

# FIFTH DAY

## MORNING SESSION.

THURSDAY, January 18, 1912.

The Convention met pursuant to adjournment, was called to order by the president and opened with prayer by the member from Clermont [Mr. DUNN].

The journal of yesterday was read, corrected and approved.

The PRESIDENT: The next order of business is the presentation of petitions and memorials.

### PETITIONS AND MEMORIALS.

Mr. Bowdle presented a communication from the mayor of Cincinnati and others, inviting the Convention to hold its sessions in Cincinnati.

Mr. DOTY: Mr. President: There will be other petitions, one from Cleveland, and I therefore move that the invitation of the city of Cincinnati be referred to the committee on Rules.

The motion was carried.

### MOTIONS AND RESOLUTIONS.

Mr. LAMPSON: Mr. President: I offer a resolution, and move the suspension of the rules, so that it may be put upon its passage, for it is an important resolution.

The resolution was read as follows:

Resolution No. 25:

*Resolved*, That until otherwise ordered, the secretary is authorized and directed to arrange for all necessary printing for the Convention.

Mr. DOTY: You don't mean the publication of the debates?

Mr. LAMPSON: The necessary printing, I mean.

The PRESIDENT: The question is on the suspension of the rules.

The motion was carried.

The resolution was adopted.

Mr. READ: I offer a resolution.

The resolution was read as follows:

Resolution No. 26:

*Resolved*, That this Convention return its thanks to the Honorable Charles W. Kempel, clerk of the house of representatives, and to the Honorable Harry R. Young, assistant clerk, for the valuable services rendered in the organizing of this Convention.

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

The resolution was adopted.

Mr. HOSKINS: I offer a resolution.

The resolution was read as follows:

Resolution No. 27:

*Resolved*, That the sergeant-at-arms be instructed to have installed in the smoking room of the Convention, the Citizens and Bell telephones, both local and long distance, for the use of the members of the Convention, the same to be paid from the appropriation for the Convention. The sergeant-at-arms is further instructed to notify the

telephone companies to furnish operators, the expense of which shall be paid by the telephone companies.

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

The question being "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas, 106, nays none, as follows:

Those who voted in the affirmative are:

Antrim,	Harris, Ashtabula,	Okey,
Baum,	Harris, Hamilton,	Partington,
Beatty, Morrow,	Harter, Huron,	Peters,
Beatty, Wood,	Harter, Stark,	Pettit,
Beyer,	Henderson,	Pierce,
Bowdle,	Hoffman,	Price,
Brattain,	Holtz,	Read,
Brown, Highland,	Hoskins,	Redington,
Brown, Lucas,	Hursh,	Riley,
Brown, Pike,	Johnson, Madison,	Rockel,
Campbell,	Johnson, Williams,	Roehm,
Cassidy,	Jones,	Rorick,
Cody,	Kehoe,	Shaffer,
Colton,	Keller,	Shaw,
Cordes,	Kerr,	Smith, Hamilton,
Crites,	King,	Solether,
Cunningham,	Knight,	Stalter,
Davio,	Kunkel,	Stamm,
DeFrees,	Lambert,	Stevens,
Donahey,	Lampson,	Stewart,
Doty,	Lecte,	Stilwell,
Dunlap,	Leslie,	Stokes,
Dunn,	Longstreth,	Taggart,
Dwyer,	Malin,	Tallman,
Earnhart,	Marriott,	Tannehill,
Eby,	Marshall,	Tetlow,
Evans,	Matthews,	Thomas,
Fackler,	Mauck,	Ulmer,
Farnsworth,	McClelland,	Wagner,
Farrell,	Miller, Crawford,	Walker,
Fess,	Miller, Fairfield,	Watson,
Fluke,	Miller, Ottawa,	Winn,
Fox,	Moore,	Wise,
Hahn,	Norris,	Woods,
Halenkamp,	Nye,	Worthington.
Halfhill,		

The resolution was adopted.

The following proposals were introduced and read the first time:

Proposal No. 17—Mr. Baum. To submit an amendment to article X, sections 2 and 3, of the constitution.—To limit the terms of county officials.

Proposal No. 18—Mr. Colton. To submit an amendment to article XVI, section 1, of the constitution.—Relative to amendments to the constitution.

Proposal No. 19—Mr. Eby. To submit an amendment to article VII, section 4, of the constitution.—Relative to state taxation.

Proposal No. 20—Mr. Brown, of Pike. Relative to a proposal to fix the maximum rate of taxation within and for the state of Ohio.

Proposal No. 21—Mr. Okey. To amend article II, section 16, of the constitution.—Relative to governor's veto.

Proposal No. 22—Mr. Stewart. To submit an amendment to article VIII, section 3, of the constitution.—Relative to good roads.

## Introduction of Proposals, Etc.

Proposal No. 23 — Mr. Walker. To submit an amendment to article VII, section 2, of the constitution.—Relative to providing civil service code for state institutions.

Proposal No. 24 — Mr. Cordes. To submit an amendment adding to article II, section 33, of the constitution.—Requiring the general assembly to pass laws relative to compensation of employes.

Proposal No. 25 — Mr. Bowdle. Respecting divorce.

Proposal No. 26 — Mr. Watson. To submit an amendment to article XV, section 9, of the constitution.—Relative to license to traffic in intoxicating liquors.

Proposal No. 27 — Mr. Watson. To submit an amendment to article XV, of the constitution, by the addition of section 10.—Relative to manufacture or sale of cigarettes.

Proposal No. 28 — Mr. Watson. To submit an amendment to article XIII, section 2, of the constitution.—Relative to finance and taxation.

Proposal No. 29 — Mr. Watson. To submit an amendment to article XIII, section 6, of the constitution.—Relative to internal improvements.

Proposal No. 30 — Mr. Smith, of Geauga. To submit an amendment to article VIII, section 1, of the constitution.—Relative to public debt.

Proposal No. 31 — Mr. Miller, of Fairfield. To submit separate from the constitution.—Relative to the alternate propositions, prohibition or license, of the liquor traffic.

Proposal No. 32 — Mr. Marriott.—Relative to the licensing and regulation of intoxicating liquors.

Proposal No. 33 — Mr. Marriott. To amend section 1, of article V, of the present constitution.—Relative to elective franchise.

Proposal No. 34 — Mr. Thomas. To submit an amendment to article XV, of the constitution, by adding sections 10, 11, 12, 13, 14 and 15.—Relative to industrial regulations.

Proposal No. 35 — Mr. Thomas. To submit an amendment to article V, section 1, of the constitution, and add section 7, to article V of the constitution.—Relative to elective franchise.

Proposal No. 36 — Mr. Hahn. To submit a proposal for the constitution.—Relative to the oath to be taken by assemblymen.

Proposal No. 37 — Mr. Hahn. To submit an amendment to article I, section 10, of the constitution.—Thrice in jeopardy.

Proposal No. 38 — Mr. Hahn. To submit a proposal for the constitution.—Relative to the supreme court to test the constitutionality of each law passed by the legislature.

Proposal No. 39 — Mr. Hahn. To submit a proposal for the constitution.—Relative to the reasons the supreme court of Ohio shall add to its decisions.

Proposal No. 40 — Mr. Hahn. To submit a proposal for the constitution.—Relative to abolition of grand jury and of the coroner's office.

Proposal No. 41 — Mr. Hahn. To submit a proposal for the constitution.—Relative to the number of men a jury to consist of.

Proposal No. 42 — Mr. Hahn. To submit a proposal for the constitution.—Relative to fraudulent acts of the legislature.

Proposal No. 43 — Mr. Hahn. To submit a proposal for the constitution.—Relative to sectarianism in public schools.

Proposal No. 44 — Mr. Hahn. To submit a proposal for the constitution.—Relative to officers accountable to the governor.

Proposal No. 45 — Mr. Hahn. To submit a proposal for the constitution.—Relative to recognition of political parties or organizations.

Proposal No. 46 — Mr. Hahn. To submit a proposal for the constitution.—Relative to election of judges and public school officers on special tickets.

Proposal No. 47 — Mr. Hahn. To submit a proposal for the constitution.—Relative to double taxation prohibited.

Proposal No. 48 — Mr. Hahn. To submit a proposal for the constitution.—Relative to the conditions on which public debts may be incurred, renewed or extended.

Proposal No. 49 — Mr. Hahn. To submit a proposal for the constitution.—Relative to "watering" of stock.

Proposal No. 50 — Mr. Hahn. To submit a proposal for the constitution.—Relative to persons not eligible to the general assembly of Ohio.

Proposal No. 51 — Mr. Miller, of Crawford. To submit an amendment to article VIII, section 6, of the constitution.—Relative to permitting public property being insured in mutual associations and companies.

Proposal No. 52 — Mr. Dunn. To submit an amendment to article XII, section 2, of the constitution.—Relative to double taxation.

Proposal No. 53 — Mr. Tallman. To submit an amendment to section 18 of the schedule of the constitution.—Relative to license to traffic in intoxicating liquors.

Proposal No. 54 — Mr. Elson. To submit an amendment to article I, section 5, of the constitution.—Relative to the reform of the jury system.

Proposal No. 55 — Mr. Riley. To submit an amendment to article XII, section 2, of the constitution.—Relative to taxation.

Proposal No. 56 — Mr. Pettit. To submit an amendment to article I, section 7, of the constitution. (bill of rights.)—Relative to permitting the use of the Holy Bible in public schools.

Proposal No. 57 — Mr. Pettit. To submit an amendment to article V, section 1, of the constitution.—Relative to elective franchise.

The PRESIDENT: Under Resolution No. 19, extending an invitation to the president of the United States to address the Convention, I will appoint as a committee of three Messrs. Kerr, Brown of Highland, and Dunlap; and under Resolution No. 17, extending a similar invitation to the governor, I will appoint Messrs. Stokes, Hoskins and Hursh.

The following bills on the calendar for second reading were read the second time by their titles and referred as follows:

Proposal No. 1 — Mr. Lampson. To the committee on Taxation, when appointed.

Proposal No. 2 — Mr. Crosser. To the committee on Initiative and Referendum, when appointed.

Proposal No. 3 — Mr. Thomas. To the committee on Judiciary and Bill of Rights, when appointed.

Proposal No. 4 — Mr. King. To the committee on Liquor Traffic, when appointed.

## Reference of Proposals—Appointment of Committees.

Proposal No. 5—Mr. Cunningham. To the committee on Equal Suffrage and Elective Franchise, when appointed.

Proposal No. 6—Mr. Nye. To the committee on Judiciary and Bill of Rights, when appointed.

Proposal No. 7—Mr. Nye. To the committee on Legislative and Executive Departments, when appointed.

Proposal No. 8—Mr. Brown, of Lucas. To the committee on Equal Suffrage and Elective Franchise, when appointed.

Proposal No. 9—Mr. Ulmer. To the committee on Municipal Government, when appointed.

Proposal No. 10—Mr. Ulmer. To the committee on Initiative and Referendum, when appointed.

Proposal No. 11—Mr. Ulmer. To the committee on Legislative and Executive Departments, when appointed.

Proposal No. 12—Mr. Evans. To the committee of the Whole.

Mr. EVANS: I have introduced Proposal No. 12 relative to a model constitution for Ohio, and moved that it be separated, that each separate article of the fifteen be taken separately, and that it be referred to this permanent committee. It is a model for a state constitution, and the articles have different titles.

Mr. DOTY: There is some little question about that—this permanent committee. We haven't provided any method for our work, and I therefore move that it be referred to the committee of the Whole.

The motion was carried.

Proposal No. 13—Mr. Riley. To the committee on Judiciary and Bill of Rights, when appointed.

Proposal No. 14—Mr. Riley. To the committee on Judiciary and Bill of Rights, when appointed.

Proposal No. 15—Mr. Riley. To the committee on Judiciary and Bill of Rights, when appointed.

Proposal No. 16—Mr. Elson. To the committee on Short Ballot, when appointed.

Mr. DOTY: Mr. President: I have been informed that Judge Lindsey is in the room, and I move that we recess until five minutes of twelve to hear Judge Lindsey.

The motion was carried.

Judge Lindsey addressed the members of the Convention.

The president called the Convention to order.

Mr. FESS: I move that the Convention extend a vote of thanks to Judge Lindsey for his able address.

The motion was carried.

Resolution No. 18—Mr. Evans, was taken up.

The resolution was adopted.

Resolution No. 20—Mr. Evans, was taken up.

By unanimous consent the resolution was laid over until next Tuesday.

Resolution No. 21—Mr. Fess, was taken up.

The resolution was adopted.

Resolution No. 24—Mr. Evans, was taken up.

Mr. BROWN, of Highland: I move to lay the resolution on the table.

The motion was carried.

President Bigelow announced the following committees:

## AGRICULTURE.

MILLER, of Crawford, *Chairman*.

Johnson, of Williams,	Miller, of Fairfield,
Fluke,	Peters,
Miller, of Ottawa,	Wagner,
Hursh,	Shaw,
Moore,	Collett,
Beyer,	Longstreth,
DeFrees,	Farnsworth,
Marshall,	Keller,

## ARRANGEMENT AND PHRASEOLOGY.

COLTON, *Chairman*.

Doty,	Knight,
Lampson,	Worthington,
Fess,	Elson,
Antrim,	Nye.

## BANKS AND BANKING.

BEATTY, of Wood, *Chairman*.

Harter, of Stark,	Worthington,
Hoskins,	Campbell,
Miller, of Crawford,	Cunningham,
FitzSimons,	Jones,
Nye,	Ulmer,
Harris, of Hamilton,	Antrim,
Leslie,	Matthews,
Crites,	Kehoe.

## CLAIMS AGAINST THE CONVENTION.

CASSIDY, *Chairman*.

Harris, of Ashtabula,	Walker,
Antrim,	Brattain,
Johnson, of Madison,	Kehoe,
Ludey,	Brown, of Pike,
Matthews,	Partington,
Baum,	Dunlap,
Beatty, of Morrow,	Solesher,
Tannehill,	Hoffman.

## CORPORATIONS OTHER THAN MUNICIPAL.

HOSKINS, *Chairman*.

Smith, of Geauga,	Hoffman,
Rorick,	Eby,
Stokes,	Cordes,
Stilwell,	Earnhart,
Bowdle,	Peters,
Harter, of Stark,	Mauck,
Kilpatrick,	Hahn,
Jones,	Pierce.

## COUNTY AND TOWNSHIP ORGANIZATION.

OREY, *Chairman*.

Miller, of Ottawa,	Ludey,
Marriott,	Malin,
Farnsworth,	Longstreth,
Eby,	Riley,
Evans,	Peters,
Farrell,	Pettit,
Moore,	Brown, of Pike,
Price,	Marshall.

Appointment of Committees.

EDUCATION.

FESS, *Chairman.*

Elson,	Nye,
Thomas,	Partington,
Eby,	Ulmer,
Knight,	Antrim,
Colton,	Henderson,
Watson,	Marshall,
Stewart,	Stalter,
McClelland,	Johnson, of Madison,

EMPLOYEES.

ROEHM, *Chairman.*

Hursh,	Weybrecht,
Tetlow,	Harris, of Ashtabula,

EQUAL SUFFRAGE AND ELECTIVE FRANCHISE.

KILPATRICK, *Chairman.*

Watson,	Dunn,
Okey,	Holtz,
Taggart,	Peck,
Marriott,	Kramer,
Davis,	Peters,
Baum,	Malin,
Tannehill,	Ulmer,
Beatty, of Wood,	Wise,
Harbarger,	Rockel,
Marshall,	Shaw.

GOOD ROADS.

LAMPSON, *Chairman.*

Rorick,	Anderson,
Miller, of Ottawa,	Harter, of Huron,
Weybrecht,	Ludey,
Halfhill,	Marriott,
Crites,	Winn,
Beyer,	Campbell,
Leete,	Beatty, of Morrow,
Henderson,	Brown, of Highland,
King,	Brattain,
Lambert,	Matthews.

INITIATIVE AND REFERENDUM.

CROSSER, *Chairman.*

Brown, of Lucas,	DeFrees,
Mauck,	Earnhart,
Fackler,	Read,
Harter, of Huron,	Moore,
Malin,	Farrell,
Leslie,	Lambert,
Lampson,	Watson,
Stamm,	Halfhill,
Ulmer,	Evans,
Okey,	Dunlap.

JUDICIARY AND BILL OF RIGHTS.

PECK, *Chairman.*

Norris,	Woods,
Dwyer,	King,
Anderson,	Mauck,
Fackler,	Smith, of Geauga,

Winn,  
Brown, of Highland,  
Stilwell,  
Okey,  
Tetlow,  
Bowdle,

Leete,  
Brown, of Pike,  
Shaffer,  
Kilpatrick,  
Johnson, of Williams,  
Cassidy.

LABOR.

STILWELL, *Chairman.*

Harbarger,	Cordes,
Kunkel,	Donahey,
Halenkamp,	Tetlow,
Farrell,	Dunn,
Crites,	Beatty, of Wood,
Wagner,	Keller,
Dwyer,	Thomas,
FitzSimons,	Cody.

LEGISLATIVE AND EXECUTIVE DEPARTMENTS.

HARRIS, of Ashtabula, *Chairman.*

Thomas,	Fox,
Harbarger,	Holtz,
Rorick,	Kramer,
Kerr,	Miller, of Fairfield,
Hursh,	Norris,
Johnson, of Williams,	Price,
Stokes,	Roehm,
Cody,	Lambert.

LIQUOR TRAFFIC.

BOWDLE, *Chairman.*

Kilpatrick,	Redington,
Roehm,	Kramer,
Cassidy,	Weybrecht,
Tallman,	Hoskins,
Riley,	Fox,
Elson,	Fess,
King,	Shaffer,
Knight,	Winn,
Henderson,	Lambert,
DeFrees,	Stevens.

METHOD OF AMENDING THE CONSTITUTION.

SMITH, of Hamilton, *Chairman.*

Mauck,	Colton,
Woods,	Kehoe,
Stilwell,	Kerr,
Brattain,	Kunkel,
Pettit,	Stokes,
Taggart,	Harter, of Huron,
Wise,	Stamm,
Price,	Stewart.

MISCELLANEOUS SUBJECTS.

HARTER, of Stark, *Chairman.*

Anderson,	Earnhart,
Fluke,	Kramer,
Collett,	Wise,
Dunlap,	Stokes,
Farnsworth,	Stewart,
Solether,	Kunkel,
Davio,	Beyer,
Stevens,	McClelland.

Appointment of Committees.

MUNICIPAL GOVERNMENT.

HARRIS, of Hamilton, *Chairman.*

Leslie,	Rockel,
Roehm,	Keller,
Redington,	Stamm,
FitzSimons,	Earnhart,
Knight,	Brown, of Lucas,
Smith, of Hamilton,	Tallman,
Crosser,	Kunkel,
Peck,	Pierce.

PRINTING AND PUBLICATION OF PROCEEDINGS.

WATSON, *Chairman.*

Winn,	Holtz,
Davio,	Shaw,
Dunlap,	Walker,
Halenkamp,	Solether,
Miller, of Crawford,	Wise,
Wagner,	Miller, of Fairfield,
Smith, of Hamilton,	Longstreth,
Stalter,	Tallman.

PUBLIC WORKS.

NORRIS, *Chairman.*

Miller, of Crawford,	Stalter,
Partington,	Walker,
Jones,	Price,
Cordes,	Rockel,
Baum,	Shaw,
Collett,	Read,
Leete,	Beatty, of Morrow,
Solether,	Wagner.

RULES.

BIGELOW, *Chairman.*

Lampson,	Doty,
Hoskins,	Leete,
Shaffer,	Winn.

SCHEDULE.

DWYER, *Chairman.*

Taggart,	Brattain,
King,	Stevens,
Kerr,	Smith, of Hamilton,

Cunningham,  
McClelland,  
Norris,  
Jones,  
Cordes,

Stewart,  
Walker,  
Tallman,  
Baum,  
Collett.

SHORT BALLOT.

FACKLER, *Chairman.*

Elson,  
Woods,  
Kerr,  
Brown, of Lucas,  
Brown, of Highland,  
Harbarger,  
Stamm,  
Stalter,

Riley,  
Campbell,  
Cody,  
Fox,  
Davio,  
Hoffman,  
Tannehill,  
Beatty, of Morrow.

SUBMISSION AND ADDRESS TO THE PEOPLE.

BIGELOW, *Chairman.*

Fess,  
Brown, of Highland,  
Brown, of Lucas,  
Fackler,  
Dwyer,  
Weybrecht,  
Beatty, of Wood,  
Thomas,

Hahn,  
Evans,  
Woods,  
Crosser,  
Stevens,  
Johnson, of Madison,  
Bowdle,  
Doty.

TAXATION.

DOTY, *Chairman.*

Harris, of Hamilton,  
Colton,  
Worthington,  
Smith, of Geauga,  
Redington,  
Rorick,  
Crosser,  
Crites,  
Cunningham,  
Shaffer,

Fluke,  
Donahey,  
Read,  
Halenkamp,  
Watson,  
Beyer,  
Tetlow,  
Cassidy,  
Johnson, of Williams,  
Pierce.

A leave of absence was granted for Monday evening's session to Messrs. Beyer, Brattain and Miller, of Crawford.

On motion of Mr. Shaffer, the Convention adjourned.