brewers movement for unrestricted license of the liquor traffic as proposed by the King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Lambert presented the petition of the Rev. J. R. Fields and forty-one other citizens of Jackson county, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Leete presented the petition of Geo. N. Geiger and two hundred ninety-three other citizens of Lawrence county, petitioning the Constitutional Convention to adopt Proposal No. 4, without amendment; which was referred to the committee on Liquor Traffic.

Mr. Matthews presented the petitions of J. C. Jones and fifty-three other citizens of Putnam county; of L. D. Hook and twenty other citizens of Putnam county, protesting against the licensing of the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Matthews presented the petitions of H. B. Rampe and three hundred forty other citizens of Putnam county; of J. J. Rampe and one hundred thirty other citizens of Putnam county, asking for the licensing of the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. McClelland presented the petition of J. M. Claypool and ninety other citizens of Knox county, against King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Miller, of Fairfield, presented the remonstrances of W. O. Turbon and one hundred eighteen other citizens of Fairfield county; of C. M. Pyle and seven hundred other citizens of Fairfield county; of E. B. Bagwell and thirty-three citizens of Bremen; of E. C. Dilger and forty-three citizens of Carroll; of Walter D. Harrell and four hundred other citizens of Greene county, protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Miller, of Fairfield, presented the petitions of I. C. Pietsmeyer and one hundred sixty-seven other citizens of Carroll county; of the Ohio Woman Suffrage Association, of Columbus, asking for equal suffrage for women; which were referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Miller, of Fairfield, presented the petition of Patrick Moore and thirty-three other citizens of Fairfield county, asking for the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Miller, of Crawford, presented the petition of S. S. Sheffer and twenty-nine other citizens of Crawford

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county, against Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Miller, of Fairfield, presented the petition of Harry Ash and fifty-nine other citizens of Fairfield county, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Mauck presented the petitions of C. H. McCormick and thirty-three other citizens of Gallia county; of C. G. Parker and twenty-seven other citizens of Gallia county; protesting against Proposal No. 4; which were referred to the committee on Liquor Traffic.

The Montgomery county delegates presented the petition of J. E. Gebbins and two hundred other citizens of Montgomery county, recommending the adoption of King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Moore presented the petition of John H. Bone and eleven other citizens of Muskingum county, relative to liquor proposal; which was referred to the committee on Liquor Traffic.

Mr. Matthews presented the petition of J. W. Maxwell and forty other citizens of Putnam county, against license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Norris presented the petition of J. W. Miles and twenty-seven other citizens of Marion county, requesting delegates to vote against King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Okey presented the petition of William Russ and fifty-one other citizens of Caldwell, asking that women be granted the elective franchise; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Partington presented the petition of S. A. Moore and the United Presbyterian congregation of Sidney, asking for the defeat of the King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Price presented the petitions of Marie Ewing Martin and Catherine Hazelton and five hundred thirty-eight other citizens of New Straitsville, Perry county, requesting a vote on woman's suffrage; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Peters presented the petitions of many churches and Sunday schools of Franklin county; of Frank H. Powell and twenty-eight other citizens of Westerville; of Wm. Miller and thirty-one other citizens of Columbus, protesting against liquor license; which were referred to the committee on Liquor Traffic.

Mr. Redington presented the petitions of W. S. Chapman; of E. F. Chapman; of J. B. Sheldon; of R. H. Kinnison; of the Rev. G. W. Houk and many other citizens of Lorain county, protesting against license law; which were referred to the committee on Liquor Traffic.

Mr. Stilwell presented the petition of A. H. Goble and forty-two other citizens of Portage county, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Stilwell presented the petition of Vaclay Medlin and thirty-one other citizens of Cuyahoga county, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Stewart presented the petition of George Burlin-

game and twenty-two other citizens of Plants, Meigs county, against liquor license; which was referred to the committee on Liquor Traffic.

Mr. Stokes presented the petition of Phil Herman and other citizens of Montgomery county, favoring the adoption of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Stokes presented the petitions of the W. C. T. U. of Riverdale, of Dayton; of the W. C. T. U. of Dayton; of Mrs. E. H. Clevenger and other citizens of Dayton; of D. M. Miller, of Dayton, protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Stevens presented the resolutions of the Tuscora club; of the W. C. T. U. and Qui Vive club of Tuscarawas county, against license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Ulmer presented the petition of N. McKinnon and twenty other citizens of Toledo, asking for the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Taggart presented the petitions of W. A. Parmenter and sixteen other citizens of Burbank; of the Rev. C. F. Brouse and other citizens of Wayne county; of the Rev. B. J. Miller and forty other citizens of Orrville; of J. W. Douds and five hundred other citizens of Wayne county; of O. J. Stone and two hundred other citizens of Wayne, representing the Ohio Conference of the Evangelical church; of J. P. Stamm and thirty other citizens of West Salem; of J. H. Elliott and seven hundred other citizens of Fredericksburg; of James Mullins and seventy other citizens of Wooster; protesting against the licensing of intoxicating liquors; which were referred to the committee on Liquor Traffic.

Mr. Tetlow presented the petitions of W. L. Swan and one hundred ninety-nine other citizens of Columbiana county; of John D. Bunn and eighty-five other citizens of East Liverpool; of E. P. Wise and ninety-nine other citizens of East Liverpool; protesting against licensing of intoxicating liquors; which were referred to the committee on Liquor Traffic.

Mr. Thomas presented the petition of Geo. A. Klein and thirty-two other citizens of Cleveland, in favor of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Watson presented the petitions of the Rev. T. H. Taylor, of Cumberland; of Fred S. Rosemond and one thousand five hundred other citizens of Guernsey county; of C. C. Crawford and thirty other citizens of Cumberland; of N. D. Cunningham and thirty other citizens of Birds Run; of Robt. Boyd, of Quaker City; protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Wagner presented the petition of the Rev. C. C. Peale and thirty-two other citizens of Darke county, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Wagner presented the petition of Oscar Moist and one hundred twenty other citizens of Greenville and Arcanum, in favor of the King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Watson presented the memorial of Mrs. Martha Crawford and other citizens of Guernsey county, rela-

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tive to liquor traffic and woman's suffrage; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Wise presented the remonstrance of the United Brethren church and Sunday school and other citizens of Massillon, protesting against the King Proposal No. 4; and urgently insist that the Convention submit a proposal to further the prohibiting of the liquor traffic in the state; which was referred to the committee on Liquor Traffic.

Mr. Walker presented the remonstrance of J. H. Elliott and thirteen other citizens of Holmes county, protesting against any license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Taggart presented the petitions of Charles Eyeseter and one hundred other citizens of Wayne county; of R. C. Townsend and one hundred other citizens of Wayne county, protesting against the licensing of intoxicating liquors; which were referred to the committee on Liquor Traffic.

Mr. Moore presented the petitions of H. W. Scovill and nineteen other citizens of Zanesville; of M. M. Reasoner and seven other citizens of Muskingum county, protesting against the passage of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Miller, of Fairfield, presented the protest of the Rev. J. V. Stone and three hundred other citizens of Fairfield county, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Matthews presented the petition of R. M. Cook and thirty-seven other citizens of Putnam county, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Redington presented the petitions of Andrew Mitro and nineteen other citizens of Lorain; of James Thomas Henley and forty-eight other citizens of Lorain, asking for the adoption of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Redington presented the petitions of Walter S. Hayden, Jr., of Lorain; of W. S. Chapman and four hundred citizens of Lorain county; of Chas. E. Keller and many other citizens of Wellington; of W. C. T. U., of Lorain; of Mrs. R. H. Kinnison and many other citizens of Lorain county; of A. C. Thompson; of Mrs. R. M. Rogers; of the Rev. J. H. Starrett and many other citizens of Lorain county, protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Stilwell presented the petition of Harlan M. Clark and two hundred other citizens of Cuyahoga county, against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Stilwell presented the petition of A. C. Bennhoff and seventy other citizens of Cuyahoga county, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Stevens presented the petition of A. N. Eley and twenty-five other citizens of Tuscarawas county, against King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Smith, of Geauga, presented the petition of S. G. Downing and seventy-five other citizens of Geauga

county, protesting against the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Wise presented the petition of Marlboro Farmers Institute and other citizens of Stark county, protesting against a license clause in the constitution and requesting the Convention to submit a proposition to the electors prohibiting the manufacturing and sale of intoxicating liquors; which was referred to the committee on Liquor Traffic.

Mr. Woods presented the petition of N. N. Yoder and twenty other citizens of Medina county, asking for an amendment in the constitution prohibiting the manufacturing and sale of cigarettes; which was referred to the committee of the Whole.

Mr. Weybrecht presented the petitions of Grant Thorpe and many other citizens of Marlboro; of J. B. Boyd, secretary of the Men's Personal Workers League of Alliance; of Mrs. John W. Albaugh and many other citizens of Stark county, representing the federated clubs of W. C. T. U., of Stark county; of J. B. Baughman and thirty-four other citizens of Alliance; of the Rev. Jno. J. McAlpine and thirty-five other citizens of Alliance; protesting against the passage of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Weybrecht presented the petition of G. G. Paul and four hundred fifty-eight other citizens of Stark county, requesting the submission of a license clause in the proposed constitution and endorsing Proposal No. 4 introduced by Mr. King, without amendment; which were referred to the committee on Liquor Traffic.

Mr. Bigelow presented the petitions of the congregation of Canaan church, of Canaan; of the congregation of Burbank, Wayne county; of Chas. L. Sanborn and eighteen other citizens of Loudonville; of the Greene county Teachers' Association; of Jas. S. Smith, of Poland; of J. W. Morrison and many other citizens of Highland; of the R. C. Townsend and one hundred other citizens of West Salem; of Merton E. Graham and many other citizens of Grafton; of J. Frank Smith, of Bucyrus; of J. R. Hadley, of Mt. Vernon; of the First M. E. church, of Bucyrus; of the C. E. society of Presbyterian church, of Cumberland; of L. J. Faris and four hundred members of the Lynchburg Bible school of Cincinnati; of F. E. Hale, of Cuyahoga Falls; of the W. C. T. U. of Loudonville; of the M. P. Sunday school of Mt. Blanchard; of J. L. Cadwallader and other citizens of New Vienna; of the Lutheran church, of Wayne county; of the W. C. T. U. of Wayne county; of Warder street M. E. church, Dayton; of Alonzo Peele and many other citizens of Xenia; of Mrs. J. M. Howard, of Dayton; of James Hayes, Dayton; of the M. E. church, of Paulding; of Obert Spencer and other citizens of Cincinnati; of the M. E. church, of Smithville; of the M. E. church of Creston; of the Presbyterian church of Wayne county; of the First M. E. church, of Barnesville; of B. S. Norris and other citizens of Ripley, Brown county; of E. M. Haines and other citizens of Cincinnati; of Morgan S. Ross and other citizens of Ripley; of W. I. Zuercher, of Dayton; of J. B. Clark, of Dayton; of the M. E. church, Doylestown; of N. E. Grafton, Dayton; of C. M. Van Hynning,

Petitions and Memorials.

East Liberty; of Mrs. H. H. Harvey, of East Liberty; of C. B. Boda and other members of the United Brethren church, Dayton; of O. H. Fawcett, Bellefontaine; of Albert Husted, and many other citizens of Warren county; of the First M. E. church, Ashland; of the Evangelical alliance of Cincinnati; of A. L. Peters, Columbus; of H. E. Pollak, Cleveland; of the Presbyterian church of Poland; of the First United Brethren church, of Bucyrus; of G. E. Bricker, Kilbourne; of W. W. Horlacher, of Dayton; of M. L. Rayner, Dayton; of Geo. W. Andrews, Oberlin; of Maud Boker, Dayton; of the M. E. church, Nelsonville; of A. Rayner, Dayton; of Charles Stowe, Dayton; of the First United Brethren church, Dayton; of the Grace Reformed church, of Reedsburg; of the Evangelical Lutheran church of Reedsburg; of C. P. Pumphrey, and many other citizens of Butler county; of the English Lutheran church, of Smithville; of A. A. Arnold and many other citizens of Jefferson county; of M. A. Gebert, and other citizens of Huron county; of the Rev. George Weir and many other citizens of Ashland county; of G. E. Sidwell, of Russellville; of Mrs. J. P. Jones and many other citizens, of Cincinnati; of D. B. Herr, of Mt. Vernon; of Mrs. Isabella C. Shoup and many other citizens of Oxford; of E. L. Long and other citizens of Camp Chase; of J. O. Grimes, Athens; of Allen C. Martin, of Mt. Vernon; of A. T. Foster and many other citizens of Belmont county; of Candus Martzloff, of Athens; protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Bigelow presented the petition of Lucas Spath and two hundred three other citizens of Bucyrus, asking for the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Beatty, of Morrow, presented the petition of S. B. Nelson and sixty other citizens of Morrow and Marion counties opposing the King proposal and urging that a proposal be submitted to prohibit the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Brattain presented the petition of Geo. W. Howard and forty-nine other citizens of Paulding county, protesting against liquor license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Collett presented the petitions of Charles W. Custis and eighty-nine other citizens of Sabina; of C. P. Losh and forty-seven other citizens of Blanchester, protesting against liquor license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Cassidy presented the petition of E. S. Keller and fifty-four other citizens of Logan county, asking that the Convention defeat the license proposal presented to the Convention, known as the King Proposal No. 4, and that further power be given the legislature to prohibit the liquor traffic in the state; which was referred to the committee on Liquor Traffic.

Mr. Davio presented the petition of Roy R. DeLong and forty other citizens of Cuyahoga county, in favor of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Doty presented the remonstrance of United

Brotherhood of Carpenters and Joiners of America, Local Union No. 11, of Cuyahoga county, endorsed by the Cleveland Federation of Labor and the Ohio Woman's Suffrage Association requesting that the people be given opportunity to vote on the initiative referendum and recall in workable form and woman's suffrage and the repeal of any present measures conflicting therewith; which was referred to the committee on Equal Suffrage and Elective Franchise.

Mr. Doty presented the remonstrances of Oliver K. Brooks; of H. T. Loomis; of F. G. Smith; of H. S. Bennett; of Phil. H. Marquard, all of Cuyahoga county, requesting the elimination of taxation on mortgages; which were referred to the committee on Taxation.

Mr. Doty presented the petitions of Edward Pokrandt and thirty-four other citizens of Cuyahoga county; of Arthur Marquard and ninety-two other citizens of Cuyahoga county, asking this Convention to adopt Proposal No. 4, introduced by Mr. King, without amendment; which were referred to the committee on Liquor Traffic.

Mr. McClelland presented the petition of W. W. Kasan and thirty-six other citizens of Knox county, against King Proposal No. 4, relative to licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Fess presented the petitions of W. C. Lacey and thirty other citizens of Greene county; of Fred B. Zartman and thirty other citizens of Xenia; of W. H. Mason and thirty-five citizens of Xenia, against licensing the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Fess presented the petition of T. J. Dolan Carpenters Union No. 11 of Cleveland, relative to the initiative and referendum and woman's suffrage; which was referred to the committee on Initiative and Referendum.

Mr. Evans presented the petitions of Ora D. Brown and thirty-nine members of the Old Town M. E. church, Bertha; of Chas. W. Waller and nineteen other citizens of Scioto county, against the passage of Proposal No. 4—Mr. King; which were referred to the committee on Liquor Traffic.

Mr. FitzSimons presented the petition of Howard E. Toll and two hundred thirty-four other citizens of Cuyahoga county, asking for the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Rockel presented the petition of J. S. McGuff and forty other citizens of Clark county, asking for the passage of the King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Rockel presented the remonstrance of J. S. She-walter and one thousand other citizens of Clark county, protesting against the passage of the King proposal; which was referred to the committee on Liquor Traffic.

Mr. Norris presented the petition of John M. Klinefitter and five other citizens of Marion county, against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Hahn presented the petition of George Eiben and sixty-one other citizens of Cuyahoga county, asking for the adoption of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Petitions and Memorials.

Mr. Hahn presented the petition of Brooklyn Memorial M. E. church, representing a membership of two hundred of Cuyahoga county, asking for opposition to the license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Bigelow presented the petitions of the County Commissioners' Association of Ohio and the Business Men's Club Co., of Cincinnati, favoring both state and national aid for the construction and maintenance of good roads; which were referred to the committee on Good Roads.

Mr. DOTY: I move that this Convention adjourn until one o'clock tomorrow.

Mr. DWYER: I want to offer an amendment.

The amendment of the gentleman from Montgomery was handed to the secretary to read and was shown to the vice president.

The VICE PRESIDENT: It is out of order.

Mr. DOTY: There is a great pressure for time to have some committee meetings. The Taxation committee, of which I am chairman, wants to have a meeting to catch up with its work; the Judiciary committee has been trying to get a meeting all day, and they are going to meet this evening; the committee on Rules has several important matters and haven't had a chance to consider them—then when we meet at half-past ten we have an hour and a half's time that we practically waste, and I think we could do almost as much work from one to six as we could do at the meeting in the morning. For tomorrow at least I ask that my motion be acceded to so the committees at least for one day can get something done. We have only a short calendar and as soon as this good-roads matter gets out of the way we won't have anything to do.

The motion was carried.