

FORTY-SEVENTH DAY

AFTERNOON SESSION.

THURSDAY, March 28, 1912.

The Convention met pursuant to adjournment.

In the absence of both the president and the vice president, the secretary called the Convention to order.

The SECRETARY: It is necessary that this body select a presiding officer. What is the pleasure of the Convention?

Mr. MOORE: I move that Mr. Fackler act as presiding officer.

The motion was seconded and was carried and the delegate from Cuyahoga [Mr. FACKLER] took the chair.

Prayer was offered by the member from Clermont [Mr. DUNN].

The journal was read.

Mr. THOMAS: A correction should be made on the journal of March 27—"Mr. Marriott moved that the constitutional Convention of the Ohio Wesleyan University, etc.," I did not know they had any such body.

The PRESIDENT PRO TEM: The chair is informed that they have what is called a "constitutional convention" over there and that is the form in which the motion was made.

Mr. MOORE: On page 11 of yesterday's journal I find that through a misapprehension I voted to substitute the Cassidy substitute for the Crosser proposal. I intended to vote "no" on that proposal. I thought I was voting in favor of the Crosser proposal and I ask the privilege of having my vote changed.

Mr. DOTY: I rise to a point of order. I regret that the member voted wrong, but the record is right. The vote was recorded as cast. He can put it on the journal today if he wishes.

Mr. STEVENS: On the journal for March 25 it says that leave of absence for Tuesday and Wednesday was granted to the delegate from Holmes. The fact is the leave of absence was for Monday, Tuesday and Wednesday, and I would like for the journal to show that.

The PRESIDENT PRO TEM: If there is no objection the corrections will be made, and there being no further corrections the journal will stand as approved.

Mr. PETERS: I rise to a question of personal privilege. Owing to my absence yesterday, through being compelled to leave the Convention, I was unable to cast my vote on Proposal No. 2. I would like to have the record show that I voted on that proposal.

The consent was given and the name of the delegate called on the adoption of Proposal No. 2 and he voted in the affirmative.

Mr. THOMAS: Through a misapprehension in voting on the Cassidy amendment I voted aye instead of no. I ask leave now to vote on that.

The leave was granted and Mr. Thomas' name being called on the motion to adopt the Cassidy amendment instead of the Crosser proposal he voted no.

The same action was taken by the delegate from Muskingum, voting the same way Mr. Thomas did, through a similar misunderstanding.

Mr. BEATTY, of Wood: I ask unanimous consent to introduce a resolution.

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

Resolution No. 90:

Resolved, That this Convention, when it adjourns on Friday, April 26, 1912, shall adjourn to Monday, May 6, 1912, at 10 o'clock a. m. at which time the standing committee on Arrangement and Phraseology shall report upon such matters as shall have been referred to said committee.

Resolved, That the calendar of business for May 6, 1912, and thereafter, shall consist only of proposals for third reading and questions appertaining thereto, and no other business shall be considered except that which shall pertain to the concluding work of the Convention.

Resolved, That this Convention shall adjourn sine die, at 12 o'clock noon, Saturday, May 11, 1912.

The president here took the chair.

The PRESIDENT: The resolution goes over under the rules.

Mr. RORICK: I ask unanimous leave to introduce a resolution.

The resolution was read as follows:

Resolution No. 91:

Resolved, That hereafter debate upon all questions shall be limited as follows:

Author of a proposal or chairman of the standing committee to which it was referred, thirty minutes upon the second reading of the proposal and five minutes upon any amendment thereto. Other members fifteen minutes upon the second reading of the proposal and five minutes upon any amendment thereto.

Upon resolutions, upon questions of adoption, five minutes for any member.

Upon all debatable subsidiary motions five minutes for any member.

No member's time shall be extended except on two-thirds vote.

Provided, however, that this special rule shall not apply upon the second reading of any proposal reported to the Convention by the standing committees on Taxation and Municipal Government.

The resolution was laid over under the rule.

SECOND READING OF PROPOSALS.

The PRESIDENT: The order of business now is the consideration of Proposal No. 16—Mr. Elson, to submit an amendment to sections 1 and 4 of article III of the constitution, relative to the election of state officials.

The proposal was read the second time.

Mr. PETERS: I offer an amendment.

The Short Ballot.

Mr. DOTY: I offer an amendment.

Mr. HOSKINS: I have one, but I have not got it ready.

The PRESIDENT: We will hold the matter over and let the delegate prepare his amendment.

Mr. KERR: Is an amendment now in order?

The PRESIDENT: We are waiting for two amendments that were introduced, and those two and one pending make three, which are all we can have.

The three amendments were read as follows:

Mr. Peters moved to amend Proposal No. 16 as follows:

In section 1, line 5, after the word "state" strike out the word "and". In the same line after the word "general" strike out the period and insert a comma, after which insert the words "and a state dairy and food commissioner." In line 4, after "lieutenant governor" insert "dairy and food commissioner."

In section 2, line 9, after "governor" strike out the word "and" and insert after the word "governor" a comma.

In line 9, after "lieutenant governor" insert the words "dairy and food commissioner".

In section 5, line 16, strike out the words "dairy and food commissioner".

Mr. Doty moved to amend Proposal No. 16 as follows:

In line 5, change the second comma to "and".

In line 6, strike out "and auditor of state".

In line 10, change comma to period.

Strike out "and the auditor of state for four years"

In line 15, after the second word "state," insert "auditor of state,".

Mr. Hoskins moved to amend Proposal No. 16 by substituting for the substitute and all pending amendments as follows:

Strike out all after the resolving clause and insert the following:

SECTION 1. (Executive Department.) The executive department shall consist of a governor, lieutenant governor, secretary of state, auditor of state, treasurer of state, and an attorney general. The governor, lieutenant governor, auditor of state, and attorney general shall be elected on the first Tuesday after the first Monday in November, by the electors of the state, and at the place of voting for members of the general assembly; the secretary of state and the treasurer of state shall be appointed by the governor.

SECTION 2. (Term of Office.) The governor, lieutenant governor and attorney general shall hold their offices for two years, and the auditor for four years. Their terms of office shall commence on the second Monday in January next after their election, and continue until their successors are elected and qualified.

SECTION 5. (Executive powers vested in governor.) The supreme executive power of this state shall be vested in the governor. He shall appoint the secretary of state, treasurer of state, all

members of the board of public works, dairy and food commissioner and commissioner of common schools and shall have authority to remove any of said officials so appointed.

Mr. ELSON: Mr. President and Gentlemen of the Convention: The question upon which we are about to enter, I wish to say at the outset, is an academic question. We have heard two or three hints in the past week that we are not expected to discuss academic questions before this body. But why, I do not know. There can be only two reasons: First, that all such questions have been settled in the past and settled right; secondly, we must confess ourselves incapable of discussing such questions. It must be one or the other. I am glad to hear any one acknowledge his own limitations, but I do not think anyone should play the dog in the manger.

We have also heard something about college professors in the last two or three days. I want to make a brief reference to that at this time.

Our good friend from Auglaize [Mr. Hoskins] a day or two ago refused to answer a question because it was propounded by a college professor. Now, whether the gentleman could not answer the question and took that witty way of getting out of it, or whether he wanted to cast reflection on the profession to which I belong, I do not know, and his later apologetic statement still left me in the dark. I do not know what he meant. A few words in this line:

A college professor is not merely a school teacher, not merely a wrestler with logarithms and Greek verbs. He is probably a man of science, probably an inventor. Possibly he works in a laboratory. Perhaps he is studying out the lines of action for the general progress of the industrial world. Perchance he is an economist, an expert in political economy, and is working on those various lines on which the commercialism of the nations is based. I know a man in the city of New York, a college professor and unquestionably the greatest tax expert in America. He has never perhaps aided in making a tax law and has never collected a dollar of tax, but in the quiet of his own study he has written book after book on taxation, and the state legislature that attempts to pass tax laws without consulting his books only proves itself a back number. It is doubtful whether there is a state in the Union that has not saved its millions from the books of Professor Seligman, of Columbia University.

Take the tariff question. You know how it affects everyone of us throughout the country. The greatest tariff expert in America is Professor Tausig, of Harvard. There is not a man in congress or out of congress anywhere in this country who has the profound knowledge of the tariff that this man in Harvard College has.

Let us enlarge a moment and include with the college professor the scientific man in general, the genius, inventor. What has he done? He has done the thinking for the world. As the general of an army thinks out the actions of his army before it goes into battle, so the genius thinks out modern progress. He keeps in advance and the industrial world has to follow his suggestions. Take the Panama canal. Are the Negroes and the Chinamen and the Jamaicans making that canal? It is

The Short Ballot.

true they are moving the dirt, but the scientist goes ahead and tells them what to do. A few years ago the great St. Gothard tunnel under the Swiss Alps was completed. They started from the two ends, miles and miles apart, and they worked in from both ends and when they came to the middle thousands of feet from where each had started the two tunnels corresponded within an inch. Who did it? The scientist, the college professor if you please. What have they done? They have given us the skyscraper, the ocean greyhounds, the modern railroads and you pay homage to them every time you take a ride in a steamboat or on a passenger train. They have given us the electric light and the telephone and the automobile. Professor Morse gave us the telegraph and what would the world have been in the last fifty years without the telegraph? Morse was a college professor. Take the farmer of a generation ago. He sowed his ground and reaped his harvest as his father and his grandfather had done. But what does he do today? He has his reaper and his self-binder; and more than that, he consults the scientists before he sows this, that or the other kind of grain. He must go to the experiment station to see what kind of an apple tree is best on the south side of a hill and what on the east side. Let me say to my friend from Auglaize, everytime he eats a nice red apple he is paying homage to the college professor. If there is any disposition on his part to inaugurate a campaign for the extermination of the college professor, I suggest that he wait a few generations—till civilization is a little further advanced. We can't spare them yet.

When the election of delegates to this Convention approached, a few months ago, I, being one of the candidates, became very anxious to win. Why? Not because I wished to enjoy the new experience of holding office; not because I was tired of my work in the university and sought a temporary change, but because I saw an opportunity to serve my native state in this new capacity, that of changing her organic law that it might conform more nearly to the needs and conditions of our day and generation.

I realize that there are many points in our existing constitution which ought to be altered to suit modern conditions, but there were three things (call them hobbies if you will), three changes that I earnestly hoped to be helpful in bringing about through the action of this Convention. None of these was the subject of popular demonstration; none was called for by the people, nor scarcely mentioned in the campaign. All of them are fundamental and deal with the substructure on which our government rests.

Most of the questions we debate here are questions of the day, matters of public policy, methods of procedure. They belong to localities and arise because of conditions that may or may not be permanent. But the subject now before us is one that deals with the basic principles, the foundations on which the whole fabric of self-government is built. Here may arise the questions: Is it fitting for us, a State Constitutional Convention, to grapple with the deeper things, the principles of government? Are we not merely to adjust the machinery, to put it into repair that it may the better perform the work of the immediate future? Shall we have the temerity to call in question the principles on which the machine was

built? Shall we question the finality of the wisdom of the fathers who laid the foundation of this great government of which we are so proud?

Let me answer, if there is any body of men that ever assembles in America whose right and duty it is to deal with these fundamental questions, it is a state constitutional convention. Our federal constitution is so fixed in the public mind that for generations to come there can be no thought of calling a convention to frame a new one. Neither congress nor the supreme court nor any state legislature has any authority to deal with these questions, but a state constitutional convention has that right, and it is its duty to scrutinize every phase of the organic law of the state.

The truth is, that one of our chief faults as a self-governing people lies in the fact that we hold too sacred the things that have come to us from the past. We are ready to accept as flawless the institutions that are hoary with age, merely because they are hoary with age. I agree that it is better to do that than to follow the fads of the multitude and to be swept off our feet by every wind of political doctrine. But on the other hand, how often we laud and extol the godlike wisdom of the fathers, never considering that they had no such opinions of themselves, that they were uncertain as to the many things they did, that they considered much of their work as tentative and experimental!

It is a known fact that of the men who framed and signed the federal constitution not one, perhaps, believed that it would last for half a century.

We are ever ready to criticise political parties and public men; we denounce and execrate the political boss and consign him and all his like to the lower regions, while we continue to uphold a system that makes him possible. We rail against the apathy, the shortcomings, the perversity of the people. Do we ever consider that perhaps it is not wholly the fault of the people when we have bad government, but in part at least because our mechanism may be defective?

Now and then conditions become so bad that the people rise in their anger and a grand reform wave sweeps over the community. I am glad such a thing is possible. These spasmodic outbursts are often productive of great good and often they leave permanent results. But such uprisings are always temporary; they subside; the people settle into their normal condition, and then the corruptionists creep out from their hiding, are soon again in the saddle and the old conditions are resumed. If the people were always in this roused condition we might always have good government. But they are not; they cannot be, because the condition is an abnormal one.

That brings me to the point I wish to make. Here is my syllogism:

A correct system of government will work under normal conditions. Our system works only under abnormal conditions. Therefore, our system is defective.

By every rule of logic your conclusion will be true if your premises are right. If your premises are defective your conclusions will be false. By the same rule a system of government is defective if it will not work under normal conditions.

What ground have we for believing that political science has reached a state of perfection? In physical and chemical science the strides made in the past few

The Short Ballot.

centuries are marvelous to contemplate. Take astronomy for example. The astronomers of the ancient and mediæval world never made any real progress. Why? Because the whole theory of astronomical science was based on a false principle, namely, that the earth is the center of the universe and all the heavenly bodies revolve around it. No wonder they never got anywhere. Not until Copernicus taught the world the true theory of the solar system were astronomers in a position to make any real progress. And what a marvelous change there has been! They can now calculate an eclipse and tell us the day, the hour and the minute of its occurrence centuries in advance.

No science can be termed exact or can make any safe progress unless it is based on correct theory.

One might think the science of human government would have reached mathematical precision ere this, for it has been the subject of study and of practical application in all ages by all people. But, while in the abstract human nature is as constant as the northern star, as changeless as the laws of gravity, it is so multifarious in its forms, so infinite in its possible combinations, that no social science can be said to have reached a state of exactness. All forms of government are yet experimental, and especially is this so of a democracy.

Rome was a republic for five hundred years. Roman law today furnishes the basis of every code of laws in every civilized land; no statesman and no judge or lawyer can hope to excel without a knowledge of it. But with all this, Rome fell far short of solving that vast problem, the problem of self-government. Greece practiced the same thing for centuries and from many angles. Greece through long ages of peace and war strove to find a solid basis of government; but she forgot the need of the strength that union brings and in spite of her superior intelligence, her refined civilization, she perished, like a half-grown child wandering from home and falling among wolves. She did not solve the problem of self-government, and the same is true of the various Italian cities and, indeed, of every people, ancient or mediæval, that made the attempt.

In the course of time came the American Revolution. The foreign yoke being thrown off, the few scattered thousands on the eastern edge of a vast continent decided to try the experiment of democratic government. Could they succeed? Could these new states join together and govern themselves without a monarch? Almost the only successful precedents of the past were found in the few bright pages in the history of their own colonial childhood. But they would make the attempt, and with brave hearts they set about the task. It was a harder problem to solve than the problem of the Revolution had been. And the world turned its eyes wonderingly toward the new-born nation of the West and awaited the result. Could a government of the people, for the people, and by the same people endure upon the earth? That was the question. The answer is not yet complete. We are still working on it. Our government is still an experiment. Democracy is still on trial and democracy can become an enduring, permanent thing only if it sees its own defects and corrects them.

I would not be misunderstood? I am not a follower of fads. I am a conservative rather than a radical. I would not depart from the old landmarks where it is pos-

sible to adhere to them. Far be it from me to deprecate the work of the fathers who founded the republic. They were exceedingly wise; they did a wonderful work and the record they left is an unfading record. But they were not demigods, and no one knew this better than they. I refer not only to those who framed the federal constitution, but to the large body of men who, in the early part of our history, contributed to making our government, federal, state and local, what it is. It cannot be denied that they made mistakes and it behooves us to ferret them out and correct them if we can.

Perhaps not one member of this body will ever again sit as a member of a constitutional convention. Now is our opportunity of a life time. What are we going to do? Shall we continue to doctor symptoms and leave the seat of the disease untouched? It is true that we may be able to do only a little. It is not probable that the science of human government will be standardized here in this Fourth Constitutional Convention of Ohio: Like medical science and many other sciences, it will grope in search of truth for centuries to come. The automobile manufacturers advertise a 1910 model, then a 1911 model, a 1912 model and so on. Why? Because the machine, new and complicated, has not yet reached a standard of perfection, as it doubtless will in a few years. We hear of no yearly new models of the sewing machine or the steam engine, and the reason is that they have been perfected, and are built on a correct principle which needs no improvement.

Will our system of government ever reach a standard of perfection? If so, it is my opinion that it will work correctly under all normal conditions, and in that case the initiative and referendum and all such adiaphora will be superfluous and needless. A steam engine built on correct principles will always work when properly manipulated. It will never fail. Why should it not be so under normal conditions with a system of government that is correct in theory at all points? I have taken into account the fact that human nature is perverse and imperfect. You are never absolutely sure of the individual; any man may go wrong. But you can be sure of the multitude. Take men in groups, ten thousand or a hundred thousand, and one group will, under similar environment, average up with any other group. My contention therefore is, that with our knowledge of human tendencies in the group, a system of government may be devised which will work almost automatically under ordinary normal conditions if it is built on a correct theory.

As I have stated, we of this Convention can do only a little toward bringing about this consummation in Ohio. Shall we not do the little that we can? We did a grand good thing in the fundamental change we made in the jury system. It brought forth the favorable comment of the press from coast to coast without one dissenting voice that I noticed. To say nothing of the advantage in meting out justice, I believe that from a pecuniary standpoint alone this reform, by obviating the necessity of new trials, will, every few years, save the state a sum equal to the entire cost of this Convention.

Of still greater importance is the question before us today. We have all observed that there is something radically deficient in the operation of our various forms of local government. Our municipal government, for

The Short Ballot.

example, is a reproach to us all over Europe. We have been in the habit of blaming the people. After berating the political boss and his train of professional politicians, after execrating them to the limit of our vocabulary, we turn to the people and say, "It is all your fault after all if your confidence is betrayed and your treasury looted. Why didn't you watch your public servants? Eternal vigilance is the price of liberty. Of course they will steal if you sleep. If you have had government it is your own fault. You don't deserve anything better."

It is quite a relief for a self-appointed reformer to get off something like that. He thinks he has done a heroic thing for his country. It gives him a better appetite and drives away insomnia. I know from personal experience.

One of these reformers will feel the spell coming on him periodically. He will rave about the country and denounce everything from Maine to California, from Cotton Mather to Governor Stubbs and John D. Rockefeller. At length he works the virus out of his system and settles down in the serene satisfaction that there is one good citizen in the community anyhow. When another election comes on, this same reformer will go to the polls and vote for a score of boss-nominated candidates for office, of whom he knows nothing, and will give no attention to their behavior while in office—until another scandal is unearthed. Thereupon another reform spell seizes upon him and he repeats his former maneuvers.

Don't misunderstand me. I would not be too severe on the periodical reformer. Under our present system he is almost as necessary as the political boss himself.

We agree then that our want of good government, the wide-spread corruption with which we have had to contend, is not wholly the fault of the people, but largely because of defects in our mechanism. How many may be the faults of construction we do not know, but we do know that we have located one source of weakness, and that is in our cumbersome election machinery. And we have discovered the remedy. It is known by the expressive but inadequate term, the Short Ballot. By means of the short ballot we cut down the number of elective officers until only a few conspicuous one are left, so that the voter knows precisely what he is doing. The object is to make the chief, conspicuous officials still more conspicuous, to center the public gaze upon them, to hold them responsible for the whole administration and thus secure direct, responsible government for the indirect, irresponsible government with which we are too familiar.

It cannot be denied that the old plan is a failure. We go to the election and vote a long string of names and, except for two or three at the top, they are nothing but names, utterly meaningless to the average voter.

We have had reference several times in these debates to a blanket ballot. I read of one the other day in New York city actually fourteen feet long. I have none here to exhibit, but we all understand and it is not necessary. Take one of these blanket ballots with scores of names on it. We are expected to take that ballot and to vote intelligently, to ferret out the right man for this place and that and to cast an intelligent vote. The fact is we cannot do it. Who can understand such a thing? Let me read from a little book that I have here that I hope

every one of you has read, "Principles of the Short Ballot," by Richard S. Childs, of New York:

The only legitimate protection the people may be given is the fullest chance to scrutinize the candidates. Arrange for the fullest, most intensive scrutiny, and you have done all that can be done. Scrutiny at election is vital to democracy. Deny to the people the opportunity to scrutinize the candidates and you have left them fighting blindly and futilely in the dark.

When Ohio holds forty-seven elections on one day, does the average citizen read the names, casting a straight republican ticket only when finding that each republican candidate is to his liking? Or does the average citizen ignore the individual names for the most part and place his dependence on the party management? To find this out demand of the average citizen on the evening following election day, as he stands before the stereopticon screen watching the returns, "Whom did you vote for?"

"Taft for president and Harmon for governor," he will answer.

"Whom else?"

"The republican national ticket and the democratic state ticket."

"But what men? You voted for forty-seven, you know, and you've named two. Whom did you vote to send to the state legislature? And whom did you pick for county clerk? And for dairy and food commissioner and coroner?"

"Oh, I don't know—I'm not in politics."

That is about the answer you will get. Here is something that comes nearer home:

In Cleveland a certain militant reformer relates that he had spent most of his time for weeks before one of these elections working as one of a committee to investigate all the candidates and publish recommendations for the guidance of the voters. He had special facilities; he became an expert in the business of citizenship, and by election time was one of the few men in town who had studied all the candidates of all parties. When he went to vote himself, he found to his dismay that he had omitted to bring along his carefully compiled memoranda. He attempted to vote for the long list of forty-seven officers from memory, found himself confused and in doubt at various points and finally cast a ballot which he later found contained several mistakes.

Thus we have a sample of what it is to vote on the long ballot.

We can easily watch the head of the ticket, we can watch the chief official, the governor. The governor lives in the public gaze from the moment he is inaugurated into office until his term expires, but the people find it impossible to watch the subordinate officers. We cannot do it. There is a long string of names, really nothing but names, upon the ballot that we are expected to vote. The powers below the governor are reserved to the people. That is an old expression that has come down to us

The Short Ballot.

from Revolutionary days and seldom has there been a phrase more abused than that phrase "reserved to the people." The truth is that beneath the governorship there is a large residuum of power that is supposed to have been reserved to the people, but which the people are not capable of taking care of. The people simply cannot watch these minor officials, cannot keep track of what they do, cannot use intelligence in choosing them. Therefore, there is a large residuum of power there that somebody has to take charge of and the political boss steps in and quietly takes hold and practically gets control of the government. The political boss is the man who works in the dark. He may be at work for years and years before you are quite sure who he is. He is the one who has a baneful influence upon many of our subordinate officials. They are there through his machinations, not through the choice of the people. It is through him that they have received their offices, although nominally they have been elected by the people. How often we find that certain laws cannot be passed that ought to be passed and certain laws are passed that ought not to be passed, and why? Because of the sinister, secret influence of the political boss who has gained control of the city or perhaps even of a state government. It is his hidden hand. We don't see it, but we feel the effects of it and we rail against the government because of such conditions.

Now I wish to make two observations. One is, we have asked the people to do what they cannot do. We must study the people as we study the laws of nature. We must discover what they can do and arrange our machinery accordingly. I mean our machinery of government. This same author from whom I read gives a very happy illustration to this end. I will repeat it in a few words. If a man builds a water mill and finds that it won't work what does he do? Does he find fault with the water or with the law of gravity which causes it to flow? No; if he is a man of common sense he will conclude there is some defect in the mill and he will rebuild the mill and so keep on until it does work. Never for a moment does he consider the possibility of changing the character of the water. It is the mill that needs the repairing. So if our system of government won't work, let us remember that the people cannot be changed. Human nature is too much the same thing century after century. The machine itself is wrong. The mill is wrong. We all know that dog and monkey show that used to travel around the country. A gentleman from Indiana—I don't know his name—had the show and he told the story of how he had taught the little dog to turn a backward somersault. We know it is an easy thing to teach a dog to jump over a desk or a table, because it is a natural thing for a dog to jump, but when it comes to teaching the dog to turn a backward somersault it was an altogether different thing, and the man said that when he began to teach his first dog to do that, he had the dog stand on his hind feet and he would give it a slap and turn it a backward somersault. Then he would repeat that process again and again and so he kept on, and how long do you suppose he did it? He had to work with that dog six hours a day for six weeks before the dog discovered the real idea of the master and did it of its own accord. Why? Because it was an unnatural thing for a dog to do. Now the application

I wish to make is this: It is unnatural for the people to take the notice of their own government that is demanded by our system, and therefore the system must be wrong.

Let me read briefly from a volume of the Political Science Quarterly:

So ignorant are the mass of us, actually and of necessity, about the special qualifications of the several men we vote for, that if the names on the ticket were shifted round so that the candidate for congress were running for state engineer, the superintendent of education for coroner and the sheriff for judge, it would be all the same to us in nine cases out of ten.

That is probably an extreme statement.

Now let me read a few words from Governor Woodrow Wilson:

In the little borough of Princeton, where I live, I vote a ticket of some thirty names I suppose. I never counted them, but there must be quite that number. Now I am a slightly busy person and I have never known anything about half the men I was voting for on the tickets that I voted. I attend diligently, so far as I have light, to my political duties in the borough of Princeton, and yet I have no personal knowledge of one-half of the persons I am voting for. I couldn't even tell you what business they are engaged in, and to say in such circumstances that I am taking part in the government of the borough of Princeton is an absurdity. I am not taking part in it at all. I am going through the motions that I am expected to go through by the persons who think that attending primaries and voting at the polls is performing your whole political duty. It is doing a respectable thing that I am not ashamed of, but it is not performing any political duty that is of any consequence. I don't count for any more in the government of the borough of Princeton than the veriest loafer and drunkard in the borough, and I do not know very much more about the men I am voting for than he does. He is busy about one thing and I am busy about others. We are preoccupied and cannot attend to the government of the town.

A few more words from the same source:

The folly of obliging the people to decide at the polls upon the fitness for office of a great number of persons lies at the bottom of almost all the misgovernment from which we suffer, not only in the cities but in the states. It is a darling device of the political jobbers and a most successful one; for, under the hollow pretense that thus the people have the greater power, they are able to crush public spirit, to disgust decent and conscientious citizens with politics, to arrange their "slates," to mix the rascals judiciously with a few honest men wherever public sentiment imperatively demands that much and to force their stacked cards upon the people.

My first of those two observations was that we have

The Short Ballot.

asked the people to do something that they cannot do. My second is this, that there is no need whatever of the people electing the minor officials. The duties of those officials are often merely clerical or ministerial. There is no policy involved whatever. Compare our municipal government with the English municipal government. The British have found the defect and have applied the remedy. The Englishman who goes to an election to vote for a city councilman has a little ballot not as large as a postal card. There are two names on it, or possibly three, and he votes for one. That is the councilman from his own ward. So it is in each ward in the city and the council thus elected has the whole responsibility of the city government. Those men are not paid for their services, but they employ all those salaried officers who are required in the city government. Thus the Englishman votes intelligently. He knows his city councilman. It is someone with whom he is acquainted and who lives in his neighborhood, and if he serves faithfully he is re-elected year after year. It is not an unusual thing in an English city to find men who have been in the city councils continuously for a quarter of a century.

Now a little more from the Political Science Quarterly. Here is something that was quoted by a speaker a few days ago. He told us how Mr. Childs, who is at the head of the short-ballot organization in New York, went upon the streets of Brooklyn just a few days after a state and city election and asked the citizens as he met them on the street to answer these questions — I will only give two or three:

Do you know the name of the new city treasurer just elected? Out of a hundred thirteen answered yes; eighty-seven didn't even know the name of the new city treasurer whom they had just elected. The next question was, do you know the name of the present state treasurer? Twenty-five per cent answered yes to this question, and so it goes. But it was discovered that on an average there were not ten per cent of the people or the voters who had cast their ballots but a few days before who even knew the names of the minor officials in the state or city. I believe you can go on the streets of Columbus or any other city in Ohio and ask every voter as you come to him if he can name over the state officials beneath the governor, and I guarantee that not ten per cent of them can do it. Probably there is not one man in forty who can name them, and yet we elect them. What does it mean? It means that we voted blindly when we voted for these men. But that is not all. It is not the worst. We didn't nominate them and our state conventions didn't nominate them. The nomination was brought about by the dictation of the party boss, perhaps some corrupt political boss in some adjoining city. A member of this Convention said to me not long ago that he had been attending state conventions for twenty years and he said that the average man in those state conventions has absolutely nothing to do with naming the state ticket. All he does is to vote for a pre-arranged slate, and the people vote equally blindly at the polls.

Now the remedy we offer for this situation is found in Proposal No. 16, which has been read in your presence. There are several things about this proposal which should be corrected. One or two of those amendments that have been offered I shall be glad to support. I do not intend

to talk about the various items of the proposal. I think I will leave that to my friend Mr. Fackler, who is loaded with a good speech on this subject. But I will proceed for a little while on the subject in general.

Mr. PIERCE: I would like to know what your remedy is to prevent the governor of the state, if he is clothed with this appointing power, from building up a political machine himself?

Mr. ELSON: I will come to that in a few moments and please excuse me until then. After the Revolutionary War, when the American people set up state governments they denied to the governor almost all political power and we know why they did it. It was because of the experience of the past. Their experience for a hundred and fifty years with the English government was such as to prejudice them against giving the governor any particular power. They had been dealing with the royal government and in many of the colonies during all that period they were prejudiced against the governor who represented the king, and it was the most natural thing in the world that when they set out for themselves and set up state governments they would deny the governor any particular power in managing the state. They had had experience with such men as Sir Edmund Andros, with Lord Carnbury, with the notorious Seth Sothel of the Carolinas, with the cruel Berkeley of Virginia, and many others of similar ilk. Little wonder it was that they gave the governor almost no power.

We might go back further. The British people had been striving for a thousand years with tyrannical kings. Gradually as the people of England grew more and more intelligent they curbed the power of the king. Little by little the process went on. Century after century it continued, until in our own time we find that the British king is robbed of all his political power. When America emerged from the Revolutionary War the people had the experience of the British people with their kings fresh in their minds as well as their own experience with governors in colonial days.

Suppose I had an important treasure and I hired a man to guard my treasure, and in the fear that he might be tempted to steal it I forbade him to go within a certain distance of it. As a matter of fact he keeps away so far that the real thief comes in and steals it. The real thief is the political boss. We say to the governor, "You shall have just a little power; we are afraid to trust you with so much power; we are afraid you will build up a machine. We are afraid you will become a dictator." Therefore the real thief, the political boss, comes in and becomes the worst of all dictators.

What we contend for in Proposal No. 16 is that we transfer to the state the cabinet system as we now have it in the national government. Instead of electing the state officials below the governor we would have him appoint them, just as the president appoints his cabinet, and that these state officials shall become a kind of cabinet to the governor as they are in the case of the national government. Is it not the most natural thing that the governor-elect will know better the qualifications of the leading men of the state, will know better who can be a state treasurer and who can fill the office of attorney general and who can fill the various offices better than the people? We know that during the campaign the newspapers concentrate upon the governorship; there is

The Short Ballot.

almost nothing said about the minor candidates, and the fact is we vote for them blindly, knowing nothing about them. Few of them are known outside of their own immediate neighborhood.

Take President Taft's cabinet today. We know it has been criticised a good deal in the last three years and is criticised some now. But I want to say this, that I believe President Taft's cabinet today is far better, and throughout the three years it has been better, than it would be if we had elected the members.

What is the object of shortening the ballot and confining the people to the election of the governor and the high officials? The great purpose is to concentrate the responsibility upon the governor, to unhorse the political boss and put him out of business and secure direct responsible government, whereas now we have indirect irresponsible government.

Now I confess this exalts the governorship very much. It makes the governor responsible for the whole working administration, and if anything goes wrong you know where to find the cause. The public gaze is concentrated upon the governor throughout the whole period of his term. As it is now, if the treasurer goes wrong the governor can snap his fingers; he can say to the people, "I didn't place him there; he is your own man; you elected him." Perhaps he may be even of a different political party from that of the governor, or from a different faction in the governor's own party, which is still worse. But if the treasurer is a man the governor has put there you know where to place the responsibility. The people will then hold the governor responsible for every one of his officials.

Mr. MILLER, of Fairfield: Are you advocating representative government as against the initiative and referendum?

Mr. ELSON: Not at all. I will come to that; but of course, if this goes through and gets into operation, the initiative and referendum will hardly have to be used. The great purpose is to make the governor especially answerable to the people and to put upon him the entire responsibility of his administration.

Now let me give an example or two in our national government. Some fourteen years ago, at the time of the Spanish-American War, President McKinley had a man in his cabinet as secretary of war to whom the people suddenly took a dislike, Mr. Alger, of Michigan. Mr. McKinley liked him. He stuck to him for some months. But louder and louder was the clamor from the people that the president dismiss Alger. Mr. McKinley was one of the best loved presidents that we have had. But with all that, the people demanded that he dismiss his secretary of war and at last he had to yield and he did so. If the people had elected Alger such a thing could not have occurred.

Here is a more recent example. A couple of years ago the people criticised President Taft severely because a member of his cabinet was unpopular all over the country, Mr. Ballinger. The president, like Mr. McKinley, seemed to be deaf to the public voice on this subject. We have seldom had a president more impervious to public opinion than Mr. Taft. He is not a man to be blown around by every wind of political trend. He is not a man to listen to every cry from the bosom of the people. He has his own opinion and you would think

that if any president could stem such a storm as came from the people on account of Ballinger a couple of years ago, President Taft could do it. And he did it for a long season, but at last he had to give way — before his masters, the people.

Mr. STALTER: Is there any difference between the executive power vested in the president of the United States and the executive power vested in the governor of Ohio under the proposal on which you are now talking?

Mr. ELSON: Of course there is a difference, but I cannot go into that now. Their functions are different, but there would be a great similarity if this new system should be adopted. That is the governor would have a cabinet, composed of the chief state officials chosen by himself.

Mr. STALTER: Does the gentleman say that this proposal provides for a cabinet for the governor?

Mr. ELSON: In a sense it would be so. I would gladly adopt that very name and call it the governor's cabinet, composed of the chief state officials, exactly as in the national government.

Mr. WATSON: Take the case of Ballinger, referred to a moment ago. Suppose that Mr. Taft had undertaken to stem the tide further, don't you think it would have been well enough for the people to have had the power of recall on that public official?

Mr. ELSON: Yes, I do. The question was practically this: Suppose the president had continued to refuse to listen to the demands of the people to dismiss Ballinger, should not there have been some way for the people to act in spite of the president's course? You are bringing up the subject of recall, and what I mean is that the people, through the press and in every way that they have to express their opinions, will coerce the executive whenever it is necessary to do so. I do not think that you will need the recall, Mr. Watson. I would say I don't think it would be ever needed, for if the people could coerce President Taft into dismissing a man from his cabinet that he wanted to keep there, they can coerce anybody else.

Mr. WATSON: Don't you think it takes too much to coerce? For instance, upon the part of the secretary of agriculture, don't you think it takes too much coercion to get rid of Secretary Wilson?

Mr. ELSON: I am not sure we all want to get rid of him. We are not united on that. When we are all united on a thing it will come to pass.

Mr. DOTY: Will the gentleman yield to a motion to have President Taft do that now?

Mr. ELSON: You refer to presidential primaries. What faction are you in now?

Mr. DOTY: I am for LaFollette for president. I don't know what faction that is.

Mr. ELSON: We are all getting split up.

Mr. DOTY: What faction do you belong to?

Mr. ELSON: None.

Mr. DOTY: A faction of your own then?

Mr. ELSON: I want to bring this talk to an end in the near future. I want to answer two objections, both of which have been referred to since I have been talking.

The first objection is, that by concentrating into the hands of the governor the power do you not encourage the building up of a political machine? Is there not

The Short Ballot.

danger of one-man power? Will not the governor while he has such vast power in the state entrench himself in such a way as to build up a machine that will eventually subvert the will of the people? I think not. I think the danger of such a thing is very remote. Remember, in the first place, that the governor is not a self-appointed boss. He is a man who was conspicuous before, a man whom the people have picked out as their choice to fill this high office. The chances are that he is a man of character. The people generally are unerring in their choice of a man to fill such a high office. I believe generally they are unerring, and, besides, the governor will live in the limelight every day he fills that office. The gaze of the people of the state will be concentrated upon him.

Mr. STALTER: Do you desire to convey the impression to the delegates that the secretary of state, attorney general, auditor, treasurer, dairy and food commissioner and members of the board of public works who have held those positions heretofore have been inefficient or incompetent?

Mr. ELSON: They have often been excellent men. I am not going into that subject at all. I am speaking in a general way and if I should make any sweeping accusations against such officials I would, of course, except all present incumbents; but I do say the governor knows better how to fill those offices by appointment than the people can. This much is certain: That men who run for those offices on the various tickets are men known to less than one-tenth of the people of the state as a general rule. The people do not know them and cannot know them. The people will concentrate their attention upon the head of the ticket.

Mr. DOTY: May I ask a question?

Mr. ELSON: If it is not political.

Mr. DOTY: It is not political. Is it not your observation that there is a difference in the efficiency of the same man depending upon how he gets his office? Take any state official; would not he make a much more efficient official if he received his appointment and had his authority from the governor of Ohio than he does now when he receives it through the machinations of a state convention?

Mr. ELSON: I certainly believe he would.

Mr. DOTY: Is not that your observation wherever you have seen this tried?

Mr. ELSON: Yes.

Mr. DOTY: It is human nature.

Mr. ELSON: Certainly.

Mr. STALTER: If that is true, it is the fault of the political state convention and not of the ballot.

Mr. ELSON: The present method of nominating state officers is a part of our whole electoral system, which is wrong from top to bottom.

Mr. STALTER: Is this a method proposed to remedy the method of nominating officers?

Mr. ELSON: Why, such officers would not be nominated at all, they would be appointed by the governor after his election.

Mr. TETLOW: Do you contend that the governor is more competent to select officers to work under him in the different positions now elective than the people would be at a state-wide primary?

Mr. ELSON: Certainly I do. The people have done

something bigger than they ask their governor to do. They have chosen the governor himself.

Mr. MILLER, of Crawford: Your idea is that an appointive officer is better than an elective one?

Mr. ELSON: I think that rule holds good generally, except as to chief officers.

Mr. MILLER, of Crawford: Do you think that will apply to the present state administration?

Mr. ELSON: I have just stated that I do not wish to discuss that question as far as our present state officials are concerned. I do not know a thing against them and it would not be proper for us to discuss that here anyhow. I am speaking of the system as applied also in other states.

Mr. HOSKINS: Do you not think a system of appointment of officers from the governor's office on down would result in building a machine to dominate the politics of the state unless and until such a time as we have provided proper civil service conditions in the state?

Mr. ELSON: I have just stated I do not think there is any danger of anything of that sort, or that the danger is very remote. In the first place the people pick the governor, a man of their own choice. They are apt to choose a man not likely to do that kind of business. The political boss is self-chosen, and then besides the governor's power is temporary. Within two or three years his term is over and the whole power reverts to the people. Then his machine would fall to the ground if he had one.

Mr. HOSKINS: If he were able to build up that machine in his term would that be likely to permit him to continue the machine against the will of the people?

Mr. ELSON: The next governor would not likely take hold of his machine.

Mr. HOSKINS: Would not the next governor be the same man?

Mr. ELSON: My opinion is that we should amend this and make the governor's term four years and make him ineligible for re-election.

Mr. LAMPSON: How do you reconcile the tendency of modern political thought to enlarge the power of the people with your proposal to take power from them?

Mr. ELSON: I said a minute ago I wanted to answer all questions, and I am coming to that one now.

Mr. JONES: If it will be a good thing to confer upon the governor power to appoint all of these officers named in the proposal, why, for the same reason, would it not be a good thing to confer on him the power to appoint all the judges of the supreme court?

Mr. ELSON: In some states he does it.

Mr. JONES: What answer have you to that?

Mr. ELSON: I am not going to discuss it. I do not want to forestall what the Judiciary committee has to say.

Mr. JONES: If it is a good thing to confer on the governor power to appoint those officers named in the proposal, why not extend the appointive power to every officer whose jurisdiction embraces the whole state?

Mr. ELSON: County and township officers?

Mr. JONES: No, sir: every officer whose jurisdiction embraces the whole state.

Mr. ELSON: In some states they do that.

Mr. JONES: I know that; but what have you to say about it?

The Short Ballot.

Mr. ELSON: We are not discussing anything but this proposal.

Mr. JONES: But what is your view on that?

Mr. ELSON: What is the difference what my view is?

Mr. JONES: Ought it not be extended to all of those officers?

Mr. ELSON: We have to take up each point and decide it as intelligently as we can. That matter is outside of the question. And on the spur of the moment I can not be expected to enter into a discussion on that matter since we are not on the subject.

Mr. THOMAS: Is it not a fact that the present federal political machine organized by President Taft, has been busily occupied for months in endeavoring to continue President Taft in office?

Mr. ELSON: That is another question we ought not to discuss. I don't want to give away what faction I belong to.

Mr. DOTY: You said you belonged to your own.

Mr. ELSON: I have changed my politics.

Mr. CORDES: Is not that the same thing that is going on with the state administration in the way of the state central committee?

Mr. ELSON: There is another question that does not belong here. I don't want to give my opinion of the present state administration. I don't think it is necessary, but we must have somebody to look after it.

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

The PRESIDENT: Does the gentleman yield?

Mr. ELSON: Yes; if they will take the responsibility of my consuming more time than I ought.

Mr. ANDERSON: Would not extending the appointing power increase the distance between the people and the person appointed—would not the person appointed be farther removed from the popular will?

Mr. ELSON: Yes; but what is the difference?

Mr. ANDERSON: I thought there was some difference; I don't know.

Mr. ELSON: I have just stated that the average voters did not know the names of the state officials and it looks to me that they are as distant as they could be.

Mr. ANDERSON: Then it is necessary because of the ignorance of the voter?

Mr. ELSON: Yes; like you and me.

Mr. ANDERSON: Would not that increase the governor's power?

Mr. ELSON: Certainly it would. The idea is to concentrate the whole responsibility of the administration into the hands of one man and let him stand in the public gaze.

Mr. ANDERSON: Then your logic would be the more ignorant the people the more power you ought to give the governor?

Mr. ELSON: No, indeed. What has that to do with it? The people can do the big thing, which is choosing the governor. The political boss can not do that because the people will take notice. They will want to choose their own governor and they will do it. That is the biggest thing of all, but when it comes to the little things, filling the minor offices, why should not the people have their servant do it? And the governor is their servant. That is the principle of the whole thing.

Mr. PARTINGTON: The specific question you have been discussing here leads us who have not already an absolute opinion on this matter to inquire of you whether the state governments of Ohio have been efficient or inefficient?

Mr. ELSON: Why should we especially discuss the state government of Ohio?

Mr. PARTINGTON: For this reason: If you can assign no reason why our system should be changed in Ohio, why should we change it?

Mr. ELSON: Haven't we men in the penitentiary now who are state officials? And I am not referring to legislators.

Mr. PARTINGTON: I do not see that that is germane to my question or that it answers much. Was the man you refer to elected?

Mr. ELSON: He was a state official.

Mr. PARTINGTON: Was he elected?

Mr. ELSON: I didn't say he was elected.

Mr. PARTINGTON: Can you give any reason why these men should be appointed in our state? Don't talk about Rome or any other government, but talk about Ohio. The Ohio ballot has only six officers on it now—

Mr. DOTY: Fourteen.

Mr. ELSON: Let me say that if under our present system Ohio has a pretty good record, it only proves that the people of Ohio are pretty good people. But let me ask you this question: Do you think it is the right thing for people to vote for state treasurer when ninety-five per cent of the voters know practically nothing about him whatever, and they can't find out anything unless he decides to send a personal circular?

Mr. PARTINGTON: Your question leads me to ask you a question: After a man has been appointed by the governor and he is in office will the people know any more than they would if they had taken part in electing that man?

Mr. ELSON: They don't need to. They will call the governor to account if the state treasurer is not the right kind of a man. The people simply give the whole matter over to the governor and hold him responsible, and the people will take no more notice of the state treasurer than they would of the governor's stenographer or clerk.

Mr. PARTINGTON: Then you believe in an absolutely centralized form of government?

Mr. ELSON: So far as this goes, I certainly do.

Mr. PARTINGTON: And you make it go a good way?

Mr. ELSON: Yes; and it has not gone as far as I would like.

Mr. KNIGHT: Which is of the most importance to the people of the state, and which is the thing they are most concerned with, to have an efficient administration of their state affairs, or to have the privilege of selecting by popular vote inefficient administrators when they do not really select them?

Mr. ELSON: I think I would prefer the efficient administration.

Mr. JONES: In view of the inquiry of the gentleman does it not become material as to whether or not we have had inefficient administration?

Mr. ELSON: We have had a great deal of trouble with our city and municipal governments throughout the whole United States for the last half century. That is

The Short Ballot.

unquestioned. One of the causes is that the system is wrong. Our system assumes that the people will take care of those things and the people can not do it. They are too busy making a living and they can not do it. They can not go to the trouble to examine in detail the qualifications of the candidates for the state treasury or anything of that sort, or for coroner or for engineer. If they vote for such officials at all they simply vote blindly except as to the few men they happen to know. No doubt a short ballot should never be applied to a township, because everybody knows everybody else and each man can vote intelligently.

Mr. BEATTY, of Wood: In the last few years has there not been more trouble and more charges against appointive officers than elective?

Mr. ELSON: I don't know the statistics on that subject—

Mr. BEATTY, of Wood: You know there are some over in the penitentiary.

Mr. ELSON: They were not appointed.

Mr. BEATTY, of Wood: I am speaking of appointive officers.

Mr. THOMAS: Is it not a fact that the people of Ohio do not choose their minor officers with reference to efficiency or inefficiency and that sometimes persons on one ticket are elected and also persons on others?

Mr. ELSON: When a whole party ticket is elected as a matter of course the competency of the lower officials has not been at all passed on. The party has simply carried the whole ticket along.

Now it is admitted things have not been going right. We think we have discovered the defects and discovered the remedy, and that is to curtail the ticket so that the intelligence of an ordinary voter will be able to handle it. I believe almost any man, when he is elevated to the governorship and exalted by the additional power, will do the best he can. I believe that the risk of the people making a mistake in electing the governor is very remote. Why, I believe that even an ordinary man will become more than an ordinary man when you entrust him with such power. Now let me give you an example or two on this point. I know of a man who was supposed to be a city boss, and he didn't have much standing. Largely through his connection with the political machine he was nominated as a candidate for governor. Although he ran far behind his ticket he was elected, and then he straightened up and he simply surprised everybody and made a far better governor than anybody thought he would make.

I have two or three more examples under the same head. Another was the case of President Arthur, who became president on the death of Mr. Garfield in 1881. Who was Chester Arthur before he was chosen almost by accident by the republican convention and chiefly for the purpose of appeasing a certain wing of the republican party for fear they would bolt the ticket—who was Mr. Arthur before he was nominated as a candidate for vice president? He was simply a part of a political machine. Then President Garfield was assassinated and this man became the president of the United States in less than a year after his inauguration as vice president. We all know the story. In the three and a half years that Mr. Arthur was president he was one of the most dignified, one of the most thoughtful, and one of the

most responsible of all our presidents. I think we all agree to that. Before that he was a member of the New York political ring, a man who had no public reputation except as a ringster and a machine politician. Responsibility of power braced him up and made a different man of him.

We have all read about Prince Hal in Shakespeare, how he went with all sorts of companions, jolly, hail fellows well met, but when his father died and he became king of England he braced up and was the king of England. And he was a kingly king. He threw aside his old associates. Responsibility made another man of him, and I believe if you elect an ordinary man governor of the state and give him this vast responsibility he will do his level best—I don't care who he is. But I don't believe the people will select an ordinary man. They will select the best man in the state. Ordinarily when the people select a man to so important a position they are almost unerring in making the choice.

Mr. HALFHILL: I am not asking the question to be hostile. I know very little about the subject, but you object to a man being elected to a minor office on a party ticket just because it is a party ticket?

Mr. ELSON: Oh, yes; indeed.

Mr. HALFHILL: Do you object to political parties?

Mr. ELSON: Oh, no; indeed.

Mr. HALFHILL: Don't you contend for a form of government here that is simpler than that we have now?

Mr. ELSON: Yes.

Mr. HALFHILL: According to a logical conclusion a despotism is the simplest form of government?

Mr. ELSON: There is not the slightest danger of despotism in this.

Mr. HALFHILL: But that is the logical conclusion?

Mr. ELSON: Yes.

Mr. HALFHILL: And as you approach that system you get farther away from popular government.

Mr. ELSON: Not at all. I will explain that a little more fully before I get through, and I am pretty nearly through now.

Mr. HALFHILL: Here is another question: In Ohio every office is filled now either directly by a primary election or by a petition or delegates selected at a primary election.

Mr. ELSON: Yes; I believe so.

Mr. HALFHILL: Then why haven't the people a perfect right to elect those officers at the ballot box?

Mr. ELSON: They can not do it intelligently.

Mr. PECK: Is it not true that a very much smaller percentage vote at the primary than at the regular election?

Mr. ELSON: Yes.

Mr. PECK: What percentage?

Mr. ELSON: I do not know.

Mr. PECK: Do you think ten per cent of the total number of voters vote at the primary election?

Mr. ELSON: Probably not over that.

Mr. PECK: Then when it comes to the vote of the ninety per cent how do they make up their minds?

Mr. ELSON: They vote for the party.

Mr. PECK: They take up a paper and see on it "Republican Ticket," and they say "I am a republican and will vote for that." The democrats see "Demo-

The Short Ballot.

cratic Ticket" and say "I am a democrat and will vote for that."

Mr. ELSON: Yes, sir.

Mr. PECK: That is the way nine out of ten make up their minds?

Mr. ELSON: Yes; I do myself.

Mr. PECK: And they have no personal acquaintance with the people who are candidates?

Mr. ELSON: That is it, and it is not confined to the ones we call ignorant. It includes all except the professional politicians. For my part I have not the time and I cannot make myself acquainted with all those things. I vote for men that are running that I don't know anything about. They may be all right, but they may be the appointees of a political boss who dominates things in my town. I would far rather vote for some conspicuous official and let him attend to the details of appointing clerks, etc., just as he would his own stenographer or boothlack.

Mr. MILLER of Crawford: Do you not think it would be possible for a party machine to dictate who the appointive officer should be?

Mr. ELSON: I would not think so.

Mr. MILLER of Crawford: You think that has not been done?

Mr. ELSON: It may have been done. I have no doubt it has, but I don't think it is likely in the case of the governor. A person elected governor would be apt to break away from previous influences just as surely as President Arthur broke away from the New York machine. As soon as he found the American people had vested him with the great office, from that time on he was no longer nothing but a politician, he was the president of the United States, and when Senator Conkling came to him and asked him for certain favors he said to him, "Senator, things are different, I am now president of the United States."

Mr. MILLER, of Crawford: Have we not had proof that past governors have bargained for influence in making their appointments?

Mr. ELSON: I would suppose if we would go back far enough we could find almost anything.

Mr. MILLER, of Crawford: Have we not seen proof that the governor has bargained away offices for party influence?

Mr. ELSON: I don't say party influence; I say sinister influence, such as you find in all political parties.

Mr. MILLER, of Crawford: And the sinister influence is an influence from the party?

Mr. ELSON: Very often. Very often the party falls into the hands of those influences locally. The party falls into such hands and it becomes identified with them, just as we could mention political bosses in various cities who have gained control under the name of a political party. They never work under their own name. I lived a number of years in Philadelphia. I know what a Philadelphia boss is. I know the man who ran the city was never mentioned officially. It was republican and he was smart enough to bring up national issues at every election and keep the people from seeing through his real motives, retaining all the time his control on the city treasury. I tried to answer one of

these objections that the governor might be tempted to build up a state machine and become a dictator. I do not think he would and I gave my reasons for it.

Now here is the other objection: Is the short ballot consistent with democracy? Is it consistent with the initiative and referendum? That question has often been asked. Is not the general sweep of the time in the direction of more democracy, and is not the short ballot a slight backward step? We know that democracy has been sweeping down for the last one hundred and twenty-five years and gaining in volume with every decade, not only in our country, but throughout the civilized world, and that practically every move made is in the direction of more democracy. Take the initiative and referendum, which have attracted so much attention in the past few years on the Pacific Coast and have now gotten as far east as Ohio. This is a move in the direction of democracy. Take the subject of holding presidential primaries. That is another one that will come up in the near future. It is another move in the direction of democracy. The framers of the federal constitution intended that the electoral college should choose our president, but as the people became more intelligent and divided into political parties, they decided that such an important duty should not be left to a few men and they inaugurated the national convention, and even now they are coming to distrust the national convention, and want to democratize the choosing of candidates for president even more than it has been in the past, and they are now bringing up the subject of presidential primaries.

Is this short ballot consistent with the great democratic sweep of the century? I think it is. If I call a physician into my home because someone of my family is sick, what am I going to do? Will I reserve certain powers, or will I hand the case over to him? Will I say, "Doctor, you do so and so," and dictate what he shall do, or will I say, "Doctor, you know your business and I don't know it. You are my servant. I called you here for this special purpose and I want you to take entire control of it." Is there anything undemocratic about that?

Mr. HARTER, of Stark: I would ask how many states are using the short ballot at present?

Mr. ELSON: I am going to wind up with that in about five minutes. Mr. E. L. Godkin, former editor of the New York Nation and a prince of political writers, makes the statement that the weakest thing in modern democracy is the failure of the ordinary man to recognize the fact that we are not all born with equal mental capacity, that a man born equal before the law can hardly get it into his head that there may be somebody else with greater mental capacity. We have heard of co-operative businesses, businesses owned by the operatives. What is the weakest thing about them and the thing that accounts for the failure of nearly all co-operative ventures? It is the failure of the common workmen, who are the owners of a business, to realize the fact that it is necessary to pay a large salary to get a good manager. He will think that nobody earns more than he does; he is an owner and employer and he will not give a man a large salary to come in and manage. Oh, no; he will resent that and the result is that the business will not be properly managed and it will go to

The Short Ballot.

the wall as has been the case in nearly all co-operative businesses.

Mr. THOMAS: Is it not a fact that co-operative concerns have been some of the greatest successes in all the world?

Mr. ELSON: I know there are many co-operative businesses that are succeeding and they all would succeed but for the one thing I am mentioning. I believe our great railroads and many of our great industries would be co-operative if it were not for that one thing, that the average workman will not agree to pay a manager what he is worth. He will let the business fail before he will do it.

Mr. TETLOW: Do you know that the greatest commercial organization in the world is a co-operative society in England known as The Rockdale Co-operative Society (Limited)?

Mr. ELSON: Then it is not weakened by this particular defect that I have mentioned as pertaining to most co-operative businesses.

Mr. TETLOW: In my town practically all the business is done by a co-operative concern that has been there for twenty-three years.

Mr. ELSON: You have a good manager.

Mr. TETLOW: We have had half a dozen business managers since the inception of that society.

Mr. ELSON: Then you have had good managers.

Mr. TETLOW: No; the control lies with the membership and not with the managers.

Mr. ELSON: The membership must have a manager. All businesses depend on management and the profits come solely from the management and nothing else.

Mr. TETLOW: The management lies in the hands of a commission.

Mr. ELSON: Then the commission is a good, wise commission. I am glad to find exceptions to the rule, but that is the rule beyond a doubt.

Mr. THOMAS: Can you point out a co-operative society where the workmen members of it ever refused to pay respectable salaries to a manager?

Mr. ELSON: I do not know any of them, but that is the reason so many of them have failed and gone out of existence.

Mr. THOMAS: There are a lot of them in existence still.

Mr. ELSON: To pursue this subject further, to delegate power is not to yield power. I delegate power to my doctor. When I call him into my home I give him control within certain limits, and it would be foolish for me to do otherwise, but that does not mean that I give up the power in my home. And if the people of Ohio delegate power to the governor for a brief time that is not yielding the power at all. They simply say to the governor, "You are our servant. We will give you a little more to do than formerly. We are putting a little more upon your shoulders in the way of public burdens, but you are our servant." It is the people over the governor. He is nothing but their servant, and the power all goes back to the people within two or three years.

Mr. WATSON: If we carry out your idea should we not prescribe the remedy—the recall—in case the governor having this extraordinary power should abuse it?

Mr. ELSON: I would not recall a governor elected for two or three years. He is recalled automatically at the end of his term, and I don't think he could do much harm.

Mr. WATSON: Suppose you place this power in his hands and he sees fit to abuse it?

Mr. ELSON: I think the danger is infinitesimal. Looking over the states of the Union, I can not name an instance where a governor has really gone wrong.

There is a scandal in connection with the average legislature, but seldom in the case of the governor. Why is it? Not because he is made of better timber than the legislators, but because he is more conspicuous, because he knows the people are watching him, and in the case of this proposal being accepted, he would be still more conspicuous, and if he is any kind of a man he will do his best.

Mr. BOWDLE: When I came here I was not in favor of the short ballot, but your speech has converted me.

Mr. ELSON: You are kind to say so.

Mr. BOWDLE: As I understand you, the head of the ticket is supposed to embody the political idea of that party?

Mr. ELSON: Yes.

Mr. BOWDLE: We can intelligently be expected to vote for the head rather than the pound master and the dairy commissioner?

Mr. ELSON: That is it exactly. Elect the governor and let the governor choose his own bootblack and stenographer and coachman and state treasurer and attorney general and all of those things that we don't want to be bothered with. That is what I mean.

Mr. STALTER: I want to know why you class the attorney general with the bootblack?

Mr. ELSON: Oh, you know what I mean. I mean that you must draw the line somewhere. The people don't want to be bothered with these small affairs because the people are too busy with other things. The people really don't want to do anything but elect the governor. They will do that and do it well, but they won't elect responsible men to the minor offices as we would elect managers to factories. You want a man who knows his business. You want a man who will give his whole time to it, and you will hold him responsible for the running of the business, from top to bottom.

Mr. HOSKINS: You speak of the people not wanting to be bothered with small affairs such as the attorney general.

Mr. ELSON: Yes.

Mr. HOSKINS: Do you think the work of the attorney general's office at this time a small affair for the people of Ohio?

Mr. ELSON: I consider it of great importance, and that is the reason I don't want the people to be bothered with it. They have not the opportunity to choose rightly and they ought to delegate that duty to a man who can choose rightly. And to whom should they delegate it? To the man whom they have chosen for governor. They will choose well for governor, but they can not take care of the minor offices, because they are not politicians by profession and they have to make their living and that takes their whole time. They can not keep posted on minor things.

The Short Ballot.

Mr. WATSON: Haven't you a proposal in here limiting representatives to two to each congressional district?

Mr. ELSON: No, sir; I have not. It was indefinitely postponed.

Mr. WATSON: Didn't you introduce one right away?

Mr. ELSON: I changed the number a little.

Mr. WATSON: Carrying out your idea as far as the state is concerned, don't you think you are getting the machinery of the government too far from the people?

Mr. ELSON: No, sir; I want it to come to the people through the governor rather than through a political boss. I want to reduce the size of the legislature so as to make each member conspicuous so the people will take notice.

Mr. WATSON: Don't you think under our present plan each county has been a unit of representation rather than each congressional district?

Mr. ELSON: I do not, but I will come to that later.

Mr. KNIGHT: Is there any connection between the short ballot and the membership of the legislature?

Mr. WATSON: They relate to the same thing.

Mr. ELSON: Well, we will leave that to some other time. In conclusion, let me say this: A system that does not work right is wrong in principle, and that is the case of our system. It is wrong in principle. And I want to say that I believe the short ballot is coming and it is coming very rapidly. There is now an organization in the city of New York for the sole purpose of sending out literature on the short ballot. I suppose you have all received printed cards within the last few days from that society. I believe inside of thirty years every state in the Union will have adopted the short-ballot system. I was asked if any state has it. New Jersey has it, but it is not workable. It is not a modern system. It happened to be left over from former times. Practically speaking there is no state in the Union that has the short ballot; but there is a great movement in that direction. Some things that I read you were written twenty-five years ago, so it is not altogether a new thing. Here is an opportunity for this grand state of Ohio to take the lead in a very important movement. Here is an opportunity for Ohio to make itself conspicuous in this great reform, just as Oregon has in the case of the initiative and referendum. What shall we do with this opportunity?

Ohio has reason to be proud of herself. Ohio has furnished more presidents than any other state in the Union, not excepting the mother of presidents, Virginia. Ohio furnished the three leading generals of the Civil War, Grant, Sherman and Sheridan. Sometimes we wonder that Abraham Lincoln ever amounted to anything, because he was not Ohio-born. Moreover, Ohio was the birthplace of the prince of American letters today, William Dean Howells. Ohio is the birthplace of our greatest living historian, James Ford Rhodes. Ohio is the birthplace of the greatest inventor of our time, Thomas A. Edison. We could go on farther back. Ohio was the birthplace of the greatest of all Indian chiefs since the discovery of America, Pontiac; and even Tecumseh, the second greatest, was born on what is now Ohio soil. You can go back to the mound builders, and

you will find there never was a mention of mound builders that Ohio was not connected with it.

Mr. MILLER, of Crawford: Has Ohio ever had the short ballot?

Mr. ELSON: No; no state has it yet, but I hope Ohio will now come to the front and take advantage of the opportunity and take the lead of all the states in this great reform.

Mr. STATLER: Since when has Ohio not been to the front?

Mr. HALFHILL: Let me answer that. Since this one hundred and nineteen men assembled here.

Mr. ELSON: I hope Ohio will not be behind in the adoption of the short ballot. If we do not do it now it will have to go until the next constitutional convention. Are we able to take hold of this matter in an intelligent way? There is the question. Is this Constitutional Convention capable of seeing this thing in the right light? Can we take hold of this important reform? I am sure if we do we shall be followed by other states as they make new constitutions, and I believe it will spread over the whole country in the next quarter of a century. Ohio has the opportunity to be the leader in this great reform.

The PRESIDENT: The question is on the amendment offered by the member from Auglaize [Mr. HOSKINS].

Mr. HOSKINS: The force of the substitute is simply this: That in addition to the election of the officers provided for in the proposal of Mr. Elson the attorney general of this state is included. I am not sure that I favor the general policy of this provision at all, but one thing is certain, if we are to have a short ballot and to limit the number of officers to be elected in the state of Ohio we certainly should not leave out the attorney general. The attorney general of all others ought to be an elective officer. Few of us comprehend the importance to which that office has grown. I would regard it as little short of a calamity if the governor of the state, no matter who he may be, would be permitted to select the legal adviser of the state, the one who might dominate the legal policy of the state.

The growth of the machinery of the state government has caused a corresponding growth in the importance of the office of attorney general. The time was when the attorney general got seven hundred dollars a year and came down here on horseback from Mr. Halfhill's Lima, Ohio, and looked after the legal affairs of the state of Ohio and attended to his law practice. Mr. Pillars was one of the most distinguished lawyers of Northwestern Ohio. Now we know the changes that have come about. We know the importance of the work that is being done by the office of the attorney general, and it would not be right and it would not serve the public well if the people didn't have the right to elect the man who would protect their interests in the courts and who would be the legal adviser of the state officials and all state departments.

Mr. ELSON: Would you be willing to make the auditor an appointive officer in that case?

Mr. HOSKINS: I think not.

Mr. MARRIOTT: Do you regard the office of the attorney general of Ohio more important than that of the attorney general of the United States?

The Short Ballot.

Mr. HOSKINS: To the people of Ohio, yes.

Mr. DOTY: Don't you know that the theory of the short-ballot movement is to make the governor the representative of all the people in state affairs? Is not that the underlying notion that has been expressed here and don't you understand that to be the situation?

Mr. HOSKINS: That seems to be the object.

Mr. DOTY: Ought not a man representing all the people have a right to appoint his own attorney general rather than let some one get in who might be opposed to him in politics or in policy? Is not that the way we all hire our attorneys, and is not that the way the United States attorney general is appointed?

Mr. HOSKINS: But we are on the matter of the attorney general of Ohio.

Mr. DOTY: The point I make is that the governor of Ohio, if he hires the attorney general, will hire him in the interest of all the people.

Mr. HOSKINS: You asked me if that was the object, and I said it seemed to be. I didn't say I agreed in that view.

Mr. DOTY: Don't you agree with that view?

Mr. HOSKINS: I do not in its entirety, in the way you mean it. I think he is only a representative of the people in his department.

Mr. DOTY: But is not that department the head of the state affairs of the state of Ohio?

Mr. HOSKINS: It may be the head.

Mr. DOTY: Except, of course, the legislative and judicial departments. I admit he has nothing to do with them, but outside of the legislative and judicial departments, is it not the theory that the government of the state rests in the governor for all other things?

Mr. HOSKINS: Emphatically, no.

Mr. DOTY: We have been listening to that for three or four months—that there were three co-ordinate branches of government.

Mr. HOSKINS: But you haven't listened to any proposition that the governor was the whole executive department.

Mr. DOTY: Of course, he can't do all the work in that, but is he not the head of the executive department of the state of Ohio?

Mr. HOSKINS: He is the head officer of the executive department, but there are other executive duties aside from his duties.

Mr. DOTY: You want a dozen, then?

Mr. HOSKINS: No, I don't want a dozen.

Mr. DOTY: At least you want two, the governor and the attorney general.

Mr. HOSKINS: Yes; and I want the auditor of state.

Mr. DOTY: And I am sure that I do not. There seems to be something holy about the auditor of state to some people.

Mr. HOSKINS: No; the thing I would be for would be to change from a republican to a democrat.

Mr. DOTY: I am for you, if you should.

Mr. HOSKINS: I couldn't keep the accounts.

Mr. DOTY: Do we need anything more in the auditor than a real good bookkeeper.

Mr. HOSKINS: Yes.

Mr. DOTY: What else do we need him for?

Mr. HOSKINS: You know his duties. I cannot go into details.

Mr. DOTY: I didn't ask you to. Is it not a fact that all we want is a real good bookkeeper?

Mr. HOSKINS: I don't think so. He has to have some good bookkeepers under him.

Mr. DOTY: You think the people of Ohio must elect their attorney general to get the right kind of material, but the people of the United States don't need to elect their attorney general?

Mr. HOSKINS: I am not in sympathy with the appointment of public officers. I am not in sympathy with the appointment of judges. I am in favor of the election by the people for reasonably short terms.

Mr. DOTY: That does not prevent the governor from appointing those capable of performing duties?

Mr. HOSKINS: No.

Mr. DOTY: You and I agree on most things, but we are off on this. But coming down to the attorney general, why is that office such a holy place that it is different from the other departments—for instance, the educational department?

Mr. HOSKINS: I am not sure I want that appointed.

Mr. DOTY: You are simply not in favor of the short ballot. Is that it.

Mr. HOSKINS: No.

Mr. DOTY: Then I can't find out what it is.

Mr. HOSKINS: Well, if you will let me alone I will tell you.

Mr. MARRIOTT: Is it your opinion that a political convention can select a better man for the office of attorney general than the governor of the state can?

Mr. HOSKINS: My opinion is, ordinarily they would. The unfortunate thing referred to in Prof. Elson's speech, the incident which I do not care to bring up, is the best evidence in the world that a state convention might select somebody better than some appointees.

Mr. MARRIOTT: You and I have often been delegates to the state convention?

Mr. HOSKINS: Yes, sir; and you always made a worthy one.

Mr. MARRIOTT: So did you. I ask you if it is not the history of party conventions that after they nominate the governor, and possibly the lieutenant governor, that you have not a corporal's guard of delegates in that convention, all having left their seats?

Mr. HOSKINS: No, sir; that is not my experience.

Mr. MARRIOTT: By the time they come down to the nomination for attorney general haven't half the delegates gone and a little bunch of delegates nominate the attorney general?

Mr. HOSKINS: I think not. That also has not been my experience. We stayed until the last cartridge was gone.

Mr. KRAMER: Is it not a fact that of all the state officials we have the people are the least able to select the attorney general; that the attorney general is a man who must have legal ability about which the people know nothing, and is it not a fact that of all the state officers the people would be the least able to select an attorney general?

Mr. HOSKINS: I would answer that by asking a question. The people have selected the present attorney

The Short Ballot.

general. In view of the proceedings that we have been having, do you think the people made any mistake?

Mr. DOTY: Can you name any man who has been attorney general who was known as a lawyer before he went into the position as attorney general? Has it not simply been a stepping-tone to prominence in the profession?

Mr. HOSKINS: I disagree with you.

Mr. DOTY: I think we have made some egregious blunders.

Mr. HOSKINS: I differ with you, and the figures of 1908, in your own party show that fact.

Mr. DOTY: What fact?

Mr. HOSKINS: That the people made no mistake in the selection of the attorney general before this one, and they certainly made none when they selected the present one.

Mr. DOTY: I agree with that. I am going farther back.

Mr. HOSKINS: Of course, you are older than I am and good deal balder.

Mr. KNIGHT: Is it not true, when we come down to nominations at political conventions, that the last half of the ticket depends more on what part of the state the other nominees came from? For instance, if you nominate a governor from one part of the state, is it not a fact that the best attorney in the whole state, if he lives in that particular part of the country, has no chance whatever, and doesn't that apply to fully a half or two-thirds of the ticket?

Mr. HOSKINS: That is partly true. And it will be equally true when the governor comes to appoint.

Mr. KNIGHT: Is it not usual that they make the ticket to carry the state and spread the nominees over the state so as to get the most votes?

Mr. HOSKINS: Then for the same reason the governor will spread them over, to perfect his machine. I know our friend from Franklin [Mr. KNIGHT] is a politician. I will admit that anybody that can set up a job as they did in Franklin county and get themselves elected as these three did are some politicians.

Now, gentlemen of the Convention, I think that the work of the attorney general for a number of years past in the state of Ohio has shown the value and importance of that office, and this thing is true, that when men come up to a state convention for nomination for office they are discussed, they are discussed for weeks and weeks ahead. Candidates have sent out their cards and their friends will be pushing them and their records will be looked up and all that sort of thing. I see Mr. Doty shake his head. He has belonged to political machines in times past that had real bosses. That has not been my experience. The candidates for the more important offices have had their qualifications canvassed, the qualifications of the supreme court judges have been canvassed until the members of the convention were fairly well able to know of the ability of those men to fill the different offices. I submit that it is the history of conventions that they are fairly successful in the nomination of good men.

Now what is the effect of the appointive system? Just a moment on that. I am not in sympathy with it. This thing of putting a governor upon a pedestal with a halo around his head doesn't go with me.

A DELEGATE: Not pedestal (péd-es-tal)—pee-dést-al.

Mr. HOSKINS: Well, pee-dést-al then. As far as I am concerned, I don't know of any halo. And I don't think there is going to be any halo around the head of any man who is governor of the state of Ohio. He is going to be subject to political influences just as anyone else, and he is going to have bosses in his machine. I am making no statement about that, but he can plant his appointees here, there and everywhere in Ohio for the purpose of building up his machine to perpetuate himself in office in the state of Ohio. We adopted yesterday the initiative and referendum for the purpose of bringing government home to the people of the state, and Mr. Doty has been one of the most insistent workers for that measure, and now here he stands for this proposition that will remove from the people the right to select those who must execute the laws for them. I say to you I am not in sympathy at all with putting in the hands of any man the power to appoint to the governmental positions in the state of Ohio for the purpose of administering our affairs.

Mr. KNIGHT: In other words, the gentleman is really opposed to the whole proposition—the proposal, the Doty amendment and everything else.

Mr. HOSKINS: I am opposed to a good share of it, dead sure.

Mr. ELSON: Is it taking away from the people the right to choose their officials when they are merely doing it through their agent, who is an expert chosen by them?

Mr. HOSKINS: Let me ask you a question: What evidence have you that that man will be an expert?

Mr. ELSON: If the people cannot choose an expert for governor how could they select all these other officials about whom so much less is known?

Mr. HOSKINS: They choose him, but he may not be an expert in appointment of competent men to office.

Mr. ELSON: Don't you think he knows the lawyers of the state immeasurably better than the people as a whole know them?

Mr. HOSKINS: I do not think he does.

Mr. WOODS: Haven't they got an expert in that office right now?

Mr. HOSKINS: I think so.

Mr. KERR: Would not the machinery set up by the governor be limited to the party he belongs to?

Mr. HOSKINS: I know this, that the democratic party got in possession and routed the republican party that had been in because the people believed a machine had been built up.

Mr. DOTY: And that was the only reason, too.

Mr. HOSKINS: And the story told back behind the railing a few minutes ago by a former member of the legislature illustrates how it was done, because they added one appointive officer after another to the machine.

Mr. DOTY: But that was not a fact.

Mr. HOSKINS: It is a fact.

Mr. ELSON: Will you not agree that in state conventions there is a prearranged slate and that the ordinary member of the state convention has no opportunity to choose?

The Short Ballot.

Mr. HOSKINS: Yes; and there is a prearranged slate for the nomination of your governor every time.

Mr. ELSON: Not without the consent of the people.

Mr. HOSKINS: And the same prearranged power that puts the governor in will arrange for the various appointive officers. Now, I think I have something to say in the nature of a personal privilege at this time. While I was absent from the Convention I understood that one member rose to a question of personal privilege and so before I close—because I may not have the opportunity again—I want to state that in any debate anything that may be have been said in the Convention by me concerning college professors was altogether a matter of levity and not intended in any personal sense.

Mr. ELSON: I knew that.

Mr. HOSKINS: Now keep your seat; I was not here to bother you when you talked.

I want to say that in this world, where the race in life seems to be so strenuous, where the lawyers are fighting for money and place and power, where the physicians are fighting for recognition, where the farmer is grabbing at the dollar and where all the world is engaged in the struggle for wealth, that from this mass where the best energies are spent in the pursuit of the dollar, and where everything is worldly, there are two classes of people set aside. The teacher (the professor) and the minister of the gospel. They have laid aside the desire for emolument and the ambitions of the world to devote themselves to the good of mankind, and I believe if there is any reward in the Heaven above for the elect of earth, for those who have done the most for the good of the world, it will be for our college professors and the ministers of the Gospel, who have surrendered the rights of earth that they may have their reward in Heaven.

Mr. PECK: There is a matter that I would like to have settled now, and so I move that when the Convention adjourns this afternoon it adjourn until Monday morning at ten o'clock.

DELEGATES: No; make it the usual time, seven o'clock in the evening.

Mr. PECK: All right; I'll move to adjourn until Monday at seven o'clock. I just wanted to have the question settled now whether we were going to have a meeting tomorrow or not.

The motion was carried.

Mr. PARTINGTON: I want to ask Dr. Elson a question: Why did you omit the commissioner of schools as an executive officer?

Mr. ELSON: That will come in. The omission was not intended. It should have been in the proposal and the committee will put it in. Personally I think it is very important.

The member from Wyandot was recognized.

Mr. STALTER: If I understand the condition of this proposal under the present amendment it creates an executive department and names as elective officers in that department the governor, lieutenant governor, auditor of state, and attorney general, and provides for the appointment of the remainder of that department. Aside from the appointment of the remainder of that department, it provides for the appointment of the members of the board of public works, dairy and food commissioner and commissioner of common schools.

The first proposition to which I desire to call attention is that under this proposal you create an executive department for the state of Ohio and name the members—the governor, lieutenant governor, secretary of state, treasurer, attorney general and auditor—and make part of the department elective and part appointive.

There are six distinct heads in that department and those heads are therein named. Six men are by the proposal made colleagues and equals. Further than that, under the constitution you provide for the duties of the officers of the six different heads of the department. The whole proposition is this, shall we create six distinct executive heads, and make them colleagues, and equals, and provide in that constitution for the duties they are to perform and by that constitution make them answerable to the people and the courts, and then say to a select one of the six, "we give you the power to remove the others without cause?" I say on its face it is not right or fair to make a department of six and make the heads of that department answerable to the people and then give the governor the power to remove.

Mr. ELSON: Why shouldn't the governor appoint a man and remove him without cause? Would you turn around and let the man remove the governor?

Mr. STALTER: If I get the scope of your question it can be answered in just this manner, that the governor should not appoint.

Mr. ELSON: Oh, I see.

Mr. STALTER: Now I want to call attention to the story told from the desk. You remember that yesterday we took a step forward; we made progress. We handed something to the people of the state and the story told from the desk in regard to the dog and the monkey—I don't know what the purpose of it was unless it was to say that some of us have had two or three straps on the back and are about ready to turn a somersault backward.

Mr. ELSON: I was trying to illustrate that it takes a long time to train a dog to do something unnatural, and it is unnatural for the people to take notice of minor things, and therefore we can't train them into it, and since we cannot do that we want to change the system to suit their nature.

Mr. STALTER: I say it looks like this was an effort to make monkeys out of all the rest of us and have us turn the back-somersault, and I don't think we will do it.

Now, another proposition I shall argue is this, that giving the governor the power to appoint will make the officials appointed answerable directly to the governor and not to the people—that is to say, that the searchlight for efficiency in appointive officers will be the searchlight of ability to bring forth votes; that the searchlight for elective officers is a searchlight of the people for proficiency, and that is the difference between the two.

Mr. ELSON: Is it possible to turn the searchlight of the public gaze upon a minor official and keep it there? You know—

Mr. STALTER: If you will ask me a question I will answer it.

Mr. ELSON: All right.

Mr. STALTER: I say your proposal creates an executive department of six officials, colleagues and equals. I will say further, that the people have exemplified their

The Short Ballot.

ability to select any of the heads of that department for efficiency.

Mr. ELSON: Do you think that we should elect the president's cabinet?

Mr. STALTER: I do not and the reason I do not is this: Take up the constitution of the United States and you will find that all of the executive power is vested in the president of the United States, and you look at your proposal and you'll see that all of the executive power of the state of Ohio is not in the governor. Furthermore, you will find that it would be impossible to vest all the executive power in the governor of Ohio for the reason that we have municipalities. The governor of the state of Ohio has but little to do with the execution of the laws. The people in the municipalities see that the laws are executed there. The people in the townships see that the laws are executed there. It is made so by the constitution of the state of Ohio. If, then, you desire the governor to appoint an executive officer you are abolishing what? The power of the people in the municipalities to govern themselves and you put the execution of the law into the hands of the governor.

Mr. ELSON: Don't the municipalities to some extent bear the same relation to the state that the states do to the Union?

Mr. STALTER: There is a difference.

Mr. ELSON: Does the president of the United States have anything to do with enforcing the state laws?

Mr. STALTER: Allow me to answer the first question.

Mr. ELSON: Certainly.

Mr. STALTER: There is this difference: The people of the municipalities and townships attend to the execution of the law. The president of the United States has executive officials to attend to the execution of all the laws of the United States and the constitution doesn't create the different cabinet officers and give them their duties, but it vests all in the president and he is the chief executive officer. It is his duty to carry into execution all of the laws of the United States and that is not true of the governor.

Mr. ELSON: The only difference is this, that the national cabinet has grown up in response to the needs of our government. The cabinet is not necessarily a constitutional body. Now, we have discovered in a century of experience that the cabinet is necessary to the national government, so we make the state cabinet a constitutional body. I am willing to change the constitution and give the governor all of the executive power with power to appoint this board.

Mr. STALTER: And I say that I am not in favor of it.

Mr. ELSON: Has not our national system worked well?

Mr. STALTER: Yes; because it has put all of the execution of the laws in the hands of the president; but that is not true in the state of Ohio. The municipalities and the townships have the most of the enforcement of the law.

Mr. KNIGHT: Does the constitution of Ohio impose any duty upon any officers named in the constitution or does it simply name them?

Mr. STALTER: I am talking about the six members of the executive department, and when you name them

as members of the executive department you put upon them responsibility of carrying the law into execution.

Mr. KNIGHT: But the same proposal says the governor is the chief and supreme executive and he names the others as part of his staff.

Mr. STALTER: The proposal provides for the governor to be chief executive, that is true, the same as in our present constitution, and that is done for the reason that the governor is given or can be given a little broader authority than the other officers, so as to allow the governor to have in a measure supervision over them.

Mr. KNIGHT: Does the present constitution or the proposed amendment impose any specific duties upon any one of those officers named other than the governor?

Mr. STALTER: Only through the legislature.

Mr. KNIGHT: In other words, is not all the duty imposed on the governor by the constitution just as it is imposed in this proposal?

Mr. STALTER: The constitution and the proposal name him as the executive.

Mr. KNIGHT: Is there any difference between this proposal and the provision of United States constitution except that this names the officers by name and the United States constitution does not name them specifically, but simply classes them as subordinate officers, whereas the present Ohio constitution names them and says that the legislature shall impose duties on the executive?

Mr. STALTER: I can't answer several questions in a bunch.

Mr. KNIGHT: Does the present constitution of Ohio or the pending amendment propose to impose specific duties on these specific officers or any duties on these officers?

Mr. STALTER: Only from the fact that it makes them executive officers.

Mr. KNIGHT: Then leaves it to the legislature to impose the duties on the executive department?

Mr. STALTER: Yes.

Mr. KNIGHT: And it says that the governor is the chief executive?

Mr. STALTER: Yes; the proposal does.

Mr. KNIGHT: Then are they not subordinate to him by the terms of the constitution?

Mr. STALTER: They are to that extent.

Mr. KNIGHT: Is there anything inconsistent in naming them in the constitution and having them appointed by the governor?

Mr. STALTER: Yes.

Mr. KNIGHT: Where?

Mr. STALTER: The inconsistency of the constitution naming the terms of office—

Mr. KNIGHT: How is that inconsistent?

Mr. STALTER: The inconsistency of the constitution naming the terms of office for which they shall be elected and giving the governor the power to remove them without cause.

Mr. KNIGHT: Suppose the proposed amendment does not do that? Suppose the proposed amendment does not interfere with article XVII, section 2?

Mr. STALTER: That creates the terms of office for these officers and I think that is inconsistent.

Mr. KNIGHT: What officers?

The Short Ballot.

Mr. STALTER: Secretary of state, treasurer, attorney general—the term is created two years.

Mr. KNIGHT: The point is that because the term of office is established in the constitution—

Mr. STALTER: That it is unfair, because you fix the term and allow an official to remove without cause.

Mr. KNIGHT: Then your objection would be met if we strike out that clause?

Mr. STALTER: So far as that is concerned it would.

Now as to the next proposition. We have heard considerable about the political boss, and it has been asserted that the political boss was a prevailing element in the politics of Ohio. It has been admitted by the gentleman from Athens [Mr. ELSON] that the political boss had only his control over the convention. Now as to that proposition.

The convention method of nominating candidates has been in general use throughout the Union. It has within the past few years been superseded by the primary system in many of the states and in fact in this state. This demand for a primary system has come from the feeling that the delegate convention has become corrupt; that deals are made and delegates are bought and sold; that the rank and file of the party, who do not make politics their business and who will not indulge in dishonorable practices, can not make their influence felt.

Changes from the delegate convention to the primary system have been made in states from the Atlantic to the Pacific. The people have in the last few years taken their government from the hands of the politician and placed it in their own hands. As evidence of this fact the people have adopted the Oregon plan for the election of United States senators. By this method each candidate for the legislature signs one of two statements. First, he can sign a statement that in the legislature he will vote for such person for United States senator who was designated the choice of the people in an advisory vote at the November election. Second, he will not vote for such candidate. Most of the legislative candidates agree to vote for such person for senator. Thus the politician is down and out and the voice of the people is heard.

The presidential primary is the latest move for the people's voice to be heard in the election of their officials. It is likely that ere long the convention that nominates the president will only register the voice of the people as heard at their primaries.

Why the desire to elect the United States senator by popular vote? A United States senator exercises great influence in the appointment of postmasters, United States district marshals, United States attorneys and United States revenue collectors, and the people feel that the senator uses his appointing power in the way of exchange for the purchase of votes.

Mr. ELSON: I have said that the people are capable of doing the big things.

Mr. STALTER: I will come to that.

Mr. ELSON: Now, as we all know, the United States senators really appoint the postmasters?

Mr. STALTER: Yes.

Mr. ELSON: Why not have the people appoint the postmasters?

Mr. STALTER: I will come to that later.

Mr. DOTY: I rise to a point of order. There is no quorum present.

Mr. HARRIS, of Ashtabula: Has the member counted?

The PRESIDENT: The president has counted and there is not a quorum.

Mr. KRAMER: There is more than quorum back behind the rail if you will bring them in.

Mr. MILLER, of Crawford: I move a call of the Convention.

Mr. MILLER, of Fairfield: I move to adjourn.

Mr. DOTY: I hope that will be voted down. That puts the whole thing on the table.

The motion was lost.

A quorum appearing, the motion for the call of the Convention was withdrawn.

Mr. OKEY: I move that we recess until seven o'clock Monday evening.

The motion was lost.

The PRESIDENT: The gentleman from Wyandot will proceed.

Mr. STALTER: By reason of the fact that the people are coming again to their own this Convention should recommend no amendment by which the politician could rebuild or repair a wrecked political machine.

The convention of 1802 put the appointing power of these officials in the legislature. The result was that a candidate for the legislature promised appointments to these positions in turn for services rendered at the election. It was not the proficient man that received the appointment; it was the politician. The convention of 1851 remedied this by making these officials elective.

The governor now has the appointing of the following officials: Three members board uniform state laws; three members board accounting; three members tax commission; ten members board of agriculture; five members experiment station; commissioner of labor; superintendent employment bureau; chief inspector mines; chief inspector workshops; chief examiner engineers; three members board of arbitration; highway commissioner; geologist; inspector of oils; five members commission of fish and game; chief engineer public works; three members railroad commission; superintendent of banks; seven trustees Ohio state university; twenty-seven trustees Miami University; nine trustees Wilberforce University; normal school commission; three members library board; seven members board of health; fire marshal; six members board of charities; six members commission for blind; four members board of pardons.

With the appointing power above named and the additional appointing power in this amendment you have placed in the hands of the governor power to control the people as he sees fit. He would need only to rightly distribute his appointments to the politicians and the people would again lose control of their government.

Mr. ELSON: Why did you not go further and state that the president of the United States appoints one hundred thousand postmasters?

Mr. STALTER: For this reason: That the appointing power above named and the additional power in this amendment places in the hands of the governor power to control the people in the manner he sees fit, and he would need only to distribute his appointments to the politicians, and the people would again lose control of

The Short Ballot—Motions and Resolutions, Etc.

their government which they have gained in the primary and by getting rid of the political convention.

Mr. ELSON: When you are hiring a manager for your factory don't you give the whole management to him?

Mr. STALTER: I am not hiring a manager. I am asking to vote for the executive officers of the state.

You have by this amendment given a governor a sufficient amount of good jobs to buy his election. Upon what principle is a political machine built? It is upon the principle that you give me your influence to help my election and I will compensate you by appointing you or your friend to a position when elected. It is the appointing power and the use of that power as a promise or payment for services rendered that creates and builds the political machine. By giving the governor power to appoint and remove at will he can command the services of his appointees to further his own ends.

Mr. DOTY: If the member will yield for a moment I would like to move to postpone the further consideration of this matter so it may retain its place on the calendar.

Mr. STALTER: I yield.

Mr. DOTY: I move that further consideration of Proposal No. 16 and pending amendments be postponed until tomorrow and be placed at the top of the calendar.

The motion was carried.

Mr. DOTY: I now move that we proceed with the order of business, resolutions laid over under Rule 96.

The motion was carried.

MOTIONS AND RESOLUTIONS.

Resolution No. 88—Mr. Colton, was read.

On motion the resolution was referred to the committee on Rules.

REFERENCE TO COMMITTEES OF PROPOSALS

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

Proposal No. 317—Mr. Bowdle.

On motion of Mr. Lampson said proposal was laid on the table.

Proposal No. 318—Mr. Thomas. To the committee on Judiciary and Bill of Rights.

Proposal No. 319—Mr. Okey. To the committee on Corporations other than Municipal.

Proposal No. 320—Mr. Elson.

Mr. Doty moved that the proposal be engrossed and placed on the calendar for tomorrow.

The motion was lost.

The proposal was referred to the committee on Legislative and Executive Departments.

Leave of absence was granted to Mr. Walker for today.

Leave of absence was granted to Mr. Evans for the remainder of the week.

Leave of absence was granted to Mr. Pettit for the remainder of the week and all of next week.

Leave of absence was granted to Mr. Norris for the remainder of the week and Monday.

Leave of absence was granted to Mr. Taggart for Monday, Tuesday, and Wednesday.

Leave of absence was granted to Mr. Shaw for all of next week.

Leave of absence was granted to Mr. Shaffer for the remainder of the week and Monday.

Leave of absence was granted to Mr. Campbell for Monday and Tuesday.

PETITIONS AND MEMORIALS.

Mr. Cunningham presented the petition of J. D. Bower and thirty-seven other citizens of Harrison county, in favor of a prohibitory amendment to the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Campbell presented the petitions of Chas. Mowry and one hundred ninety-three other citizens of Henry county, protesting against the submission of a license clause in the constitution; which were referred to the committee on Liquor Traffic.

Mr. Watson presented the petition of J. F. Cash and thirty-six other citizens of Guernsey county, against licensing the liquor traffic; which was referred to the committee on Liquor Traffic.

Mr. Bigelow presented the petition of the Central Woman's Christian Union, of Cincinnati, relative to suitable school laws; which was referred to the committee on Education.

Mr. Bigelow presented the petition of the Seventh-Day Adventist church, of Cincinnati, protesting against licensing of the liquor traffic; which was referred to the committee on Liquor Traffic.

On motion of Mr. Knight the Convention adjourned.