

# TWENTIETH DAY

## AFTERNOON SESSION.

WEDNESDAY, February 14, 1912.

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

The journal of yesterday was read and approved.

The PRESIDENT: I would like to announce the committee on the reception of Theodore Roosevelt. That committee will consist of Mr. Beatty of Wood, Mr. Brown of Lucas, Mr. Fackler of Cuyahoga, Mr. Leete of Lawrence, and Mr. Lampson of Ashtabula.

Mr. LAMPSON: I move that the Convention resolve itself into a committee of the Whole Convention for the purpose of further considering Proposal No. 118.

Mr. HARRIS, of Ashtabula: I move to amend that by substituting that speeches in the committee of the Whole shall be limited to fifteen minutes.

Mr. DOTY: If we are going to do that there is no use of going into committee of the Whole. That is what we go into the committee of the Whole for, that there can be unlimited debate.

Mr. WATSON: The committee on Publication and Printing waited on the attorney general to find the status of the matter of printing the proceedings and that committee is not yet ready to report, but we shall have a report later.

The PRESIDENT: Does the gentleman from Ashtabula [Mr. HARRIS] insist on his motion?

Mr. DOTY: It is out of order if he does.

Mr. LAMPSON: At this time suppose we accept that simply as a suggestion and let members try to confine themselves to that length of time and see how it works.

Mr. HARRIS, of Ashtabula: All right.

The PRESIDENT: The gentleman from Ashtabula [Mr. HARRIS] agrees to that and the motion is that we go into committee of the Whole.

The motion was carried.

The president requested the delegate from Butler [Mr. PIERCE] to act as chairman.

Mr. PIERCE: I would rather that you would select some one else. I am not a parliamentarian and do not pretend to be and there are far abler gentlemen here than I am.

The PRESIDENT: The president will then call to the chair the gentleman from Marion [Mr. NORRIS].

Mr. NORRIS: You will have to excuse me. I have some other matters requiring immediate attention.

The PRESIDENT: Then will Mr. Shaffer of Butler not ask to be excused?

Mr. SHAFFER: As a last resort, I will preside.

*In Committee of the Whole.*

The CHAIRMAN: Gentlemen, the committee of the Whole is now in session.

Mr. LAMPSON: I just want to take a moment to read a resolution which has been unanimously adopted by the Associated Dailies of Ohio, now in session in this city:

*Resolved by the Associated Dailies of Ohio,*  
That as an association and individually we are thoroughly aware of the value of good roads as an adjunct to civilization, and that we will cooperate in every way to aid in the most worthy movement to further the construction and maintenance of modern improved highways. Unanimously adopted.

Mr. SMITH, of Geauga: I want to put myself upon the record as being in favor of good roads and I do not want any ifs or ands about it, and after saying that I do not want to put any block in the way of its final success. A great deal has been said here and very much of it was quite interesting to listen to, but the fact remains the same. There is no question today before the people of Ohio that is of greater interest to the people than the question of good roads and it is not debatable.

It is admitted by every speaker who stands here that we need better roads and it is admitted that we have the right and power to provide the means for that purpose. Each representative from each county in the state is here charged with the responsibility to do the best he can in this Convention for the prosperity and happiness of all of its people. Every man is sworn to do that and every man admits that this necessity exists. Every man admits that we have a right to provide against the evils that are complained of.

The farmers, the industrial interests, the agricultural interests are of the most consequence to our happiness, and it is from that source that all our wealth and prosperity comes. It is claimed by the farmers, for they are the ones who control the agricultural districts and interests, that nothing has ever been done for them. Our state and national governments have done everything for the manufacturing interests, for the railroads, for commercial interests, but never anything for them. They are charged with allowing their interests to flag. Their interests are not prosperous, their industries are waning and they are told if they would apply scientific methods they can increase their crops and wealth. The farmers are very ready to do it, but when they raise greater crops they have no way of transporting those greater crops to market. The roads are bad. Transportation costs more than the fruit and produce is worth. They have now the means for getting good transportation and the only objection to it seems to be that they are afraid that the money will not be apportioned equitably. When the great state of Ohio is charged with the responsibility of doing something for all its people, it does not stop to consider the interest of one more than another. The government of the United States, when it built the Panama Canal, did not ask the state of New York or California which one would be benefited most, but it went on and built it, and it spent

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hundreds of millions of dollars to do it without any regard to the wishes of any state in the Union; and we shall have to do that way in this case. If I could have had things as I wish, I would have raised the limit from \$750,000 to \$50,000,000. I would have given the legislature and the people of Ohio the right to apply that as they might see fit — \$49,250,000 might have been applied to good roads. But this proposition before us, the one submitted by Mr. Lampson, is perfectly satisfactory, and I just wish to say that I believe we shall fail in doing our duty if we do not make a provision for the improvement of the roads.

I do not believe our folk are afraid; I do not believe the farmers of the state of Ohio are afraid of a little interest or afraid of an automobile or anything of the kind. They believe that if the money — \$50,000,000 — were expended tomorrow or within a year, within five years property would be increased in value to the extent of \$100,000,000 in the state of Ohio, and I believe that too. I do not believe it is entailing a great debt on posterity. I believe it is simply elevating us to a higher plane of civilization and refinement to give us better roads. Now so far as the automobiles are concerned, in the little county where I live many of the farmers have automobiles. Give them a good road from there to the city and every morning they will put that automobile into use by hitching it to a truck, and every morning someone of the family will take their products from the farm into the city of Cleveland, twenty-five miles away. They will take their vegetables and fruit in the morning in time so that they can be home for dinner. In the four hundred square miles in our county there is hardly a man to the square mile who would vote against this proposition submitted by Mr. Lampson. I hope that it will prevail. I think it is the best thing that we can have, and I not only feel that way but I feel that I would be condemned if I did not support the measure. I think we ought not to let this opportunity to do what we can for the prosperity of our state and the happiness of our people go by. I am not accustomed to speaking of late years and shall not further trespass on your time.

Mr. MILLER, of Ottawa: I want to place myself on record as favoring this proposal. I have listened with much interest to the remarks of the legal gentlemen who have given us their arguments on this subject, and now I want to say just a word from the standpoint of the farmer. I cannot conceive of any delegate here having that selfish spirit that would surround his own individual county with a Chinese wall to prevent the free intercourse from one part of the state with another, or from one county to another, as some have practically proposed. I have intended to say only a few words on this subject, but for fear what I have to say will get away from me I have written it down.

The learned gentlemen of the legal profession who have spoken upon this subject seem to base all their arguments on the assumption that the adoption of this proposal as part of the constitution will make it obligatory on the part of the legislature to issue bonds to the amount named.

The real question at issue is not whether or not we should as a state build roads, but whether our children

should be denied the privilege of exercising the good sense which we hope they have inherited. When the constitution of 1851 was adopted the people of Ohio were poor. Money was scarce and the framers of that instrument wisely safeguarded the people by placing restrictions upon their debt-making power. But the world moves faster now. Money is more plentiful and more easily acquired, and let us not hamper the development of Ohio by entailing the estate we leave to those coming after us. Wisdom will not die with the delegates of this Convention, nor will their children unwisely burden themselves with debt.

Nor am I one of those who look with suspicion upon every act of a legislature, elected of the people, by the people and to do the will of the people. A citizenship doing its duty at the polls will not be unnecessarily burdened by bond issues.

It is urged by the gentleman from Fayette [Mr. JONES] that this proposal is altogether in the interest of the owner of the pleasure automobile. He might with as much plausibility assert that his objections are in the interest of the trolley and steam railroad. He would build and improve the cross roads and compel the people to pay tribute to those oppressive trusts. Mr. Chairman, it does not need a prophetic vision to see that the motor car is to become not only the pleasure car of the rich, but the everyday business vehicle of the plain American citizen. It is already a necessity. If the gentleman from Hamilton [Mr. HARRIS] had read further in his Gideon's Bible he would have found there recorded this prophesy which is now being fulfilled:

His chariots will be with flaming torches in the day of his preparation, and the fir trees shall be terribly shaken. The chariots shall rage in the streets. They shall jostle one against another in the broad ways, they shall seem like torches, they shall run like the lightning.

Whether or not the old prophet had in his mind's eye a steam locomotive or an automobile, it remains for us to make possible the completion of the picture by improving the broad ways.

Over the entrance to the transportation building at the Columbian Exposition at Chicago was the inscription from Macaulay, "Of all inventions none has done more to promote civilization than those which abridge distance." Inventions which will promote the rapid intercourse between alien people are the instruments of peace. Inventions which will promote rapid transit between city and country will promote and benefit both. It will not only check the flow of ambitious young men to the city, but accelerate the modern back-to-the-land movement of the city man. It will encourage and increase the number of home owners. Let Ohio be governed by a citizenship of home owners and her position in the galaxy of states is secure. The spirit of unrest manifesting itself in the fads and isms of the hour, is not generated in the brain of the home owner. They are parasites propagated and fed on brick and mortar. Desirable citizens increase as the number of home owners increase.

Mr. ROCKEL: I have listened very patiently to the

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remarks on this subject. I might say that while I am put down in the directory as a lawyer, about all the worldly possessions I have are invested in farming property and I reside on a farm myself. So I am more or less interested in this proposition.

I do not believe I can add anything either pro or con to what has been already said except to convey my own conclusions and to remind the Convention that we are not dealing with the past but we are providing for the future, that we are an empire in ourselves, that we have progressed along from the formative stage to the present time developing fields and farms and matters of that kind. Those things needed our attention and it has taken our money and minds to accomplish that end. But we will naturally become more thickly populated as we go along. The idle lands must necessarily become occupied, and when that is so, this matter of good roads becomes one of much greater importance than it is today. So we must look at this question with reference to the future. We are building for ages, so far as we know, and if we expect to accomplish any result along that line we must make a beginning, and I believe that there is no time so well to make a beginning as now, and that is the purpose of this matter that is brought before the Convention. Let me remind those that have opposed this matter that even if this appropriation is made, you will have plenty to do in your community to keep up the byroads that lead to all that may be done under this proposed legislation. So that you need not oppose it on that ground. If you get the main artery once in good condition and then devote your time and attention to the byroads, you will have all that you can do. Some one has suggested that this is not fair, that it is not equitable. Let me say to you, gentlemen of the Convention, there is no such thing as perfect equality in this world in anything, and of necessity, in various walks of life, the strong must take care of the weak. So that if we are going to build up a great road system in this state, we must throw aside these selfish ideas and devote ourselves to the public good. And this is one of the great propositions along this line. The gentleman from Fayette [Mr. JONES] yesterday quoted statistics from my county, eight hundred and fifty miles of improved roads. That word "improved" is certainly one of great variation, and it certainly is in my county, and I believe we have as good roads practically as any county in the state, and yet we are not afraid of this proposition so far as I can learn the sentiments of my people. At least we don't wish to throw a stone in the way of progress along a line that will be for the advancement of posterity. Therefore, gentlemen, so far as I am concerned, after hearing all the pros and cons that have been delivered to the Convention I feel that I shall cast my vote for the proposition.

Mr. ROEHM: I had not expected to speak on this good roads proposition, but like every other speaker who has said he is against it, I am in favor of good roads and I am not entirely unselfish in saying that I am in favor of good roads because I hope by the time we get them the automobile manufacturers will so lessen the price of automobiles and so perfect them that I shall be able to have one of my own.

As to the matter of distributing any fund, as a dele-

gate from Montgomery county, which county by the way has distributed more educational fund to the remainder of the state than it has received—I understand that some years ago we used to help out Franklin county—as a delegate from that county, I am patriotic enough to desire that our county shall be of some assistance to those that cannot afford to do as much for good roads as we can there, and I am not entirely unselfish in that either, because I would expect the city of Dayton, which is the bigger part of Montgomery county, would be the gainer by this system of good roads throughout the state of Ohio. I am in favor of good roads, but I am in favor of every bit of the money that is collected being spent for good roads. I stand here now for the purpose of learning how that can be done. I will say that I will support any proper good roads proposal, but I wish also to say that I have been very much impressed by the argument of the gentleman from Cuyahoga [Mr. STILWELL]. I do not believe in getting \$50,000,000 worth of good roads at an expenditure of \$36,000,000 for what? For the use of the money to get \$50,000,000 of roads. I believe we can take an annual levy for the biggest expenditure in any one year shown by these schedules, namely \$3,750,000, and levy that and use it for the purpose of good roads and in fourteen years time or thereabouts we will have expended the \$50,000,000 and will have it all in good roads. Then we can take eight or nine years longer and spend a similar amount and we will then have all the money contemplated in this schedule in the good roads—not this \$50,000,000, but \$86,000,000 in good roads.

If there is any other explanation to show why it is not feasible I would be very willing and glad to have it given to me. I do not quite understand all that is contemplated in the substitute amendment of the gentleman from Hamilton [Mr. HARRIS], and I would be very glad now to learn something about that if he will explain the matter to the Convention. How would the sinking fund relieve this proposition which the gentleman from Cuyahoga [Mr. STILWELL] has so clearly put before the Convention.

If this Convention can decide this matter and present it to the people of the state of Ohio, should we decide that an amendment to the constitution is necessary at all, I would much prefer a method by which every dollar that is raised is used in good roads to a method by which \$36,000,000 of \$86,000,000 is used for paying interest.

Mr. LAMPSON: Is there anything at all in this proposal that would prevent the legislature, if it thought it feasible, from carrying out the plans that Mr. Stilwell suggests?

Mr. ROEHM: I think not. The only question is, if it is feasible why should we permit or give the legislature authority to issue \$50,000,000 of bonds when they can accomplish the same thing without any money for interest? That is the idea.

Mr. ANDERSON: Is it your wish that we should so word this proposal that it would prevent the legislature from doing anything other than what you now propose?

Mr. ROEHM: Really I don't know. I am here to

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learn something. Mr. Stilwell argued this matter so well that I do not think the Convention should lose sight of it. We ought not to lose sight of a small item like \$36,000,000.

Mr. LAMPSON: Really, is not that argument one to be addressed to the legislature and not to a constitutional convention?

Mr. ROEHM: No; I think we ought to discuss that matter here. I think this is the proper place for it.

Mr. ANDERSON: Then is it your desire that it should be done if it can be done by any proper phraseology, although it may in a sense be legislative?

Mr. ROEHM: Personally I would prefer, if we could, to get up a constitution that didn't have too many legislative features attached to it. I am willing, if it is absolutely necessary, to attach certain legislative features to it, but I think it is desirable to have as few as possible. I think here it is desirable that this course of action should be pursued, and were I a member of the legislature, I certainly would favor that method of obtaining good roads. I should very much like to have the committee fix up the proposal in such a manner that the argument of Mr. Stilwell would not longer hold good.

Mr. COLTON: The sentiment of my people is in favor of good roads. We have been building them for a long time and I have yet any complaint to hear about them, either because of their quality or because of the tax that is necessary to impose on the county for their building. We are not only in favor of good roads, but in favor of good roads according to the proposition presented in this proposal. We are in favor of a system of roads that can be properly called a state system, that shall form a network over this state, connecting the states with each other, connecting the various places of this state with each other and connecting various centers of population of this state with the country. Such a system as this can only be built under state supervision. So I am in favor of the provision that has been offered.

It may be true that we can get these roads some other way. The method of the gentleman from Cuyahoga [Mr. STILWELL] might be applied, but it seems evident to me that the only way we will ever get them is the way proposed by the committee. Roads are not built and public works of any great moment undertaken by direct taxes levied on the people, by raising from year to year the sum of money expended. We have discussed details somewhat in connection with this matter and possibly it is well enough. The proposition as stated in one of the amendments is to leave everything to the legislature. None of us is wise enough to point out exactly the kind of road to be built. We can say what is best at present, but rapid strides are making along this line, and the best road now may not be the best and most economical and the most serviceable in ten years from now. The method by which these roads, or this money—it makes no difference which you say—are distributed among the counties is a matter of concern to some of us, although that is a matter I think must be left to the legislature.

Two methods have been submitted. One of equal distribution among the counties in proportion to area. This seems to me not to be right. Our system of roads must be a state system. If it is to be what we want it

to be it must form a network that is continuous over the state.

If we distribute the money according to the area of the counties, we shall, it is true, help the poor county more, but we shall leave the richer and more populous counties without the mileage they should have and that they deserve. There is more travel in the larger counties and more populous cities, and they should have a larger mileage of roads in proportion to their area than the smaller, poorer and more thinly-settled counties. Distributing this money in proportion to area would not be fair, nor would the distribution in proportion to valuation be fair. And right here I have been pleased to see the sentiments of our delegates from the city. They are willing that the populous places shall assist the poorer counties in constructing the roads across them. But it would not be fair to distribute this entirely by area, nor would it be fair to distribute the money entirely by population, because then you would leave the poorer counties without the necessary means to construct the network of roads, and it would give the more populous counties more than they needed. I believe a mean can be struck between the two. I believe the legislature can devise some way—I will not presume to indicate just what the proposition will be—but I think the legislature can devise some way in which this fund may be divided among the counties, part of it in proportion to area and part of it in proportion to valuation, and these two parts may be so related that it would provide the poorer counties the means to build the links they must have to make the network of roads serviceable and still leave enough money in the wealthy counties to enable them to build the percentage of mileage they ought to have in order to connect them with the surrounding counties as they should be. I think I would leave these details to the legislature, and I am heartily in favor of the measure and I shall give it my vote.

Mr. MOORE: I want to talk a little while and not say much about roads either. The roads are necessary and if there is any question that appeals to the people of Ohio and to the farmers of Ohio it is good roads. But I believe that this good roads proposal is merely a vehicle upon which to carry out something that will not stand alone. The gentleman from Cuyahoga [Mr. DORV] said the people from one part of the state traveled over all parts. I venture to say that those who travel over the roads in Muskingum county don't travel over them but once if they can help it. I don't propose to discuss the proposition where the roads should be now or out of what material they should be constructed, or what labor should be employed. I merely want to discuss the proposition of raising the money to pay for them, and I want to oppose the issue of bonds under this proposal. There are methods of getting the roads without issuing bonds and with the permission of the gentleman from Medina [Mr. WOODS] I want to preface my speech with a part of his. I think we are able to levy a small amount and pay cash for the roads. Why, in the state of Delaware Mr. Dupont is building a road one hundred and ten miles long and two hundred feet wide, and there is to be an agricultural experiment station every twenty miles and landings for aeroplanes at intervals. It might be well to consider how Mr. Dupont got the money to build that road, and I think whenever

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we shoot a shotgun or use dynamite we are paying for part of that one hundred and ten miles of road Mr. Dupont is presenting to the state of Delaware. That is one way to pay for roads.

Now let us look at the bond proposition a few minutes. I have understood that bonds mean bondage and bondage is slavery. There are many forms of slavery. There is the form which carries with it shackles and chains, and another form that appeals to our sense of respect, the form of law, and that is the form of slavery that we are now attempting to put upon our children. Thank God, I have none.

We read in history that prior to the war men, women and children were sold into slavery, and their value was fixed according to the amount of the product of their labor over and above the cost of their keep. Now you take from the weak, by this bond proposal, everything but what is necessary for their keep. My friend from Butler [Mr. PIERCE] says that the interest on \$50,000,000 during the time these bonds are to run would amount to \$117,232,500, which is correct. Figure that out and you will find that is exactly correct. At least, I believe it is true.

Now who will purchase these \$50,000,000, or in a few years \$100,000,000? I am assuming that the legislature, when you let the bars down, will probably go through. They will be purchased by persons who go into a national banking association. The financial laws of the United States provide for certain currency associations, and I am going to quote you from the banking laws of 1908, passed May 30, and if any gentleman sees fit to question my statement I want to cite him to the proper book in the law library and ask him to look it up for himself. We understand that these bonds will eventually go into a national banking association. Ten of those national banking associations, under proper conditions, may become a currency association, and the law provides upon the deposit of any state, county, city, town or any other municipal bonds with the treasurer of the United States, currency may be issued to the extent of ninety per cent thereof. Now I have some of that money—"This note is secured by a deposit of government bonds or other security."

Mr. BROWN, of Highland: May I ask the gentleman a question?

The CHAIRMAN: Does the gentleman yield?

Mr. MOORE: Wait until I am through.

The CHAIRMAN: The gentleman does not yield.

Mr. MOORE: The bonds of the state of Ohio will be deposited with the treasurer of the United States, and for every one hundred dollars deposited ninety will be handed back in bills like this, and I will take them, and so will anyone of you. That one hundred dollars has cost the bondholder just ten dollars, and when you have paid him three and a half per cent interest, you pay him three dollars and fifty cents for ten dollars. That is thirty-five per cent. Now, do you understand it?

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

The CHAIRMAN: The gentleman will please state his point of order.

Mr. BROWN, of Highland: The gentleman is out

of order when he attempts to teach this Convention that the national banks can deposit state bonds to protect circulation.

Mr. MOORE: The law of 1908 provides that state, county and municipal bonds are a basis for circulation. If I am wrong I shall be glad to be corrected.

Mr. DWYER: You are right.

Mr. FACKLER: Did you ascertain what the tax is on that circulation?

Mr. MOORE: I don't care anything about the tax. I leave that to you. Now I think I have explained what is behind this bond issue. I think my friend from Medina [Mr. WOODS] said we could raise the tax and build the roads, and I oppose the bond issue as being unnecessary and unjust to posterity. Why not take out a national bank charter for the treasury of the state of Ohio? The people of Ohio can deposit their bonds then and take advantage of the national banking laws. When I began to look at some of the injustice that has been practiced on the people of this country I was astounded. But I am not going to try to tell you about it. You don't seem to believe what I have told you so far, but representing a people who must earn their bread by the sweat of their brows, I object to anything that will place a heavier burden on them.

I also think that the cost of roads by issuing bonds is too much to pay. Now I have called your attention to these things and I want you to take up this proposition and sift it to the very bottom, and when my turn comes to vote on this proposition I am going to vote "no."

Mr. ELSON: I want to say just a word or two about this bond bugaboo. I can not agree at all with the gentleman who just took his seat. Let me illustrate. Show me a business man doing business in any town, and if he is a good business man he borrows money from the bank. From time to time he finds it easier and better to do that than to keep a lot of money on hand with which to purchase his goods. Is not that so? Is it not the little one-horse grocer who does not borrow money and who is afraid to go in debt? A wide-awake business man will be thankful that he has a bank near and an opportunity to go there and secure money when he needs it, at sixty or ninety days, in order to keep his business running, thus relieving him of the necessity of keeping a large sum of money on hand.

Mr. WOODS: I want to know whether the business man goes to the bank and gets money when he does not need the money?

Mr. ELSON: He prefers doing that instead of keeping money on hand from his business. That is what I mean.

Mr. JONES: If we spend this for good roads we won't have it.

Mr. ROEHM: Doesn't he go to the bank and borrow money to discount his bills, and does he not in doing so make money by borrowing?

A DELEGATE: But suppose he loses money? That depends on his business ability, of course.

Mr. ELSON: The state of Ohio is supposed to know how to run its business. At the end of a year's business a man discovers he has paid out two or three hundred dollars in interest, but that it was an advantage

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to him; he had the use of the money. And suppose he borrowed \$1,000,000 for sixty days. He has to pay interest, but he had that \$1,000,000 and he is ahead. As to bonding the state of Ohio at three and a half per cent I don't consider the interest feature at all. We have the use of the money we borrow and for which we have issued bonds, and the money is worth all we pay for it. The business man pays six per cent to his banker and we can borrow money for three and a half. Is not the money we borrow worth what we pay for it? Is there any disadvantage in paying interest? It is a simple matter of business.

Go back for an instant into the history of the beginning of the United States. I have a great admiration for Thomas Jefferson, but Jefferson was childish in his ideas of a national debt. Hamilton was far his superior in that respect. Hamilton saw it was not a weakening of the nation to bond the nation. Jefferson believed in paying everything as we go. Hamilton believed it was better to bond the national debt and let the future pay and we have already come to the Hamiltonian idea rather than the Jeffersonian, and in national, state and city government, that idea has obtained from early years down to the present time, and so it is with all governments in the world.

Mr. STOKES: Will we be any better able at the end of ten years to pay \$3,750,000 than we are now? And in asking that question I want to put myself on the side of good roads.

Mr. ELSON: A friend of mine recently said he could never save any money unless he was in debt. Our tax duplicate will be much larger at the end of ten years than now. We are building good roads for the future far more than for the present. Why should not the future help pay for them?

Mr. WOODS: I would like the gentleman to explain how the state of Ohio can save money by borrowing under these circumstances?

Mr. ELSON: Whatever the state of Ohio borrows it will leave in the pockets of the people and the people of Ohio will use it in the meantime. That is the same in fact as the business man borrowing money in his business. If it is possible for him to do it, why should he not do it? He is not out of pocket the amount of the interest. He has the use of the money and he properly pays for it in the form of interest; and so it is with us in issuing bonds. What is \$10 to a business man and what will \$10,000,000 be to a great state like Ohio ten years from now?

Mr. PIERCE: Will the gentleman tell the Convention what kind of roads he believes we could build?

Mr. ELSON: I was not quite through with the answer to the gentleman's question, but we can leave it at that. Now I am not a road expert.

Mr. PIERCE: That is exactly what I thought.

Mr. ELSON: I have not been discussing the building of roads. We are not building roads.

Mr. PIERCE: Is it not a fact that the life of the roads built under state aid will not be ten years?

Mr. ELSON: If the life isn't ten years we will have to rebuild them and keep them in repair.

Mr. PIERCE: But where do we get the money to rebuild?

Mr. ELSON: As we got the original.

Mr. PIERCE: That is what I object to. This is an endless chain.

Mr. ELSON: Our tax duplicate will grow larger year after year, and in ten years it will be nearer ten billions than the six billions now. It will not be a difficult matter for the future to pay those bonds.

Mr. CORDES: I would like to ask you, as the tax duplicate increases, does not the direct tax increase?

Mr. ELSON: I don't quite catch that.

Mr. CORDES: If the tax duplicate is \$10,000,000,000 in ten years won't the direct tax decrease with the increase of the tax duplicate?

Mr. ELSON: If the rate is the same. It is easier for people worth \$10,000,000,000 to pay a debt than for people worth six billions.

Mr. CORDES: A direct tax of one mill upon a six-billion duplicate would bring us \$6,000,000 a year for road improvements?

Mr. ELSON: Yes.

Mr. CORDES: Then when the tax duplicate increases to ten billions one mill would bring ten millions.

Mr. ELSON: I was speaking of the amendment of the gentleman from Hamilton [Mr. HARRIS] limiting the amount to \$50,000,000. I know \$50,000,000 in ten years could be paid easier than it could have been paid at any time in the last ten years. The state is getting richer all the time. In twenty or thirty years it will be but a bagatelle for the state to pay it.

During the Civil War suppose the government had decided to tax as it went along to keep the Northern armies in the field. The whole thing would have collapsed. A government that can issue bonds and let the future pay will certainly do it.

Mr. WATSON: You speak about Civil War conditions when the government exacted of the soldier his life. Would it not have been fair and just to have exacted from Shylock his dollar instead of exacting it today from the children and grandchildren of the man who gave his body in that service?

Mr. ELSON: Do you mean to say it is unwise for the government to issue bonds in time of civil war?

Mr. WATSON: Yes, sir.

Mr. ELSON: Then I have no argument with you.

Mr. WOODS: Do you seriously contend that there is any parallel between the question of raising money by bonds to repel invasion and put down insurrection or war and a proposal to bond for good roads.

Mr. ELSON: I am arguing on the theory of bonding the state, the nation or the municipality. I do not think it is a detriment. It is not an imposition on the future. It is not reducing posterity to slavery in any sense because it is not called on to pay the bonded debt as a whole. Let me give this example of our building a school house—

Mr. PIERCE: Will the gentleman yield?

Mr. ELSON: As soon as I finish that I shall be glad to hear you. We needed a high school building to cost \$75,000 or \$100,000. It would have been an exceedingly great burden to the people to raise enough money in one year by taxation to build that high school build-

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ing. Now what did we do? We sold bonds and arranged a sinking fund by which we can pay in thirty years and now nobody feels it at all.

Mr. ANDERSON: Do you know of any other method anywhere by which buildings are put up by cities or counties except by bonds?

Mr. ELSON: I do not know that I do. But it is the other side that ought to prove that. I do not know of any other way of doing it so as to make it the least possible burden to the people. It is the best possible way in my opinion, and if this state can borrow money at three and a half per cent the state is justified in doing so, because it has the use of that money in the meantime and I don't care whether you count the interest at \$18,000,000 or \$35,000,000. I say the state is not out a single dollar because it has the use of the money in the meantime and by the state borrowing the money it leaves the money that would otherwise have to be paid by the people in the pockets of its people; so it is not out anything.

Mr. WOODS: Will the gentleman please give us his view and idea as to what brought about the present provision in the constitution against issuing bonds in the state of Ohio and tell this Convention whether there is any more reason now for an absence of that bar than there was at the time it was imposed in 1851?

Mr. ELSON: Yes; I know they were a little reckless right along before that in issuing bonds, and I don't blame them for making the limitation. But I think the limitation was entirely too narrow. But we must remember this. The good old fathers in 1851 lived under very different conditions from what we have now. They meant it all right, but they didn't foresee the vast growth of the business of the state as we have it now.

Mr. WOODS: Were not the conditions sixty years ago, when we were building canals in this territory and when there were no railroads practically in this country, and when the products of the farm were hauled anywhere from ten to one hundred miles to get to market—were not the conditions then such as many more times to justify the issuing of bonds for public improvement than to-day when every load of farm products can be put on the market in a few miles?

Mr. ELSON: There may have been. The good old farmers did not see it in that light however. But our population is twenty times greater now and we are twenty times more able to pay off a bond issue than they were in those days, and they could not foresee the conditions of today. We cannot blame them for being narrow, but the people of Ohio will blame us if we are as narrow as our fathers were because we are acting in the full-day light of the present.

Mr. HARRIS, of Hamilton: As a matter of fact, is it not historically true that the conditions leading to the adoption of the constitution of 1851 and eliminating the right of the state to contract debt were diametrically opposed to the conditions that exist today? Is it not historically true that under the constitution of 1802 the state of Ohio was allowed to enter into partnership with railroads, turnpike companies and private corporations and that private corporations were responsible for the debt of \$18,000,000? And further, that it was because of those terrible conditions, having no bearing or relation

to the conditions that exist today and that have existed since 1851, that the constitution of 1851 forever made such conditions impossible? And if the gentleman from Fayette [Mr. JONES] thinks I am misquoting I beg to refer him to the book of Professor Patterson, A. M., LL. D., issued in 1912.

Mr. ELSON: I beg to thank the gentleman from Hamilton [Mr. HARRIS]. Now one thought more. You may think it is startling, but I am going to say it nevertheless. We are not contemplating going into debt. If a farmer spends one hundred dollars for fertilizer and puts it into his farm has he gone into debt? Does he not still have it in different form? If a man builds a house and finds that he has to borrow a thousand dollars before he gets through with it, is he going into debt? Has he not the house? I believe if we spend \$50,000,000 upon the public highways of Ohio that the value of real estate will be enhanced to the extent of \$50,000,000 and that we will have the good roads besides.

Mr. WINN: Mr. Chairman and Gentlemen of the Convention: I believe that when the Convention met on January 9, there were few of our number who knew less about this subject than I. In truth, I have learned more about it since yesterday morning than I ever knew before.

The same arguments were offered yesterday and to-day that have been offered ever since I can remember whenever it was proposed by some authority to issue bonds for some contemplated improvement. There never was a street paved in any of our cities when there was not some man saying, "Why issue bonds, why not levy the taxes and accumulate the money and expend it for the improvement as we go along?" You know there is one class of men that is always opposed to any sort of debt. They pay their own private accounts as they go along. I wish it were possible for all of us to do that. And because they pay as they go, they believe that in making a public improvement the same rule should prevail.

Mr. ROEHM: Will the gentleman yield?

The CHAIRMAN: Does the gentleman yield to the gentleman from Montgomery [Mr. ROEHM]?

Mr. WINN: If he will hurry up.

Mr. ROEHM: Is it not a fact that in paving the streets each property owner has a chance to pay cash and that bonds are only issued for the unpaid portion?

Mr. WINN: Generally so. Such provisions are found in the law and opportunities given to that class of men I have just mentioned to pay as they go. But it sometimes happens that there are men just as interested in having improvements as those who can "pay as they go," and yet who are utterly unable to do so. Once in a while we get a man of the pay-as-you-go sort in the council of some municipality. Many a time in the little city where I live has progress been retarded because we had some strong man in the council who stood there insisting that not a single farthing of indebtedness could be created, and if we should have in our council men of that sort right along nearly every street in our little municipality would be a cow pasture. Now suppose the government when it decided to build the great Panama canal should have said, "We will create no indebtedness but will levy the taxes under the system prevailing, and as we accumulate the money will carry

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on this enterprise?" But the government was wise and never did that. We have scarcely ever known of a railroad being built in this land that was not built on borrowed money for which bonds were issued. And if associations of capitalists were to come together and say, "We are going to build a railroad from New York to Chicago, but we are going to gather in the money as we go along, create no debt and build it and pay for it as we progress," how long do you think it would take to get the railroad? Men never build railroads that way. Our street railways, all our great enterprises, have been carried on with borrowed money. And in this connection we should remember that this proposition does not necessarily mean that we are to borrow \$50,000,000 or any other amount, as I understand the proposition. We simply remove this limitation. We say to the general assembly, "There is a demand for improved roads. If in the wisdom of the legislature it shall become necessary or advisable to issue bonds for that purpose, we have removed the limit and you are at liberty to do so." If, upon the other hand, it is deemed prudent to levy taxes upon the tax duplicate each year and from the taxes when collected build a few miles until a particular amount has been expended and some mileage of road has been built, follow that course and in that event no bonds may be issued. Here is another thing that appeals to me strongly. It is well known, I think, that there is a movement on foot under which it is proposed that by national aid a system of building roads will be put into effect. Suppose congress shall decide that out of the millions and millions at its disposal it will enter upon a plan of building highways, and shall say to the states of the Union we will appropriate to your commonwealth a certain amount if you meet us half way; if we were bound by the present limitation in our constitution what will Ohio say? Must we wait twenty years, or until the general assembly shall authorize another convention like this one, to remove this limitation?

Mr. ANDERSON: Other states that have not this constitutional limitation could take advantage of the offer of the United States government and we could not.

Mr. WINN: Exactly; other states that have not this limitation would take advantage of the offer of the government and we would have to sit here waiting our time and in the mean time the others would be getting all the money.

It was said, with wonderful force, yesterday that behind this proposition there is nothing except the bond brokers of Ohio. I wondered where that notion came from. It was said that since the Smith law was passed and bonds could not be issued as before, therefore the bond brokers came together some place and in some dark room proposed or concocted this great scheme against Ohio.

Mr. ELSON: Let me ask you, if you are very much in need of money and you get it for three and a half per cent do you care whose money it is?

Mr. WINN: Not very much. What I want to say on that subject is this. I am surprised, if it be true that it is the bond brokers behind this scheme, that they have been able to obtain the co-operation of such a great number of splendid men throughout Ohio. Last Thursday on my return home I was invited to attend a meeting of the Grangers of my county. They had come to-

gether to be entertained by the master of the State Grange and I went over and took some little part in their meeting. At their request I spoke of the things that we are doing here. I explained to the very best of my ability my understanding of this good roads proposition. I explained to them the objections to the bond idea. I explained to them how it might become possible that in the near future, we will start on the construction of good roads under some project inaugurated by our national government. I explained the whole thing, but I expressed no opinion, and just about the time I concluded my remarks I was called back to my office. Before those men left that hall they passed a resolution by unanimous vote, every man present voting in the affirmative, asking me to support this measure upon the floor of this Convention.

Mr. DWYER: What did you tell them those roads would cost a mile and what kind of roads did you tell them you would have? I understand the whole matter was discussed. I am seeking information. I want to know what you told them the roads would cost.

Mr. WINN: Up where I live and where I am well known the farmers of my community know that they know ten times more about that than I do and they did not ask me such a question.

Mr. JONES: Did the gentleman entertain the same sentiments last Saturday as to-day, and was there anybody to present the other side?

Mr. WINN: I was not making an argument. I was presenting it as nearly as I could, with my ear to the ground, to the end that if my good friends in that hall had anything to say they could say it without knowing what opinion I entertained.

Mr. ROEHM: If we pass this proposal and it should be approved by the people, the legislature, in order to take advantage of it, would have to act upon it would it not?

Mr. WINN: Certainly.

Mr. ROEHM: In the same manner, if we do not pass it and the legislature wants to improve roads without borrowing, they can also act?

Mr. WINN: Yes, sir.

Mr. ROEHM: If the legislature should take the plan of Mr. Stilwell would there be any bond issue?

Mr. WINN: None at all. These questions are too simple to bother with and they simply take up my time. It was insisted here yesterday in eloquent terms and with great force that instead of being the bond brokers who are pushing this project, it is the owners of automobiles, and if not the owners of automobiles, then the manufacturers or the salesmen, or, perhaps, all together. But I cannot agree to that, although I am here to say that in the county where I live most of the prosperous farmers are able to ride in automobiles and do so; and they own them. Now I am not sure whether they issued bonds for that purpose or not and I am not caring. Why, it must be known to all of you that we are living in a different age from that in which the people of the world ever lived before. How well do I remember my first trip to the county seat of my county. No, not my first trip, but the first trip when I had but one thing on my mind and that to enter upon the study of the law. My father lived on a farm and so did I, and I rode on old dun mule nine miles through the mud to make some

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arrangement by which I might go into a law office to study for the profession. A dun-colored mule, blind in one eye, was the only thing that could go that many miles over those roads. We are not living in that age to-day and ten years from now we will not be living the same life we are living to-day. It has been said here, and I believe it to be true, that before another decade of time shall go by men upon our public highways everywhere—men engaged in agricultural pursuits, men engaged in all other sorts of vocations—will be doing their business with some sort of automobile. It may be an auto truck with gasoline for the motive power. It may be some electric power. We cannot look into the future far enough to determine that question, but in the evolution of things, if we go on as we have been going on, long before many of us shall have passed from the scene of action, we shall be living a life as much different from the one we are living today as the one I am living today is different from the one I lived when I rode the old dun-colored mule to Defiance. And the question is, Shall this great body of men, selected for the very purpose of planning for the future, build up this wall in front of the coming generation? Why, says the member from Muskingum [Mr. MOORE], "I am unwilling to bond future generations," and then he thanks the God of all creation that he has no children. Well, I have five, and every day of my life I thank God more and more that I have five of them, and I am not afraid to join with my fellow countrymen in putting upon this splendid old commonwealth a bonded indebtedness in any amount for the purpose of planning for their pleasure, their prosperity and their happiness. Why, only year before last the people in my municipality built a brick pavement in front of my premises and imposed upon me an indebtedness of almost eleven hundred dollars. I made no objection, because it was a necessary improvement if we are to keep abreast of the times. And now, having spoken perhaps longer than I should upon this question, I want when my name is called to answer in favor of this proposal. I want it so because I am heartily in favor of that proposition and I am in favor of it not only from my own consideration but because those of my county, who are more interested in it than I am, have asked me to be in favor of it. Only today I was visited by one of the most distinguished men of my city, a man who is president of the organization of hardware retail merchants of the state. They are here in session. They are a splendid body of men and he called upon me and asked me to record my vote in the affirmative on this proposal. That is the way the people of Defiance feel about it, and we have gone through all the hardships, so far as the road question is concerned, that were ever imposed upon people who years ago lived in that northwestern swamp land. I believe that if it were left to the citizenship of Defiance county there could scarcely be found a progressive man who would vote against the adoption of this proposal.

Mr. MARSHALL: I shall have very little to say at this time and it will not take me very long to say it. I confess I am a little like the old gentleman who was traveling and came to where the roads part and he stood there a while, like a monument, in silent meditation. He wanted to go some place, but he did not know

which way to go. There was a man plowing corn in the field and he didn't know but the old man was dead, he was standing so still, and he walked over and tapped him on the shoulder and said, "My friend, what is the matter?" The man standing there said, "I am laboring under considerable trouble in regard to which one of these roads I must take to get to a certain destination." So I am a little like the man at the fork of the road. I am laboring under some disadvantages of mind to know just where to go. I want to say to this Convention that I am in favor of good roads. They certainly would be built if every man in the state of Ohio felt as I do about it—although I have considerable tax to pay now. I would vote first, last and all the time for the good roads proposition. I am a farmer and I know more about farming than anything else, and not very much about that either, but right now if this Convention will allow me to digress a little I want to read the platform upon which the various people of Coshocton sent me to this Convention, if you will indulge me:

"Allen M. Marshall, candidate for delegate to the Constitutional Convention in Coshocton county, shows a clear conception of the responsibilities which his position as a delegate would impose upon him in an appeal to the voters of the county for their suffrage. He says: If I am elected delegate to the Constitutional Convention, I go as the representative of the five million people of the state of Ohio, and not of any one man or set of men. In this five million people there are of necessity many callings and avocations of life, the welfare of each and everyone of which is essential to the welfare of the other. Therefore all partiality should be laid aside, and the fullest amount of wisdom carried into the deliberation of that august body when they meet in January to frame a constitution for the people of the state of Ohio to take the place of the present one. Whatever defects may be found in the present constitution brought on by lapse of time should be stricken out and something better take its place, and no radical changes in the present constitution should be made unless the demands and conditions of this day and age require it. To this end and for this end it will be my ambition to work, ever shunning such extremes as are experimental or fanatical; but on the other hand, standing for those principles that may seem progressive, yet acting with that degree of wisdom and conservativeness as may be best for all concerned. If Ohio is a great and good state it should have a great and good constitution, one that will be fair and inviting to the farmer the laborer, the miner, the manufacturer and the merchant, the banker, the doctor and to all other callings and avocations of life and necessary for the peace, prosperity and happiness of the five million people in the state of Ohio."

I am here to represent the people of my county in connection with five million others. I want to say that I am in favor of good roads. I want to say after I was elected I met different classes. When I met a farmer he

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patted me on the shoulder and said, "I want you to look after our interests, we are taxed to death; and when I met all the different classes they would pat me on the back and tell me to look after their welfare. Therefore I am a little like the man at the fork of the road—I don't know what to do, but I will say this—there is one thing about a bond issue—I would not vote for the expenditure of a dollar of money on the roads unless I know for a certainty that we are to have a separate submission of this matter to the people. That is the initiative and referendum. I want the people to rule. Second, I would not vote for one unless I was sure that the county lines of Ohio were eliminated from our minds and those roads would be built for the state of Ohio regardless of the wealth of the different counties. This money will be raised by the state. It should be used by the state. It should go to the poor as well as to the rich sections on the principle of equal distribution. All county and township lines should be eliminated entirely.

Now I am going to make an inquiry of the men of this Convention, or rather make a proposition, and see whether they can answer it. Is there any way possible to procure this money for the roads so that all the money paid in for the roads will go on good roads instead of going into the hands of those who have money to lend? That would be the first proposition. I don't say that I am opposed to banks however. We cannot do without banks or railroads or any of those things. They all have a place in the economy of government. I don't want to dispense with any of them, but I do believe that if there could be something of this kind submitted to the people of Ohio to raise \$6,000,000 a year from the tax duplicate, and let it rest with the people to say whether we should raise that money, that would be the proper thing. I don't know whether that can be done or not, but I would vote to give a chance to the people to say on a proposition that would allow every dollar raised by taxation all over the state of Ohio to go directly into the roads fund, to be distributed and used for the building of the state roads and in the manner and after the method designated and set forth by the legislature. I would like to see these roads begin at every county seat and run out until they meet, until we have roads running from every county seat. I am willing to bear my share, but I am not willing to do that until the people tell me what they want; then will I go down into my pocket and pay. Let them come year after year for ten years—ten years would be \$60,000,000—and keep on until the people rise up and say it is enough. There has been a good deal said about this, that and the other. I know it is kind of natural for jealousies to spring up. I am a farmer and I don't have any automobile. Every day or two some one says, "Marshall, why don't you get an automobile?" and I say, "I don't need any." I wouldn't care if there was a forty-foot road and an automobile every minute, it would not make me jealous. I say, go it while you are young. I want all jealousies and selfishness laid aside. If a man wants to ride in an automobile, let him ride. If he wants to ride on a dun mule, let him ride. If he wants to ride on a black one, let him ride. Let him ride as he pleases, but in answer to the gentleman from Athens [Mr. ELSON], I have been in doubt and I always could sleep better after I

had been to the bank and paid the last note. That is my experience. I don't know whether that is the experience of other people or not, but I always want to be out of debt and have a dollar or two in my pocket. I hear a good deal of complaint about the bonds. I don't know how it is in Cleveland, but I expect they have a good many bonds. Now we want to see where we are going.

I want to say that today the natural resources of the state are not what they were sixty, fifty or even forty years ago. They are going down. You formerly could get big crops with just natural soil. Now you have to use hundreds of dollars for fertilizer frequently. You remember there was some rain down there and some hundreds and hundreds of acres were swept away, even fences gone. Those men had spent the summer raising a crop of corn and it was gone, their feed was gone, the fodder was gone and they spent more labor and money raising another crop. There were two summer's work, everything going out and nothing coming in. Now I am up here to represent farmers, banking corporations and all the people—the whole five million people of the state of Ohio, but I am not here to tear down anybody or anything. We want to build up. Now I want to ask some of these smarter men whether there cannot be a plan submitted to the people to increase the tax duplicate of the state of Ohio, which is today \$6,000,000,000, so that we could raise by taxation \$6,000,000 every year to be used on the roads.

Now, as I said, the natural resources of the state of Ohio are not as good as twenty-five years ago. That going down of the land commenced in the east and has come to the west. Why in some of the eastern states you can find places where there is nothing but briers and sumac. The land is worn out and I can point to you some places in Ohio where there is nothing but briers and rabbits.

Mr. WINN: Will the gentleman yield for a question?

Mr. MARSHALL: No; I am talking now. I want what is done here to build up our state. I don't want any tearing down. If we can't build it up and improve it, let it alone. I believe this and I am honest in it. I believe there could be some plan devised so that by increasing the tax duplicate we could raise \$6,000,000 for road purposes, and I believe that would be a good thing if we could get the consent of the people to it. I don't want to go home and meet my friends and have them say to me, "Marshall, you are a traitor." We have a lot of Granges down there; different organizations. I am a farmer, but I don't belong to any of them, although I have not a word to say against the Grange. I do my own farming and I raise just as good stuff and feed, just as nice cattle, as any of those fellows who belong to the Grange, but I am here representing them as well as anybody else. I am representing everybody. I have no names unless it is one that I got last night, which is "sixteen to one," and I don't know how long that will last.

Mr. EVANS: I desire to say a few words on this subject. I do not want to repeat a single thing that has been said and it is my purpose to talk but once, and I intend to make it as brief as possible, for I think this debate has been too long drawn out. I object to my

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friend from Ashtabula [Mr. LAMPSON] making a historical scrapbook of our constitution. That is what he is trying to do. There are a great many things that occurred in the history of this country between 1801 and 1851 that I would like to forget, and I think it would be better for the public to forget a great many of them. Among those things was the crazy state-banking scheme. Among those was the deplorable panic of 1837. The constitutional convention of 1851 met just fourteen years after the panic of 1837 and the state owed nearly \$20,000,000. The public sentiment was that they did not believe they could pay it. Many people—honest, good-thinking people—doubted whether the state of Ohio could pay that debt. What was the result? The result was that they put a limit in the constitution that the state of Ohio should not go in debt over \$750,000. Now we want to forget that. We don't want a debt limit in this constitution. If the people of the present day are progressive enough, why don't you trust the people of Ohio? Why don't you leave that out?

I think this generation is just as capable of managing themselves as any generation that ever lived in the state of Ohio, and I am opposed to any constitutional convention in Ohio acting as guardian for the people of the state. I believe in trusting the people.

Mr. MOORE: Will the gentleman yield for a question?

Mr. EVANS: I hope the gentleman will excuse me. I have certain things to say and I want to say them, and I will appoint my brother Halfhill to answer all questions after I sit down.

Now what is this proposition? I say I am in favor of it strongly. I care nothing for these county jealousies. I am in favor of the state having a system of good roads, and managing it; but I am opposed to my friend from Ashtabula [Mr. LAMPSON] walking into the state treasury and taking out \$50,000,000 and then double locking the treasury so that nobody else can get anything out of it. I object to that. If you find me voting against this proposition, don't put it down that I am opposed to good roads. I tell you it is a wolf in sheep's clothing and I want to take it out of that clothing. I tell you when I leave this Convention I want to have that \$750,000 debt limit wiped out from the constitution, and I want that other thing that the state shall not contract any debt for any internal improvement to go too.

Mr. LAMPSON: You are perfectly free to offer that amendment.

Mr. EVANS: I have a substitute ready and I am going to read it as part of my speech. I shall be sorry to take a position contrary to my distinguished friend from Ashtabula [Mr. LAMPSON], but I am compelled to object to the manner in which he dresses this proposition up. Here he comes in and says, "We will take this \$50,000,000 out of the treasury and then we will shut the door behind us." I think it was unfortunate when this Convention was organized that there was not a finance committee appointed so that that finance committee could have made a report of a plan declaring the financial policy of the state in saying whether the state shall go into debt and if so how much. If there were a great epidemic to break out in this state which would require the expenditure of thousands and thousands of dollars, under the constitution as it now reads we could

not make it legally, and I don't see that there is any provision for riots or civil commotions or anything of that kind. Really, I think the time past to put a debt limit on this great state. I am opposed to any limitation or restriction on the power of the people. Is there a gentleman here who will say he is as progressive as that? If there is let him come up along side of me when we vote. If you trust the people come on and vote with me. Now, Mr. Chairman, here is my proposition that I wish to submit. I can not do it now under the rules, but I can repeat it for information:

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 or contingent, whether contracted by one or more acts of the legislature, shall not exceed one hundred thousand dollars, without a referendum vote, on which the subject voted on shall be approved by a majority of those voting on it.

The object of these debts shall be public highways, waterways, public buildings and institutions now controlled by the state, or hereafter to be provided.

Mr. FESS: I have been very much interested in the progress of this debate, because when the proposition or proposal was announced it seemed to have no opposition at all, and as I talked among the members I thought the proposition for such roads would go through with promptness and without opposition. I notice that the opposition has multiplied and has come from many different sources. The proposal has been amended to try to meet those objections. The first objection was to the issue of bonds, and I do not believe anybody here would recognize the danger of an issue of bonds in the hands of the legislature more than I would. But I can not agree with my good friend from Scioto [Mr. EVANS], although I agree with him on most things. I see the danger in allowing unlimited power in the issuance of bonds, but the objection raised by our friend from Medina [Mr. WOODS] has certainly been met in part, if not entirely, by the amendment of the gentleman from Hamilton [Mr. HARRIS]. He puts a limit upon it, and if the objection to the issuance of bonds is that it allowed unlimited issues that objection is met by this amendment. Then there is another objection that we have heard over and over again, that we should proceed on the basis pay-as-you-go. That objection has also been met by the suggestion in this amendment that a provision for a sinking fund be made so that the debt can be provided for. So that objection, it seems to me, has been cared for in this amendment. Then the objection by the gentleman from Hamilton [Mr. WORTHINGTON] that the word "highway" would include the high seas, canals, etc., is also met by the amendment of the delegate from Hamilton [Mr. HARRIS]. It seems to me that these objections have been clearly defined here and clearly met, and it seems that our division is not on the end to be reached, because everybody wants good roads, but it is on the means to reach the end. We differ on the way to reach it, but not on the end to be reached. It seems to me that the method of doing anything will

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always vary and we cannot reach unanimity at all on almost any subject suggested here when it comes to a question of method. My friend from Fayette [Mr. JONES] kept insisting that he is in favor of good roads and in favor of improving the good roads and the question was asked by Judge Peck "Why don't we have them?" That is the leading question in this state. If we can have them, why haven't we got them? It is easily understood why we don't have them. Simply because we have no specific method by which we can plan to get them, and whenever a method is suggested somebody gets up and suggests a different method and we are all in confusion. This way of saying that we want good roads and not suggesting a specific way to get them, makes me think of the old gentleman whose wife was sent to the hospital. She was operated on and the next day the old gentleman was asked how she was getting along and he said, "The doctor says she is getting along very nicely." The next day the old man asked the surgeon how the wife was and the surgeon said "Improving." The third day the old gentleman asked how the wife was getting along and again the surgeon said "Improving." The fourth day she died and when a friend of the old man said, "Why, what was the matter with your wife? I understood she was getting along nicely, what was the matter with her?" The old man said "I don't know. I guess from what the doctor said that she must have died with improvement." Our purpose is to improve the roads. We all want them improved. We want good roads and we insist that we can get them, and yet the question still goes unanswered here, and yet it is easily understood why we don't have them.

Mr. JONES: What do you say as to whether, for all practical purposes, the farmers of Greene county have not already got good roads, good enough for all practical purposes?

Mr. FESS: The gentleman knows very well that Greene county is represented in her citizenship by a very up-to-date population and also has lived up to the present in the fullest utilization of the natural resources, which are very copious, and has built her roads up-to-date, but hear me, gentlemen, although we have our debts paid and our roads built, Greene county is the last county that will refuse to help another county less able to build than we. The point now is whether we shall take the conditions as they are and make the most out of them, or whether we will live in the past. If you ask why don't the legislature do it, the answer on the floor is why doesn't it do it? If you will suggest a single amendment that can be made by public taxation, that taxation is going to be voted to the very limit, and you know it. Why? Because there are so many interests favoring it. There never has been an improvement that has been suggested here that has not been voted upon, and this will be fought because it is a burden to the poor.

I am willing to bear my share of the burden—not from my own selfish purposes. I want my neighbor to share also in the latest improvement.

Mr. JONES: What less opportunity for objection to improvements are there if made by a tax levy, pay as you go, than by an issue of bonds?

Mr. FESS: That is a begging of the question, argu-

ing in a circle. I ask you if you could levy a tax, as you know you can, why haven't you a good road system now?

Mr. JONES: And I put the question back to the gentleman. Why hasn't the legislature in the past levied this tax? Why does it not now put the small burden of only one mill which would bring \$6,500,000? Why doesn't it do it if the people want to put this on the highest plane of making improvements in one locality for the benefit of the other?

Mr. FESS: There is a difference between eighty-eight counties trying to do a thing and one central body trying to do it. You cannot get one hundred and nineteen representatives, representing eight-eight counties, to agree to build a system of roads. Unless it is done by the state you have just as much confusion in your plan as there are persons to suggest confusion.

Mr. JONES: What is there now to prevent any system that the people of this state want to adopt in reference to the improvement of roads that would be changed or could be changed by a mere issue of the bonds?

Mr. FESS: Nothing except the local jealousy which you represent here on this floor.

Mr. JONES: I ask to put this further question: How could that jealousy, if it is conceded to exist, be changed by the mere matter of issuing bonds other than by raising the money by taxation?

Mr. FESS: I answer you that if the bonds are raised and the state builds the whole system it matters not about the jealousy of this or that county. It is not the county doing it, but the state doing it, and the jealousy is not in issue.

Mr. JONES: Would not this state build the roads and have control of the system just as much if the money were raised by taxation as by a bond issue?

Mr. FESS: No; then it would be done in piecemeal, and now it would be done in a system and it would be done.

Mr. STAMM: Is not the bond in this case a bond of union?

Mr. FESS: Certainly, Doctor.

Mr. WOODS: Would not the hundred and nineteen members of the general assembly have to agree just the same as though the money were raised by taxation?

Mr. FESS: It strikes me as a very singular thing that one plan has no definite system whatever. One plan looks to the local jealousy of every county, which means that the whole thing will be done in piecemeal. The other plan is to get the money now and build the system in accordance with the plans and specifications.

Mr. WOODS: Won't the general assembly have to provide by way of legislation for the issuance of these bonds if we direct it done that way?

Mr. FESS: Certainly. There is no question about that.

Mr. JONES. It being true, as admitted, that the legislature will have to act year after year with reference to the amount of these bonds we shall have to issue, how does that make the matter any the less a doing of this by piecemeal than if the legislature were year after year to determine upon a certain amount of taxes, unless you assume.

Mr. FESS: Do you want to make my speech?

Mr. JONES: I am putting a question—unless you

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assume that the legislature by one act is going to authorize the issuance of the whole \$50,000,000 of bonds without further action?

Mr. FESS: I would like to have the privilege of making an argument on the matter as I see it. The proposition of the gentleman from Fayette [Mr. JONES] means that you will have no system of roads. The proposition of this proposal is that we in Ohio want to build a system of good roads. Now you have your choice, whether you want to build a system of roads in Ohio, or want to let it go as it has been, by piecemeal, building a few miles of road in my county and the next building a few miles of road in another county, adding to the road and wearing out the road that was built by traveling over it and hauling the gravel and material over it to build the next quarter or half a mile, and when you have one piece finished you have worn out the other piece. Why not let the state build the system from start to finish as a complete whole, and then keep it in order after we have it? Somebody says that the road would only last ten years, that ten years is the limit of a good road.

Mr. ROEHM: Do you think for one moment that we can build this system with \$50,000,000?

Mr. FESS: No, sir; but that is a very good start.

Mr. ROEHM: Then why not raise the limit to \$200,000,000 or \$300,000,000, something that will be something, an amount that we know will build the roads according to the plans already prepared for them?

Mr. FESS: In other words, if one highball is good ten would be better. The difference between your idea and this proposal is that this proposal wants to start somewhere and then gradually work to an end. Your proposal is to end somewhere, but not have any start. That reminds me of a Lincoln story about Thaddeus Stevens. Stevens referred to a certain plan of Mr. Lincoln's and said, "Your plan will cause the men from the South to come into congress and they will swamp the efficiency of government."

Mr. Lincoln said, "The difference between us Stevens is just this: I want to start somewhere so that I can get somewhere, and you want to get somewhere without starting anywhere. Don't you think we will get more by letting the hen hatch the egg than by smashing the egg?"

Mr. DWYER: I want to submit a proposal to you and see what you think of it:

The legislature is hereby empowered to establish a state commission for the construction and maintenance of highways in this state; and it is further authorized to empower by law the state auditor to levy and collect a tax annually on the grand duplicate of the state of Ohio not exceeding one-half of one per cent for such purpose.

Mr. FESS: I don't see that your suggestion changes the present situation and idea. We could do everything you suggest under the present constitution, and we have lived under it sixty years, and yet we haven't the system of good roads that the state of Ohio desires to have.

Mr. EBY: You are conversant, I suppose, with the situation in Greene county?

Mr. FESS: Very well.

Mr. EBY: Is it not the fact that the most persistent cry and demand for good roads in that county comes from the immediate section that would not be touched by the good roads which this proposal intends to build?

Mr. FESS: In answer to the question by the gentleman from Preble [Mr. EBY] I will read a telegram from one one of the large taxpayers of the county. He owns sixteen hundred acres in one block and considerably more than that in another block, and he is one of the largest owners of real estate and live stock we have. If I were to mention his name you would all recognize him. Here is the telegram: "Doctor Fess, Constitutional Convention, Columbus, Ohio. We urge you to support and endorse the good roads movement. Favorable answer at our expense will be appreciated." There is a man who is not afraid of a little matter of bonds.

Mr. MARSHALL: Is he a banker?

Mr. MOORE: Does he represent the property of Greene county or the people?

Mr. FESS: I represent the men in Greene county and some of the men have property and some do not. I am not so narrow as to see nothing whatever except some theory that may have a lurking place in my brain. I do not care anything about this bugaboo of bonds. I do not care about such an illustration as you gave about the thirty-five per cent interest that the banks get. There is no self-respecting man on this floor that believes a word of that. It is not true. I understand how you can contort your ideas that in all probability you can draw such a conclusion, but I am not for a moment afraid to make the arrangement suggested, that the future generation which will use the roads will help to pay for them as well as the present generation. I am not afraid of borrowing money, because no man that does any business upon a business basis ever did it without taking some risk. That is the reason we have so many people afraid of everything. They haven't anything and are afraid of people who do have something. I am not afraid of automobiles. I get out of the road when an automobile comes along and I suppose you will too, but listen to me. We from Greene county say to you that the best possible road that we have, and one of the best in Ohio, is from Xenia to Jamestown, and everywhere people are saying that that piece of road is being worn out by automobiles. I would like to give you a bit of information and that is, that being such a splendid piece of road every automobile driver, anywhere within reach, makes it a point to get to that road. And I want to remind my friend from Montgomery [Mr. STOKES] that that splendid piece of road is being worn out because the Dayton Manufacturing Company always go there to test their machines.

Now, in conclusion, and I beg your pardon for having detained you so long—I did not expect to speak at such length, and I would not if I hadn't been interfered with—I want to say that I am not afraid to vote on this measure. I am going to vote for it and if there is any danger in it, as Mr. Price has suggested there was, and he has a suggestion that will obviate it I will be glad to incorporate that. I am sure the friends of the measure will be willing to incorporate anything that will give

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us the assurance that we are going to build a system of roads.

Mr. THOMAS: I want to ask Doctor Fess if this money were raised by a direct levy instead of through bonds, could it not be expended through the state highway commission and under its direction in just the same form as if we got the money from bonds?

Mr. FESS: If we raise it by direct taxation it would, but if the heavens fall we will catch larks, too.

Mr. THOMAS: Is it not a fact that the general assembly last year passed such a law?

Mr. FESS: They tried to.

Mr. THOMAS: They did so far as the members of the general assembly were concerned; they did pass such a law.

Mr. FESS: They passed a law making provision for the building, but what we need is a fund to put into operation a system, not piecemeal, not a little here and a little there, but to build a system where you can employ experts and have it built to a finished plan. That is what this is for.

Mr. THOMAS: Is it not a fact that this particular plan comprises piecemeal building, the issuance of so many bonds every year?

Mr. FESS: Well, we are without the roads now and will be until some such measure as this is put in force.

Mr. PRICE. Mr. Chairman and Gentlemen of the Convention: It seems to me that we have touched upon about all phases of this question except one, and that seems to be more or less a live wire, and that is the equitable distribution. A member from the other side of the house a while ago suggested that that can be worked out by the general assembly. Before I am ready to agree to that suggestion in its entirety I want to see him indicate how it can be worked. I want to say to you, notwithstanding the complaints throughout the state about the progress this body is making, the people whom I represent have more confidence in the good faith and integrity of this body of men than they will ever have in the general assembly. Whether or not that confidence is misplaced, I do not know.

But now we are up against this proposition to build a system of state roads. I am for the proposition, but I want to say to you frankly that there are plenty of counties, and quite a number of them in Ohio, that are perfect strangers to good roads. These people, or a great number of them at least, want to know something of the system that we intend to follow in uniting the several counties up before they are ready to vote with us upon assuming so large a bonded indebtedness, and it seems to me that it is nothing more than fair, since we have removed so many apparent obstacles from this proposition, that we discuss this question and see if we can amicably agree upon some methods which will be an equitable distribution. The equitable apportionment clause, as it stands in this proposal, does not to my mind mean anything. From the argument adduced here it is suggested that it might mean an apportionment in proportion to the money contributed. Then by another it is suggested it might be placed upon population. Another proposal is that it might be based upon area. Before I am ready to support this proposal I want to go on record that I am not willing to turn this matter over to the general assembly and have it be the equitable distributor

thereof if it is possible for us to get together and provide a rule that is satisfactory to us.

I have asked some of the committee on Good Roads why that can not be done. I have been met with the proposition that it is legislation and not organic law. I do not agree with that. Now I want to call the attention of the members to the definition of the word "constitution" as found in Bouvier's Law Dictionary: "The fundamental law of a state directing the principles upon which the government is founded and regulating the exercise of the powers, and directing to what bodies or persons those powers shall be confided and the manner of their exercise." We are here directing a power to the general assembly, and what I want to do with this proposition is to direct the manner of its exercise to the extent of at least finding and making clear what is meant by "equitable apportionment." I thought that the area plan might be proper. Others think not. My reason for thinking that the area plan would be wise might be stated as follows: If Ohio is to put her house in order, the area would be the thing with which she is concerned. Every citizen, whether a taxpayer or not, ought to stand on an equality before the state. It is no difference whether he lives in Perry county or Morgan county or what county, if the state itself is to mark out and direct the pathways for his travel from one part of the state to another he ought to be dealt with fairly and equitably and upon an equality with all. So I take it that the building of roads and the construction of pathways of travel will be practically the same in the matter of expense in one part of the state as in the other. I think it will be true also that there is not much difference in the areas of the several counties. We have over four hundred square miles in practically all of them. Some of them possibly are seventy to a hundred square miles larger than others. Then our road building will be practically the same in one county as in another. It will be practically the same in the hilly counties as in the level counties. I claim the expense will be practically the same in one as in the other, so that if it is possible, if the purpose is to provide and secure roadways throughout the state of Ohio, it should be so worded that when the representatives here return from this Convention and say "We have issued bonds for public roadways" and they ask "What do we get?" the representatives can answer it and not simply say you will get an equitable apportionment. When you return and give an account of your stewardship it is quite likely they will want to know exactly what the distinction is, and when I say an equitable apportionment the next thing a man wants to know is what that means, and when I tell him the general assembly is going to figure that out and tell him what it means he will commence to get suspicious, and when he ponders over that until the election in November he will have so much doubt on it that he will say I don't think I will bother about voting.

Mr. ANDERSON: Is it your belief that these matters as to how it should be distributed should be settled by this Convention and not left to the legislature?

Mr. PRICE: Yes; exactly. I want to figure out the rules here. I want the plan adopted here.

Mr. ANDERSON: Will that be the opinion of the gentleman on every plan that comes up?

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Mr. PRICE: I don't know, but I am willing to say that I am very conceited as to the greatness of this Convention.

Mr. BROWN, of Highland: I suggest that the member read the tentative proposition which he contemplates offering, so it will enter into this subject matter of discussion from this time on and have the expression of those who debate upon the tentative proposition.

The CHAIRMAN: Has the gentleman his amendment to the proposal?

Mr. PRICE: I do not know that my amendment would be in order. There are plenty of amendments already.

Mr. LAMPSON: I suggest that you read it for information.

Mr. BROWN, of Highland: Let it be a tentative proposition so it can enter into discussion, and if it is plausible it might be adopted after the withdrawal of others. I am willing to withdraw my amendment if it covers all the points.

Mr. PRICE: There has been some discussion back and forth among the members of the committee and with some gentlemen interested in the improvement of highways that were not members of the Convention. The amendment offered by the gentleman from Hamilton [Mr. HARRIS], which you will find in your journals at page 3 of yesterday's proceedings, February 13, reads:

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 in 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.

I want to insert after the word "rebuilding" the words "inter-county system." That is the only change I want to make. I think that will give all the counties an equal right, and I think that ought to be the purpose of this body if it is to be a state-wide movement.

Then this other resolution says such wagon roads shall be determined under the general laws which shall also provide for equitable apportionment among the counties? I would insert the words "of the several", before the word "counties." I think that would be satisfactory to me, but I have not had time to discuss the matter with other members who are equally interested in having definite information to take home. I think it is contemplated to build an inter-county system of roads in this state, and if that is what is contemplated why not say so?

Mr. WALKER: If that interpolation is incorporated would it not prevent the state from extending road building enterprises any further and the state could never build any roads under that provision except inter-county roads?

Mr. PRICE: I would confine the road building to those inter-county roads, and the state could amend the

constitution and build others if it saw fit, but as to this appropriation and this spending of the \$50,000,000 I would confine that to the building of inter-county roads.

Mr. LAMPSON: But this would not prevent the legislature from raising money by levy and using it upon some other system than that.

Mr. PRICE: No; and it wouldn't destroy the present existing legislation upon the subject by which the counties are treated equally with reference to paying an equal sum with the state. Then we have other laws for the building of roads and they will be left alike, and if this is put through in this shape it will be only a short time until we will have a regular network of intervening roads from even the extreme rural counties of the state.

But to say that this will be "equitably distributed" leaves us in this situation: We know if a perfect system of highways is ever built through the counties in Southeastern Ohio, such as I represent, it can only be done by a tax placed upon the valuation of the property that exists now or that will hereafter exist in those counties. To commence with we had as much natural wealth as any other county in the state.

It has been urged here that each county should construct its own roads. That is all very well, but when you stop and think for a moment about the proposition I am going to suggest I think you will agree with me that a great many counties of the state are perfectly excusable from constructing their own roads because, while rich in natural wealth, they are poor in actual wealth. The county I represent has for twenty-five or thirty years shipped coal by three or four of the largest trunk-line railroads to the cities of Cleveland and Toledo to provide fuel for those people. True we were paid for it, but when we received the money back the fuel was gone and the land depleted to that extent. We have oil and gas and ore and clay, and we are developing all these resources, and as soon as we take the material out and work it up and ship it away to its destination the land is of practically no value whatever. In our county we are not bonded for road purposes a single dollar, and yet in parts of that county we have valuable agricultural lands. They have tried to impose bonds, but the people engaged in mining and manufacturing business have been fair enough to treat the matter as it exists and would not impose a large tax on the agriculturists of the northern part of the county. You cannot take his property away from him and leave him in the end to pay the indebtedness. Now you have quite a number of counties that are in the same shape that we are. Our people are just as patriotic and honest as any other people, but the way we must develop our wealth in order to provide a living for our people diminishes the tax duplicate as a general thing. So it is impossible for a large number of counties to ever construct roads that will be proper roads. Now I am taking your time and I think I have made my point specific. I agree with the gentleman from Xenia [Mr. FESS] that we want to commence somewhere at the start and then we will probably get through some day. There are other equities that will have to be adjusted. Of course these roads can't all be built at once. The people in some counties will have to wait for some time

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to obtain these roads. We don't care for that. We are willing to wait. We have been waiting for an hundred years, but before we go into the compact we want to know what compact we are entering into; and when we are assured by the state of Ohio that it will extend to all the counties of the state, I say the people of the rural counties will abide by the result and be content and support the proposition to issue bonds.

Mr. LAMPSON: I would like to ask the gentleman from Hamilton [Mr. HARRIS] if he has any objection to modifying his pending amendment so as to insert the words "inter-county system" after the words "repairing and rebuilding," as suggested by the gentleman from Perry [Mr. PRICE], and also the word "several" before the word "counties"?

Mr. HARRIS, of Hamilton: I shall be very glad to do so.

Mr. LAMPSON: Then I ask if there is no objection that the amendment be so modified.

The reading of the proposal as thus modified was called for and it was read by the secretary as follows:

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 an inter-county system of wagon roads within the state; not to exceed ten million dollars in 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.

And such highways shall be determined under general laws, which shall provide for the equitable apportionment thereof among the several counties and for the payment of the cost by the state.

The provisions of this section shall not be limited or controlled by section 6 of article XII.

The CHAIRMAN: If there is no objection the proposal is so modified.

Mr. PETTIT: There is objection. I want to ask Mr. Price what he means by this system of inter-county roads? Does that mean simply from one county seat to another?

Mr. LAMPSON: It does not mean that; it doesn't say "inter-county seats."

Mr. PRICE: If I understand the terms I am using, it is in the same sense that we use inter-state commerce and intra. If we say "intra-county" it means inside of the county and inter-county would mean the same thing as between the counties that the word inter-state means between the states. It goes between the several counties, so that it will be clear that every county will be connected in the system some way or other and the method of connection will be worked out by general laws. And the point I make is I want it clear that every county in the state is to get something out of this proposition and that it will not be possible to divert it to one county. Does that answer the question of the gentleman?

Mr. PETTIT: In a measure. That clarifies the mat-

ter somewhat, but if it simply means roads from one county seat to another county seat, or from one part of a county to another part of a county, there are very few counties in the state but that are already in that condition. Adams county is connected with Brown, Highland, Scioto and Pike already by county roads and turn-pikes, and if it is to apply to only that class of roads we could not get any of this fund. I judge there are nine-tenths of the counties in the state in that condition, already connected by trunk lines.

Mr. LAMPSON: I wish the gentleman would withdraw his objection so that we can consider it. This does not pass it.

Mr. PETTIT: I will withdraw my objection, but I want to discuss it while I am on my feet.

The CHAIRMAN: Then if there is no objection the amendment is so modified.

Mr. STEVENS: I would like to suggest to the member from Perry [Mr. PRICE]—

The CHAIRMAN: The member from Adams [Mr. PETTIT] has the floor. Will the gentleman from Adams [Mr. PETTIT] yield to the gentleman from Tuscarawas [Mr. STEVENS]?

Mr. PETTIT: Yes.

Mr. STEVENS: Why not call this a system of inter-county roads throughout the state instead of a system of inter-county roads within the state? If you call this a system of inter-county roads throughout the state it will briefly and emphatically describe exactly what you are trying to get at, and I suggest that while we are making the changes we call it a system of inter-county wagon roads throughout the state.

Mr. PRICE: That is simply a change of the word "within" to "throughout".

Mr. STEVENS: For obvious reasons.

The CHAIRMAN: Does the gentleman accept the suggestion?

Mr. PRICE: If it is clearer and better grammar I'll agree.

The PRESIDENT: Then let the change be made if there is no objection.

Mr. PETTIT: I have been sitting here from the time this discussion on the good roads proposition began, listening with a great deal of interest. I do not get up here now for the purpose of indulging to any great extent in the emission of hot air. I think there have been enough emissions of that sort. I am unfortunately located right here, because it is impossible sometimes for me to agree with my friend on my left and with my friend in the rear here. Of course I am sorry for that and I am sorry that I have to disagree with my friends on this proposition. I am in favor of these good roads and this proposition as I now see it, but I am not afraid of bonds being issued by the state of Ohio. I am getting to an age that if I can get any good roads in Adams county or surrounding there, I want them. And I want to get some benefit, and I don't care whether my posterity or somebody else has to pay for them. I think they ought to help pay and I think that the sooner we get the roads the better for the country and I shall vote for this.

Mr. FITZSIMONS: Mr. President and Gentlemen of the Convention: There is no man on this floor more in favor of good roads than I am. I want the best that

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can be produced by science and labor for the state of Ohio. I want the roads to start from Pennsylvania on the east and run to Indiana on the west and from the lakes on the north and the southern line of Michigan to the Ohio river. Now, we have all within our borders that we need for the construction of those roads. We have the labor, we have the skill and in the lap of mother Nature lie all the forces necessary for the construction of those roads. Now why don't we go on with it? With the labor on the one hand and the natural elements for the construction on the other, why don't we go on with the proposition and get the roads? We are told here to-day that it is necessary to issue \$50,000,000 of bonds for the purpose. I am not frightened at the amount. It might be a hundred millions and I shouldn't object, provided that one hundred millions went into the building of the roads. But I find on investigation that if we issue bonds and use \$50,000,000 in construction of the roads in addition to that we have paid \$38,000,000 which goes somewhere, but never adds one iota of benefit to those roads. Now, who would take that \$38,000,000 from the taxpayers of Ohio and give them nothing in return? If we are going to build roads let us expend the money we raise on the building of the roads and not allow the robber barons to collect tribute from the traffic of that territory. We have been too generous. We have the bond craze pure and simple, until, as the gentleman from Medina [Mr. Woods] said yesterday, we don't know what is to become of all this. It is as plain as the noonday sun, my friends. We have mortgaged everything we have. We have mortgaged our counties, mortgaged our municipalities, mortgaged everything, and the state of Ohio is the only thing that can have another mortgage put on it, and that is what they want. My friends, we have the inherent wealth to build these roads and we are able to build them as a business proposition and pay as we go. We can introduce into this constitution a proposition to inaugurate a good roads system in the state of Ohio. We can construct and arrange for the formation of a commission or authorize the legislature to do it. It will have broad comprehensive control over all the roads of the state and we can levy the necessary tax and pay for the construction as it goes, and by the time that everything is arranged to go on with the road system the state of Ohio will have ample funds in its treasury to meet every legitimate demand that can be made upon us. Let us conserve our own rights before we consent to pay tribute to A, B or C. Let us be just to ourselves before we are generous with anybody else. And, my friends, when we get to that part where we will serve our own interest in the construction of our public roads, I want to say to you that the people of Ohio will have no more use for money lenders in the transaction than potato vines have for potato bugs.

Mr. ULMER: I didn't intend to enter into the discussion of this matter because we have already expended too much time on it. I never expected this matter to take up so much time. I have listened to the pros and cons and it reminds me of an incident that happened in a little village where I once was. We had had a dry season and everybody went to the preacher and asked him to pray for rain, and the preacher said, "I will do it, but you must all agree that we should have rain." The

people would come over every day and every time when the preacher said, "Do you all want rain?" some one didn't want it. Some one would say, "My brother has died and I have to go to the burial," and another would say something else and finally at the end of the week he saw some clouds and he said to them, "I don't care whether you want it or not, I will make it rain." Now, gentlemen, you all say that you want good roads. You all want rain. Why not let it rain?

Now the question about issuing a million dollars of bonds and the question of paying interest has been looked upon only from one standpoint, and you must know that every question has two sides to it. Everybody seems to be afraid of interest. Well we have interests in all other walks of life.

Now, gentlemen, if we were to build roads the way Mr. Stilwell suggests it is all right and good. We can levy and collect tax and get money and build the roads, but we must bear in mind that we can't put a very heavy tax on the people; it must be a small one. If we can build with a bond issue the same number of miles inside of ten years as we could build according to Mr. Stilwell's proposition in thirty-five years, does not the use of those improved roads through twenty-five years help to pay the interest? It will. It is said that the state pays twelve million dollars mud tax every year. I say to you that if it pays a million and a half of interest every year, we are still ten million five hundred thousand better off when we get the good roads. Now, we talk about leaving this matter to the legislature. Certainly; and I believe the people will be in the future more careful in electing men to the legislative body than they have been in the past. The dictagraph has taught them something. Now, gentlemen, I will trust the future legislatures and I trust they will do the right thing with the money and I am not afraid of it. I tell you one thing—it has been said how magnificent the roads in Europe and different countries are. I tell you I know what kind of roads they have there. I have traveled from Switzerland to Vienna, two hundred miles and over, on good roads and walked. So I say build the good roads, the county roads, the municipal roads and the government roads; build them. They are valuable and they are worth all they cost. Why Switzerland, a poor people, has built her splendid roads over mountains. Now let us do the same thing. And this talk about it costing so much to keep a road in repair! It doesn't cost much at all. Over there they just take some poor old fellow and put him right on the road, and all he does is to go right over the road with a wheelbarrow and if a little rut comes he fills it up with gravel and it doesn't cost over \$30 a mile to keep the road in repair. What is the use of haggling about \$50,000,000? What is that to the great state of Ohio? It is just a drop in the bucket. The little republic of Switzerland spends \$9,000,000 a year and if that little country spends that much to protect its freedom and protect its neutrality, can't the great state of Ohio spend more?

It seems some of us are frightened to death about spending \$5,000,000 a year for ten years, or \$10,000,000 for five years, or whatever it is, when it will benefit every householder, every citizen. It will enhance the value of every piece of property and the money can be repaid without any taxes.

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The gentleman from Fayette county [Mr. JONES] says tax the automobiles. I am in favor of that. It won't catch me. Now he says \$50 on an automobile. They are paying taxes on their automobiles as personal property, but he says levy a license fee. Well, if we only ask \$20 that would make \$2,000,000, and that certainly would pay the interest and would help pay some on the principal and then the land along the road can pay something, too. This proposal doesn't stop the legislature from asking the landowners along the land which is improved by the road there to pay a certain percentage. They can help, too, and then when we get the roads we will all be benefited.

Now I have no automobile, and I don't think I ever will have one, but I want to see good roads. Whenever I get a chance to ride in a neighbor's automobile I like to go over good roads. I pay assessments on street improvements in the city of Toledo. I pay annually \$503.80 on a lot that cost me only \$500, but I am willing to do it. The property has been enhanced in value by the improvement and if the gentleman from Fayette [Mr. JONES] thinks that the only thing we need good roads for is for automobilists—to give them the benefit of good roads—he is just mistaken, because I have not seen a single farmer yet hauling his produce to town by means of an aeroplane.

Mr. HARRIS, of Ashtabula: I hope the Convention has forgotten that I said anything on this. It has been sometime and since that we have had a few brief remarks from the gentleman from Fayette [Mr. JONES] and from some of the rest of you. But there is one phase of the question to which I would like to address myself for a few minutes. I have heard the question suggested, and it seems to be caught on eagerly by quite a number of gentleman—it was raised yesterday by the member from Medina [Mr. Woods]—namely, that a resort to a bond issue to secure what we all say we want is entirely unnecessary, that the general assembly will always provide by a levy from one term to another on the grand duplicate of the state, that this legislature will appropriate so much and the next legislature can levy some more, etc. The member from Muskingum [Mr. Moore] expatiated on it eagerly today and made it clear, and several other gentlemen pursued the same line of argument. They have asked questions, "Why don't the general assembly do it, if they are fully able to do it?" That is to say, if we have a tax duplicate of \$6,500,000,000, why don't the general assembly provide for a levy of one-half per cent on that grand duplicate, which would produce two and a half millions or more? Now nobody attempts to answer, but everybody admits they have not done it. They admit that since 1851 it has been possible for the general assembly to enforce such a scheme as a levy on the grand duplicate, but the legislature has not done it. I don't know why they have not done it. I would like to go back to the time in Ohio when I was occupying a very important position as a lawmaker for Ohio, namely, the beginning of January, 1894, when I came here. There are two members of this body who were members of the house of representatives at that time, the member from Defiance [Mr. Winn] and the member from Cuyahoga [Mr. Doty].

Mr. Doty has admitted that he was chairman of the finance committee. Now there were some little inter-

esting things in connection with the finance committee at that session of the house. I want to say that the state of Ohio was in such a financial condition as the men who live now and are not familiar with conditions then can not possibly understand. The member from Medina [Mr. Woods] has also had honorable service as a member of the general assembly, but he came here when measures had been passed which remedied the awful conditions in which we found ourselves. But there were measures passed years before he came here—the excise law and other measures—which completely changed us from the abject conditions in which we were to conditions of prosperity, fulness and completeness.

Now, if I make no mistake, and the member from Cuyahoga can correct me if I do, my recollection is that we borrowed from the local banks on certificates of indebtedness because we could not bond the state to pay the current expenses of the general assembly. We had plenty of institutions in Ohio which were in a most deplorable condition physically, some of them half built and some of them run down and no provision to obtain money. The republicans were considerably in control. I think we had eighty-seven out of a hundred and seven. The member from Defiance sat over there where he had the light of the window, and the rest of his fellow democrats sat very near him.

Mr. WINN: May I suggest that that was about the only light I had here then?

Mr. DOTY: I have only this to suggest that the member from Defiance occupied about four-fifths of my time and that is the reason he didn't get any more of my light.

Mr. HARRIS, of Ashtabula: I would not have said anything as pointed as that. Now what should be done under such conditions? We provided for the first time for a standing committee on taxation which should undertake to devise some sort of method of relieving the conditions that obtained in Ohio. I was a member of it. We had all kinds of measures proposed, some that would not yield fifteen cents a year, and one of the measures was that we should increase the charge for marriage licenses.

Now, there was one thing that we could do, and quite a number of the majority advised that action. It was simply to impose a fraction of a mill on the grand duplicate of Ohio, which would change the whole situation and provide plenty of money. Why didn't we do it? Because we knew by the time two years would elapse we would be in that corner over there and the democrats would be occupying the rest of the house. That has been the history of all levies in Ohio, and I do not hesitate to say—this is a nonpartisan body and anything I have said in these remarks has no partisanship in it and I have not intended that it shall have, but when the general assembly meets here next winter the party lines will be drawn in this house and in the other house, and if the party in power undertakes to increase the tax on the grand duplicate the result will be disastrous from a party standpoint and they all know it; so when the gentlemen say we have ample means to build these roads by increasing the levy on the grand duplicate, I say "Just count me out; you will never do it."

Mr. JONES: I would like to put this question to

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the gentlemen: If you think that the legislature elected to sit here next winter will not, for fear of popular disapproval, levy the small amount you have mentioned to build the roads, what will be the effect on the people of an issue of \$10,000,000 of bonds?

Mr. HARRIS, of Ashtabula: I will give you my answer on that. A nonpartisan body of one hundred and nineteen men has convened here to frame a new part of our organic law. They are here to suggest as their common opinion and to open a way for the legislature to suggest—more than to suggest, to indicate to them—what they are to do in accordance with the constitutional provisions, and there is some likelihood of it being done then, because it will not be the work of any party, but the work of a nonpartisan body. I believe that is an answer to the gentleman.

Mr. BEATTY, of Wood: Some twenty years ago you all heard reports from the black county of the northwest, poorer than most any county in the state of Ohio, both in wealth and agricultural products, because every spring and fall we had water running all over the county. For four years we could hardly get to our oil wells for water running over the county. Therefore we were poor and the county at that time was not able to build good roads or drain the county.

Now you have heard every one on this floor say he believes in good roads. So do I, and so does Wood county; for it has built good roads for almost six hundred and fifty miles. Twenty years ago it was among the poorest counties in the state of Ohio, but the men in Wood county bonded themselves to the extent of almost \$4,000,000, and now you are asking them to come in here and stand another assessment on a tax duplicate of \$80,000,000, and to bond themselves \$800,000 more, and that after they have built six hundred and forty miles of roads that has cost from \$6,000 to \$8,000 a mile! We have one road that runs directly through the county for about thirty-five or thirty-six miles.

I say our county is opposed to being bonded again. They are almost taxed out of existence now.

Mr. HALFHILL: Mr. Chairman—

Mr. BEATTY, of Wood: No questions, please. You all seem to think that taxes come easy, but I am in a position to know that lots of our farmers have to go to the bank and borrow money to pay taxes.

Mr. HARRIS, of Ashtabula: What rate do you charge them?

Mr. BEATTY, of Wood: Six and seven per cent, and our county is being bonded. But we are selfish. We brought ourselves out of the mud and built our roads and we were poor when we started, as my colleague, born and reared in the county, will testify. I am not opposed to good roads, but every man to whom I have talked said, "We don't want to put another bond on ourselves." We are a rural community—the largest city we have is a city of five thousand—and our tax duplicate is only about \$80,000,000—to be exact \$79,380,760. We have interest to pay on the bonds. We have spent on good roads nearly \$4,000,000. We have bonded indebtedness for roads still unpaid of \$520,000. Our total bonded indebtedness is \$629,000. We have let a contract to build roads next year to the extent of forty miles at \$6,000 a mile. Now if you bond us \$800,000, with the roads we have to complete, it will put us

in debt still further \$1,110,000, besides the other bonded indebtedness that we have. That is what our farmers are complaining of. They say we are bonding them out of existence. We have built our roads and we don't want any more bonds. We are not fighting good roads in the state of Ohio, but the farmers say they cannot bear any further bonded indebtedness; it makes no difference whether they are running five years, ten years or fifteen. We have had ditches to build. Wood county has built a ditch forty feet wide and fifteen miles long.

Now there may be a man in Wood county who is in favor of this bonded indebtedness, but I have not found him.

Now, as to the automobiles paying this. I have served four sessions in the senate. I was here when the automobile bill came up. I know what we went up against when we tried to assess them. They were three hundred automobilists in that session over there when the Ward bill was up. We tried to put an assessment of \$2.50 on the little ones and \$5.00 on the twenty-horse power, running up to \$20 on the sixty-horse power, and they fought to a finish, and it was finally compromised on \$5.00. The automobilists have to pay taxes at home and they pay taxes. They fought for over five days on the other side trying to beat a tax of \$20 on a sixty-horse power machine, and a compromise was made on \$5.00. I have been in the legislature and I know what you are going up against the minute you try to tax the automobilists \$50; there is going to be a fight to a finish.

Then there is another thing that you are going to run up against. It pops out every now and then. A bill is introduced in the house and a bill for the same purpose is introduced in the senate. They are practically the same, but there is a jealousy between the two, and the house won't pass the senate bill and the senate won't pass the house bill, and there you are. When you get into the taxation and finance committees, one county wants a road built here first, and another wants it started there first, and there is always trouble.

I have heard this state-aid matter argued before. I suppose we would get our part and that is not my complaint, but my complaint is that Wood county has already built six hundred and forty miles of good road, and we have let a contract for forty miles more, so that our total cost is something about \$4,320,000, and now to put an assessment on the tax duplicate where we have to put our property in at full face value and add eight hundred thousand more is too much.

I have heard it stated today that it is a good business proposition for a man to borrow money when he has money in the bank. I don't think any business man in this house would agree to that proposition. I don't know who does it. A man may have his money out on interest, but if he has it out and has to pay the money he will try to get it in, instead of going to the bank and paying six per cent interest. I believe in Mr. Stilwell's theory and shall vote for it.

Mr. LAMPSON: There will be further opportunity to discuss this matter when it comes to the committee on Phraseology. Now we have spent two days on this matter and had a thorough discussion, and I simply rise now to ask the gentlemen who desire to debate on it

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further to be as brief as they can so we can have a vote on the pending amendment.

Mr. DWYER: Are you willing, whatever arrangement or agreement is made, to submit this as a separate proposition to the voters of the state?

Mr. LAMPSON: That comes later. Personally I am.

Mr. DWYER: That will remove a great deal of my objection.

Mr. LAMPSON: I am willing for it.

Mr. DOTY: And in favor of it?

Mr. LAMPSON: Yes.

Mr. BOWDLE: I appreciate what the member from Ashtabula [Mr. LAMPSON] has had to say about the weariness of the Convention. Of course, being under a little obligation to the Amalgamated Association of Automobile owners in Hamilton, I do not think I could return with any degree of safety unless I could say I had said something in support of this obligation.

The mention of the name of Thaddeus Stevens by Doctor Fess reminds me of a little historical incident found in the book by Ben Butler, called Butler's Book. He was one of the counsel in the celebrated impeachment case, and Thaddeus Stevens was also one of the counsel. As is well known, Ben Butler's conceit was the most monumental in America. And in his book he pays the only compliment that he ever paid to anyone. He said, "When Thaddeus Stevens made his celebrated speech and sat down, thereafter much more was said, but nothing else." I would like to spend a few minutes, and see if I couldn't succeed in saying "something else"; also I say that with diffidence, knowing how much wisdom there is in this remarkable assembly.

I have been interested to observe that among the proponents of this scheme there is a wonderful confidence in the legislature. Among the opponents of the scheme there is a wonderful distrust of the legislature. I am happy to observe the distinguished member from Greene [Mr. FESS], so far as this scheme is concerned, has the greatest confidence in the legislature, and I only wish he would carry that same confidence into the various meetings of the Liquor committee. The legislature is wise about roads, but likely to be ignorant as to beer. As for me, I know of course, like the gentlemen up here, that the wisdom that discerned and elected me in Hamilton county was very great and very conspicuous, but I have a way of thinking that some how or other that wisdom may survive this Convention and that that same wisdom that found me and sent me here may actually elect some member to the legislature to succeed me who will at least be a pocket edition of myself. If we have this great distrust of the legislature, why not use our exalted power and abolish the institution?

Now, I am in favor of this proposition. This morning while stopping off for a moment in the room of my distinguished fellow delegate from Hamilton [Mr. HARRIS] I picked up a Bible and read, "There shall be a highway built so broad that a wayfaring man though a fool need not err therein." And he supposed that I was reading from the journal and moved that it be referred to the committee on Roads. Isaiah was evidently the head of the good roads movement in Jerusalem, but what became of the movement I don't pretend to say. I was reading the other day a book that left a profound

impression on me, one of the ten thousand, more or less, useless books in addition to the books you are now making by these debates, to be read at \$80 a day—(I am informed it is \$60 a day, and before I started this I wish I had told the official stenographer to let up while I speak because I don't like to speak at the expense of the state.)

I was reading a book the other day that made a great impression on me. I saw an advertisement of it in an editorial by Lyman Abbott in the Outlook. It was a book by Jules Meline, the celebrated secretary of agriculture of France, entitled "The Return to the Land." That book was a solemn epoch-making book, and being a very learned book you can go over in the Carnegie Library and get it and find that the pages are not cut. (I suppose they are waiting for the debates of this Convention.) But that is a wonderful book. Jules Meline points out the fact that the industrial condition in our cities is such, that there must be a speedy return to the land, or a great many people are going to starve to death and be crushed in the industrial process; that already in France the whole market has been fully taken and occupied by the French manufacturer and the French manufacturer only lives by getting over the tariff wall by hook or crook and selling his product in competition abroad, and that the rush to various departments of manufacturing in France is such that the only conclusion he can come to is, that since the market is fully taken there must be a great return to the land, or thousands of men and women are going to starve, when the wonderful industrial processes of France, like our own, shall stop. He shows what the French government, appreciating this state, is attempting to do in the effort to induce men to return to the land. It has undertaken the business of establishing, in the country, banks where money can be gotten at very low rates of interest. It has undertaken to make the return to the land a very attractive proposition by establishing government insurance, at low rates, against hog cholera, and low rates of insurance against crop failure of every description. Why? In order to make Frenchmen sane and get them out of the city to where most of them ought to be. I know in our great cities there is quite a movement to bring people from the country to the city. It looks well in the census, but we all know, when we are thoughtful, and we are occasionally, that it is all foolishness and that the place to rear a man or a woman or a child is on ten acres, and the liberty that is incident to ten acres, and any man who is anything of a philosopher knows that the more we get them interested in the land the better it is for them and for all of us. This good roads proposition in which automobile owners are so interested is in fact a great human movement in the direction of inviting men, women and children to take a more abiding interest in the country, and any proposition that will induce our fellow men to get away from the city, with its nickelodeons, and its abominable theatres, and its abominable influences in other lines, anything that will induce young men to quit practicing law and to quit studying medicine and go out in the country where the air is pure, the milk good and the butter yellow, I stand here to champion such a scheme; and that is why I am in favor of this proposition.

Here is where I differ from the distinguished gentle-

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man from Athens [Mr. ELSON]—I do not mean to say I am in favor of bonds and the interest that goes with them. I agree fully with the distinguished gentleman from Cuyahoga [Mr. FITZSIMONS] from whom we hear too seldom. I do not believe bonds are good. I do not believe there is anything fascinating in interest, but if we can not get the roads without bonds, we will have to have them with bonds. As between bogs in the roads and bonds in someone's pockets, bonds are the least evil. Now there is no good in debt. I will have to admit there is nothing stimulating in debt.

Mr. ELSON: Suppose you need \$100 and you pay \$3.50 interest for it for a year, and it is worth that to you, are you out anything?

Mr. BOWDLE: It is not worth that to me, if I have to knuckle down and work hard to pay it, because I have some good old-fashioned fears about some things, and interest is one of them, and I don't like to pay interest. But I agree with you to this extent, that if you can not get the roads without paying interest then we ought to pay it.

Mr. BROWN, of Highland: If you had \$10,000 on which you were getting six per cent, the regular legal interest, in channels where money goes, and you propose to buy \$10,000 worth of something, would not you make money by letting your \$10,000 out at six per cent and floating bonds for the purchase of goods you need in your business at three and a half per cent?

Mr. BOWDLE: Perfectly right; and as this world is organized it is perfectly easy at times to take a cunning advantage of interest and of a pecuniary situation to make money by borrowing. There is no doubt about that, but you can not argue anything but bondage into bonds. The greatest law giver this world has ever seen, Moses, understood it perfectly when he said "Thou shalt not take usury"—by which he meant interest—"of thy neighbor."

Mr. WATSON: Didn't the wisest man who ever lived, Solomon, say that the borrower was the servant of the lender?

Mr. BOWDLE: I am glad to see how familiar you are with the Scripture. This knowledge of Scripture augurs well for the document that is to come from this body; and the preface to that is "The rich rule the poor and the borrower is the servant to the lender." How true!

I vote for this not because I am in favor of bonds, but I vote for it because I can't help the bonds, and I don't know how you can help inaugurate or initiate any scheme of human affairs by which you can get rid of interest this side of "His second coming in power and great glory," which I think is someway off, at least, if it is to be reached by legislation, although if this Constitutional Convention sits very long we might produce a millennial condition of affairs that would invite the second coming. At all events I do not know how much thought you have given this subject, and I am not here to urge that we seek for the millennium as yet. It is impossible.

Mr. ANDERSON: Talking about the second coming, do you think the action of the Liquor committee will hasten it?

Mr. BOWDLE: No, sir; and I know also that the actions of members of this Convention have not tended

to hasten that event either. I have been amazed as I have walked through life to see the errors that have been committed in statesmanship owing to the thought, more or less regnant in human understanding, that it is the duty of statesman to attempt to bring about the millennium, or to produce such a condition of affairs in which it would be attractive to have the second coming soon. As I see it, the whole of life is the selection of the lesser evils. The whole world is a vast police force. The other night with a friend of mine in Cincinnati we were discussing this matter and I said to him that the whole world was a resistance of evil. "But this I say unto you that ye resist not evil." As I left the house my friend said "How do you explain that passage?" and as we walked along we passed a school house and I said "There is a school house and we are all paying for it. Why is it there? It is because we recognize that in this world there are evils of ignorance and we have employed police called school teachers, whose ministrations are expected to police the mind against ignorance." As we walked farther along we passed a church, and I said to my friend "The spiritual mind is full of evil and we employ clergymen to act as spiritual police, to help us resist evils that invade the spiritual mind." A little later we passed a drug store and I said "Here we find a drug store which is to police the body against the evils that threaten our frame." As I got to my home I put my hand in my pocket and took out my key and put it in the door to unlock it and I said "Here is another evil; I have to lock out burglars," and just as I got in the house the gong in the fire-house across the street rang and I said "There are our police called firemen to resist the evils of fire."

So it seems to me that the whole of life is made up of one grand succession of police who are endeavoring to police our bodies, our minds and our spirits from evil, and so I say of bonds. Bonds are not objectionable per se. Bonds are evil, but you have to fight evils of bad roads with the lesser evils of bonds, and therefore I stand here prepared to vote on the proposition, not to vote on the proposition because bonds or interest are good things, but because I stand here willing to accept the lesser evil.

Mr. WATSON: Could not this body instruct the general assembly that it shall put one mill on the grand duplicate to build these inter-county roads and make that mandatory in the legislature?

Mr. BOWDLE: We could instruct the general assembly, but I am not in favor of this Convention undertaking to instruct them along these lines. I do not believe it is part of our power or mission here to in any sense tie the hands of the legislature. It has been suggested that somehow or other the United States government may come along and render aid in the building of these good roads. One gentleman spoke of the reclamation of the west. The reclamation of the west proceeds under section 3 of article IV of the constitution, "that the congress shall have power to dispose of it and make all needful rules and regulations in respect or territory or other property belonging to the United States." On that clause the reclamation service of this country is based. The supreme court in the case of The United States vs. Denver and Rio Grande Dam Company disposed of that very question, the power of the United

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States to engage in the reclamation services, and Justice Brewer in that case said that while the full extent of the meaning of that clause in the constitution had never been determined, suffice to say it gave congress full power over its own territory.

But there is nothing here that gives us any such power, and it must be done by the people collectively.

Mr. LAMPSON: There are one or two men very anxious to vote and they have to go to the train. We shall have a chance to take the matter up hereafter and I now call for a vote on the amendment.

The PRESIDENT: Is there unanimous consent?

There was objection.

Mr. EARNHART: There are a number of people here who want to speak on this before we vote on it. This matter is of too much importance to be railroaded through without a full and free discussion.

Now I am not going to get up here and say, like everybody else, that I am in favor of good roads and try to impress it upon you by simply saying so.

In my mind this matter resolves itself into a matter of procedure. There are two propositions that have been caucused and argued in this hall for two days. Some gentlemen have spoken half a dozen times and I am free to say that from the amount of hot air at times I have thought there might be spontaneous combustion. Everybody has agreed that we are all in favor of good roads, but where we differ is in the method of getting them.

What I want to say may not be worth so much, but I want to say if the bonding proposition is established and goes before the people sandwiched into this constitution, we will drag the whole thing down with it. My reason for saying that is, who is demanding that this thing is to be done so that the legislation can be enacted? It is a travesty on the intelligence of the farmers to say that they are demanding it. About two weeks ago at a farmers' institute, where the opera house was full, I rose in that house and asked the farmers assembled there to give me some expression, knowing that the time was coming when I would be expected to vote on this proposition, and I could not get them to consider it. They thought it was not of sufficient importance to take their time away from their other matters. Now the thought that these roads are necessary to develop the agricultural interest of the country is certainly erroneous. As has been pointed out time and time again, that nearly all commodities go to railroad stations for distribution. I believe the farmer, especially back from the lines that will be established, will vote solidly against this measure. I have reason to believe that the cities, outside of one or two large cities, will vote against it; so that I think, sandwiched into the constitution, it will drag the whole constitution down to defeat. I feel that to run a chance to carry this measure the only course is to adopt the suggestion of the gentleman here and pay as we go. We stand a show then of getting something.

Now, there are about forty-five lawyers in this body. With all of that concentrated wisdom it seems to me that there should be enough to arrive at some plan whereby we can submit this proposition to the people in proper form and in a proper way. If not I will ask the lawyers to throw up their hands and to submit it to

some ignorant farmers and in a half day's time we will have it settled.

We have gone clear across the water about the matter, some of us have quoted Scripture and everything imaginable has been under discussion. I hope we can get down to business so that if anybody has anything to say he can get up and say it, and when we get to a vote I hope we will be able to arrive at some conclusion that will not drag the whole of our work down to defeat.

Mr. PIERCE: I move that the committee of the Whole rise and report progress.

Mr. LAMPSON: What objection would there be to allowing the committee to pass on the pending amendments so that we can have the proposal reprinted as it would read when the amendments are adopted? We can then proceed with it and other amendments can be offered and adopted if the house sees fit. It will still be open to amendment and discussion. Then we can know exactly where we are. Is there any objection to that?

Mr. WATSON: I object.

Mr. STILWELL: A question—

Mr. DOTY: A point of order, Mr. Chairman.

The CHAIRMAN: What is the point?

Mr. DOTY: The point is not debatable.

Mr. STILWELL: If the proposition is—

Mr. DOTY: A point of order. The gentleman is arguing the question by endeavoring to put a question.

Mr. STILWELL: A question and answer is not a debate.

Mr. DOTY: I have seen it debated.

Mr. STILWELL: It won't be in this case. In what condition is the proposal, is it at the present subject to further amendment?

Mr. LAMPSON: Not until we act upon these that are now pending. That is the reason why I am willing to act upon them and adopt them and then have the matter reprinted as it would be with the amendments.

A vote being taken on division, the motion to rise was lost.

Mr. SMITH, of Hamilton: Before we proceed there is just one question I would like to ask and I am not going to make a speech. There is some difference of opinion as to just what this proposal and amendment mean. That is to say, some gentlemen believe the bonded indebtedness of the state is to be \$50,000,000 and that after that money is paid off there cannot be any further indebtedness. Other gentlemen think the limit is \$50,000,000 at any one time and that after \$10,000,000 are retired another \$10,000,000 can be voted to take the place of the \$10,000,000 that are retired. Now I ask the gentleman from Ashtabula [Mr. LAMPSON] to explain that to us.

Mr. LAMPSON: If the amendment of the gentleman from Hamilton [Mr. HARRIS] prevails, \$50,000,000 would be the limit in the aggregate, and no more than \$50,000,000 at any time could be issued. Now all I am asking is that we adopt these pending amendments.

Mr. DWYER: I was up before you and I think I should have the floor.

Mr. LAMPSON: I don't think either of us was recognized. I think the gentleman from Hamilton had the floor and he asked me a question, which I answered.

Mr. SMITH, of Hamilton: Some of the gentlemen suggest that my question was not answered, and I want

## Extending State Bond Limit for the Inter-County Wagon Roads.—Introduction of Resolutions.

to ask Mr. Harris, who is an expert on the bond business, to explain his idea.

Mr. HARRIS, of Hamilton: The amendment is as clear as the sunlight on a bright sunshiny day.

Fifty millions can be issued and no more at any time. There might be \$49,000,000 of them paid and still not one million or one additional bond of indebtedness can be put until the constitution of the state should be amended.

Mr. PECK: I don't know about that.

Mr. DWYER: I want to present this matter on the lines that we have been following here. We are told that the grand tax duplicate of the state of Ohio is over \$6,200,000,000. Now a levy of one mill on that would make over \$6,200,000. Suppose any one of you is paying yearly \$1,000 tax—and I don't believe many of us here are doing that—but suppose some of us are. If you are paying \$1,000 yearly tax for all other purposes you would pay \$1 a year for this good roads proposition. Is it not better to levy a tax annually which will raise \$6,000,000 and have no bonds? Let us authorize the legislature to assess one mill and we will have a fund of over \$6,000,000 on the duplicate as now and more when it is increased.

Mr. WATSON: Instead of authorizing it should not we command the legislature and say that it shall?

Mr. HARRIS, of Hamilton: What power exists here to force the legislature to do it?

Mr. DWYER: When you come to look at it the levy would be insignificant. Assuming you are paying \$1,000 taxes, you would only have to pay \$1 more. I think we should build the good roads, but I think we should levy a tax and pay as we go.

Mr. DOTY: I move that the committee arise and report progress.

The motion was carried.

*In Convention.*

Mr. SHAFFER: The committee of the Whole, having had under consideration Proposal No. 118—Mr. Lampson, reports it back having come to no resolution thereon.

The PRESIDENT: The report is received.

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

The motion was carried.

The PRESIDENT. The president would like to announce at this time the following members as the committee on Supervision and Control over the Convention Reporter: Messrs. Knight, Cody and Stokes.

Mr. DOTY: I move that when this Convention adjourns on Thursday, February 22, 1912, it be to ten o'clock a. m. Friday, February 23, 1912. The reason for this motion is that ex-President Roosevelt will be here Wednesday and our business for that day will be somewhat disturbed and the business for the week somewhat broken up. We feel that we should attempt to have more sessions next week so that we might get in a full half week's work. The motion is made now to give you all a week's notice of it.

The motion was seconded.

Mr. ANDERSON: I want to offer an amendment that when we adjourn this week on Thursday we adjourn to meet Friday.

Mr. DOTY: I was giving a week's notice of the motion.

The PRESIDENT: Is there objection to putting the motion?

Mr. MILLER, of Crawford: There was an attempt to introduce just such a matter two weeks ago for a regular meeting on Friday, and it was sent to a committee and the committee hasn't sent it back.

Mr. DOTY: I might say that this motion is the outcome of as much of a hearing as we gave for the resolution of the gentleman from Crawford [Mr. MILLER]. There was not a full meeting of the committee today. Three of its members were out of the city and we thought before we recommended a permanent rule we would try it one week and see how we got along.

The motion was carried.

Mr. FESS: If there is no objection I would like to introduce a resolution.

The resolution was read as follows:

Resolution No. 72:

WHEREAS, The United States has set the example of the first real republic in which the sovereign power of the people is recognized in all matters of government;

WHEREAS, This example was followed by all the countries of the western world before the opening of the present century;

WHEREAS, The principle embodied in the republican system has taken deep hold upon modern Europe and Asia which in some instances, as Portugal and Russia, secures a complete recognition of the government of the people; and

WHEREAS, On the 12th day of February, 1912, the ancient monarchy of China, after three centuries of control by the Manchu dynasty, has ceased to exist by an edict of the emperor passing over the control of the empire from the ancient house to the national assembly, therefore

*Be it resolved by this Convention assembled,* That we take recognition of this act as one of the most far-reaching steps in the recognition of the rights of a people to govern themselves.

Mr. FESS: Now that does not involve any principle in dispute.

Mr. DOTY: And there is no expenditure of money. By unanimous consent the rules were suspended and the resolution was put on its passage and being put to a vote was adopted.

Mr. READ: I ask unanimous consent to introduce a proposal.

Mr. DOTY: Oh, not proposals at this time. I object to proposals now. I move that we proceed to the eighth order of business.

Mr. EVANS: I have a resolution which I ask unanimous consent to present at this time.

The resolution was read as follows:

Resolution No. 73:

*Resolved,* That this Convention will take proper notice of the 180th anniversary of the birth of the father of his country, and for this purpose the following committee is named:

## Reference of Proposals—Petitions and Memorials.

George W. Harris, of Hamilton, George W. Pettit, of Adams, George W. Miller, of Crawford, and George W. Knight, of Franklin.

The resolution was adopted.

Mr. DOTY: Now I move that we proceed to the eighth order of business for the purpose of getting into the hands of the committees the proposals introduced last Monday night. It saves reprinting them.

The motion was carried.

## REFERENCE TO COMMITTEES OF PROPOSALS.

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

Proposal No. 226—Mr. Lampson. To the committee on County and Township Organization.

Proposal No. 227—Mr. Harris, of Ashtabula. To the committee on Legislative and Executive Departments.

Proposal No. 228—Mr. Rockel. To the committee on Initiative and Referendum.

Proposal No. 229—Mr. Rockel. To the committee on Schedule.

Proposal No. 230—Mr. Tetlow. To the committee on Judiciary and Bill of Rights.

Proposal No. 231—Mr. Thomas. To the committee on Taxation.

Proposal No. 232—Mr. Doty. To the committee on Judiciary and Bill of Rights.

Proposal No. 233—Mr. Marriott. To the committee on Method of Amending the Constitution.

Proposal No. 234—Mr. Marriott. To the committee on Method of Amending the Constitution.

Proposal No. 235—Mr. Harris, of Hamilton. To the committee on Taxation.

Proposal No. 236—Mr. Worthington. To the committee on Legislative and Executive Departments.

Proposal No. 237—Mr. Hoffman. To the committee on Education.

Proposal No. 238—Mr. Hursh. To the committee on Taxation.

Proposal No. 239—Mr. Harter, of Huron. To the committee on Municipal Government.

Proposal No. 240—Mr. Anderson. To the committee on Judiciary and Bill of Rights.

Proposal No. 241—Mr. Dwyer. To the committee on Legislative and Executive Departments.

Proposal No. 242—Mr. Roehm. To the committee on Equal Suffrage and Elective Franchise.

Proposal No. 243—Mr. Tannehill. To the committee on Taxation.

Proposal No. 244—Mr. Tannehill. To the committee on Taxation.

Proposal No. 245—Mr. Tannehill. To the committee on Method of Amending the Constitution.

Proposal No. 246—Mr. Tannehill. To the committee on Legislative and Executive Departments.

Proposal No. 247—Mr. Tannehill. To the committee on Legislative and Executive Departments.

Proposal No. 248—Mr. Tannehill. To the committee on Taxation.

Proposal No. 249—Mr. Tannehill. To the committee on Equal Suffrage and Elective Franchise.

Proposal No. 250—Mr. Tannehill. To the committee on Legislative and Executive Departments.

Proposal No. 251—Mr. Okey. To the committee on Equal Suffrage and Elective Franchise.

Proposal No. 252—Mr. Weybrecht. To the committee on Judiciary and Bill of Rights.

Proposal No. 253—Mr. Read. To the committee on Liquor Traffic.

Proposal No. 254—Mr. Stevens. To the committee on Liquor Traffic.

Proposal No. 255—Mr. Antrim. To the committee on Banks and Banking.

Proposal No. 256—Mr. Antrim. To the committee on Banks and Banking.

Proposal No. 257—Mr. Stalter. To the committee on Legislative and Executive Departments.

Proposal No. 258—Mr. Evans. To the committee on Initiative and Referendum.

## PETITIONS AND MEMORIALS.

Mr. Beatty, of Wood, and Mr. Solether presented the petition of J. W. Roe and one hundred fifty-one other citizens of Wood county, protesting against the manufacture, sale or free distribution of cigarettes or cigarette papers; which was referred to the committee of the Whole.

Mr. Beatty, of Morrow, presented the petition of Joseph Hickson and sixty-six other citizens of Morrow county, protesting against the licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. De Frees presented the petitions of William King and other citizens of West Milton; of A. J. Johnston and sixteen other citizens of Miami county; of E. S. Isenbarger and other citizens of Potsdam, remonstrating against the licensing of the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. De Frees presented the petition of Elmer E. Vantuyl and one hundred sixty-three other citizens of Miami county, asking for the passage of Proposal No. 4, without amendment; which was referred to the committee on Liquor Traffic.

Mr. Colton presented the petition of J. B. Potter and thirty other citizens of Portage county, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Brattain presented the petition of M. J. Dow and ninety-three other citizens of Paulding county, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Doty presented the petition of the members and congregation of Brooklyn Memorial M. E. church, of Cleveland, with respect to license proposals; which was referred to the committee on Liquor Traffic.

Mr. Fluke presented the petitions of the Presbyterian church and other citizens of Loudonville; of J. S. Felger and twenty-three other citizens of Ashland; of Chas. L. Sanborn and sixteen other citizens of Loudonville; of F. A. Dumm and fifty other citizens of Ashland county, protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Harbarger presented the petitions of Raymond De Vault and sixty-five other citizens of Franklin

## Petitions and Memorials.

county; of Herbert Eagleson and twenty-four other citizens of Franklin county; of the members of Big Darby Baptist church of Canaan township; of Wayne Smith and twenty other citizens of Franklin county, protesting against the passage of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Knight presented the petitions of the Rev. J. A. Shirer and twenty other citizens of Columbus; of R. A. White and twenty-two other citizens of Columbus; of Richard E. Ackland and twenty-six other citizens of Columbus; of Wm. McNabb and twenty-two other citizens of Franklin county; of J. A. Speer and thirty-nine other citizens of Columbus, protesting against the passage of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Fox presented the petition of D. H. Richardson and forty-eight other citizens of Celina, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Cassidy presented the petition of J. F. Davis and many other citizens of Logan county, asking the Convention to adopt King Proposal No. 4, without amendment; which was referred to the committee on Liquor Traffic.

Mr. Kramer presented the petition of F. M. Procter and fifteen other citizens of Richland county, protesting against the adoption of King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Rockel presented the remonstrance of Robert C. Ellsworth and fifty other citizens of Clark county, against the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Peters presented the remonstrances of F. M. Myers, pastor of Big Darby church, Madison county; of A. M. E. Sunday school, of Westerville, against liquor license; which were referred to the committee on Liquor Traffic.

Mr. Stilwell presented the petitions of P. H. Marquard; of Harold C. Loomis; of F. G. Smith and many other citizens of Cuyahoga county, asking that mortgages be exempt from taxation; which were referred to the committee on Taxation.

Mr. Stilwell presented the petition of C. A. Stein and three hundred other citizens of Miami county, to provide for the employment of American labor only in the construction of good roads; which was referred to the committee on Good Roads.

Mr. Fox presented the petition of J. B. Huesing and thirty-nine other citizens of Celina, asking for the passage of Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Norris presented the petition of Wm. Gracely and other citizens of Marion, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Kilpatrick presented the petition of Wm. Cramer and thirty-three other citizens of Trumbull county, against King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. DeFrees presented the petition of George Schipps and twelve other citizens of Piqua, asking for the passage of Proposal No. 4, without amendment; which was referred to the committee on Liquor Traffic.

Mr. Tallman presented the petition of Everly Smith

and one thousand nine hundred eighty-six other citizens of Belmont county, asking for the adoption of Proposal No. 4, relative to licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Holtz presented the petition of George Hall and fifty-seven other citizens of Fostoria, protesting against King Proposal No. 4; which was referred to the committee on Liquor Traffic.

Mr. Tetlow presented the petitions of Edwin Kirby and one hundred ninety other citizens of East Liverpool; of D. F. White and forty other citizens of East Liverpool; of H. H. Martin and other citizens of Columbiana county, protesting against a license clause in the constitution; which were referred to committee on Liquor Traffic.

Mr. Redington presented the petitions of R. M. Birdsall and thirty-one other citizens of Elyria; of L. G. Vaughn and thirteen other citizens of Lorain; of Griffin McCarthy and seventeen other citizens of Oberlin; of P. M. French and fifteen other citizens of Lorain; of D. G. Reisinger and thirty other citizens of Grafton; of E. H. West and many other citizens of Lorain county, protesting against the passage of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Lampson presented the petitions of H. W. Olds and members of the M. E. church, of Orwell; of A. E. Bartholomew and other citizens of Jefferson, protesting against the passage of the King proposal; which were referred to the committee on Liquor Traffic.

Mr. Lampson presented the petition of one hundred eighty members of Ashtabula Division No. 260, B. of L. E., asking for the submission of an amendment to Proposal No. 122 by Mr. Farrell, regulating the hours of service in hazardous employment; which was referred to the committee on Labor.

Mr. Stokes presented the petitions of N. E. Grafton; Mrs. W. H. Howard; of James Hays; of A. D. Rayner; of J. B. Clark; of P. N. Sigler; of Maud Boker; of M. L. Rayner; of W. W. Hoelacha and other citizens of Dayton; of F. M. Howard and many other citizens of Montgomery county, protesting against the passage of the King proposal; which were referred to the committee on Liquor Traffic.

Mr. Woods presented the petitions of W. D. King and twenty-one other citizens of Spencer; of W. D. King, pastor Free Baptist church; of C. D. Patterson, pastor M. E. church; of M. A. Dickason, superintendent F. B. Sunday school, of Spencer, against licensing the liquor traffic; which were referred to the committee on Liquor Traffic.

Mr. Kerr presented the petitions of William C. Wolfe and twenty-five other citizens of Smithfield; of E. B. Johnson and twenty-five other citizens of Smithfield; of the Rev. George P. Rowland and twenty-six other citizens of Steubenville; of Jason B. Manley and fifty other citizens of Mingo Junction; of Henry J. Weber and forty other citizens of Steubenville; of R. G. Porter and fifteen other citizens of Steubenville, opposing a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Kerr presented the petitions of the Rev. Battelle McCarty and thirty-six other citizens of Steubenville; of J. B. Wallace and fifteen other citizens of Toronto,

## Petitions and Memorials.

opposing license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Bigelow presented the petitions of W. T. Swindler and other citizens of Toledo; of G. Brandstetter and other citizens of Bucyrus; of Wm. Carle and fourteen other citizens of Bucyrus; of John Durk and twenty-seven other citizens of Cleveland, asking for the passage of Proposal No. 4; which were referred to the committee on Liquor Traffic.

Mr. Bigelow presented the petitions of Fred E. Stiver of Lima; of F. M. Howard, of Dayton; of J. R. Bertsch, of Toledo; of the members of the U. B. Bible school, of Old Fort; of W. E. Allaman, of Dayton; of the members of the Personal Liberty League, of Cincinnati; of the Wakeman Grange No. 1399, Wakeman; of the Home Ave. U. B. church, of Dayton; of Clyde S. Michael, of Mt. Vernon; of Henry Farwell, of Hudson; of Carl Wertz, of Fredericktown; of J. J. Dever, Findlay; of the Norwood English Lutheran church, of Norwood; of W. A. Fountain, of Ravenna; of B. F.

Howard and other citizens of Dayton; of Henry V. McFarland, of Mt. Vernon; of Will Irick, of Rushsylvania; of the congregation of the Presbyterian church, of Petersburg; of the Chillicothe Ministerial Association, of Chillicothe; of Thos. Neill, and other citizens of Jefferson county, protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Antrim presented the petition of G. A. Foust and other citizens of Van Wert county, protesting against a license clause in the constitution; which was referred to the committee on Liquor Traffic.

Mr. Brattain presented the petitions of D. E. Michael and other citizens of Paulding county; of Elijah Rowe and twenty other citizens of Paulding county, protesting against a license clause in the constitution; which were referred to the committee on Liquor Traffic.

On motion of Mr. Doty the Convention adjourned until tomorrow at 1 o'clock p. m.