

SEVENTY-NINTH DAY

MORNING SESSION.

FRIDAY, May 31, 1912.

The Convention met pursuant to adjournment, was called to order by the president and opened with prayer by the member from Knox county, the Rev. Dr. McClelland.

The journal of yesterday was read and approved.

Mr. Johnson, of Williams rose to a question of privilege, and asked that his name be recorded on Proposal No. 329, by Mr. Knight. His name being called, Mr. Johnson, of Williams, voted "no."

Mr. Winn rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Winn voted "aye."

Mr. Stokes rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Stokes voted "aye."

Mr. Campbell rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Campbell voted "no."

Mr. Eby rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Eby voted "aye."

Mr. PIERCE: I offer a resolution.

The resolution was read as follows:

Resolution No. 132:

Resolved, That in the consideration of business this day, and for the remainder of the session, that Rules 39 and 94 shall be interpreted and held to mean that it is not in order to amend any proposal which has been adopted on third reading except as to form, or form of submission or to correct errors.

Mr. PIERCE: Rule 39 reads:

RULE 39. After the report of any committee upon a proposal, said proposal shall be read a second time and considered by the Convention. After favorable action by the Convention, said proposal shall be referred to the standing committee on Arrangement and Phraseology and shall thereafter be read a third time in full, for final action.

Rule 94 reads:

RULE 94. Any proposal may be amended until the final vote is taken after third reading thereof. When a proposal is on its second or third reading any number of amendments may be made; but pending a motion to amend one part of the proposal, it shall not be in order to amend any other part of the proposal, unless the second amendment is necessary to a proper construction of the first. One amendment shall not prevent another in any other part of the proposal.

Now I think it is necessary to have this matter settled and I feel that the Convention has threshed all of

these matters out on two readings and have gone over it fully. We have adopted forty-two proposals, and I believe it should be the sense of this Convention that those proposals should remain as adopted without further amendment. If we expect to get through this week and adjourn, it is necessary to take this course of procedure. There have been quite a number of suggestions made by members of the Convention that we change certain proposals, and a number of such suggestions have been made to me. If this Convention is foolish enough to enter upon a discussion of these matters we will be here two or three weeks longer. I hope it will be the sense of the Convention that the resolution be passed as now proposed.

Mr. HALFHILL: I hope that this resolution will not prevail for two or three very manifest reasons. The committee on Arrangement and Phraseology labored during the whole of the recess and all yesterday endeavoring to get everything in perfect form. With all the care it exercised there is every possibility that some mistake will be discovered and must be rectified before the end of this session.

Mr. PIERCE: Will you allow me—

Mr. HALFHILL: When I get through.

Mr. PIERCE: I want to correct you.

Mr. HALFHILL: Well, wait until I get through and you can say what you want. Further than that, the greatest question in this Convention has not yet been properly determined. Upon the subject of taxation there is a strong desire among many that there be inserted in the proposal an alternative for the uniform tax system. The member from Highland, I think, has an amendment which ought to be considered by the Convention. I desire to offer the question of the alternative proposition which is identical in every part of the proposal with the proposal that has been adopted by this Convention, save and except that in section 2 it inserts the right of classification of property, so that all propositions in this proposal that the majority has adopted will be covered in my substitute in the identical words, and the only difference will be the insertion in section 2 providing for classification instead of the uniform rule.

Now, gentlemen of the Convention, a thing is never settled until it is settled right. It is never settled in a case like this until the people of Ohio have an opportunity to vote fairly and squarely upon this question, and I want you to consider the responsibility that you are under. You know well enough if you throttle this question in this Convention within twelve months there will be a constitutional amendment proposed to the people. Of course you know that, and do you realize that if this proposal that you have here should be adopted in the lengthy form you have drawn it under the existing rule of the present constitution, it would cost \$250,000 to submit it? A proposal of that nature which was submitted in 1889 with two other amendments cost the state almost \$100,000, and it was but a small paragraph of organic law. Here we have the opportunity of presenting and submitting it to the people at this time without

Resolution Relative to Amendments to Proposals After Third Reading.

one penny of additional expense. Let them, the people, determine for themselves what the form of taxation shall be in Ohio. It is not time now to make any argument on this question either for or against these theories, and that is not what I rise for, but when these amendments are presented the Convention can be assured that so far as the argument of theories is concerned it is at an end. We have threshed that out. It will not take us fifteen minutes in the Convention to again present this amendment. Then let the two propositions go to the people, because "in the last analysis," with apologies to Brother Jones, the people will do the fair thing. I trust that this resolution will not prevail.

Mr. PECK: How many times has this same proposition been rejected by this Convention?

Mr. HALFHILL: I suppose twice or three times.

Mr. PECK: What is your reason for believing that they will accept it now?

Mr. HALFHILL: I have faith to believe that when the uniform rule has been framed as it has been, when they have taken out of it the one per cent tax limit as they have taken it out, when they have considered that action, when they consider the criticism made on this Convention as a body for not fairly submitting these two theories of taxation to the voters, that they will at the last moment rescind that action and do fairly by the people of the state of Ohio.

Mr. PECK: Do you not think that those of us here who have supported other losing propositions believe just as strongly in our propositions as you do in that? Every one of them can be brought up if you bring up this.

Mr. HALFHILL: I do not believe there is a proposition championed by any member in this Convention that compares in importance with the question of taxation.

Mr. PECK: Everybody's proposal is the most important.

Mr. HALFHILL: Taxation is conceded to be the most important matter before the Convention by everybody who knows enough to look at the world outside, other than through a key hole.

Mr. KING: I was for the proposition that has been voted down as often as I could get a chance to be for it, but I raise the question here and now that this Convention has no authority under the rules it has adopted, unless it shall repeal them, to amend any proposal that has passed its third reading. Those things, so far as this Convention has power, have gone into the fundamental law of the state. We are at an end of every proposal that has passed its third reading. I deny the power of the Convention to amend it by a word. They have provided here as plainly as the English language can be written the course that every proposal shall take. We have followed that course and completed the proposals, and we cannot begin our work and do it over again.

Mr. DOTY: Will you yield for a question? The member made a statement that he didn't believe the Convention had power to make any amendments. You do not include anything from the committee on Arrangement and Phraseology as to form?

Mr. KING: How did the committee get this referred back to them?

Mr. DOTY: By the Convention.

Mr. KING: Did they repeal the rule or amend the rule, or was there a suspension of the rules?

Mr. DOTY: I wish to state that the Convention by a simple motion which it had the power to pass, in my judgment, referred all proposals after their third readings to the committee on Arrangement and Phraseology, and the committee on Arrangement and Phraseology has been sitting up and working on them.

Mr. KING: I heard you do it and I voted for the resolution. But under Rule 84 and subsequent Rules 94 and 95 there was absolutely no authority for that reference to the committee on Arrangement and Phraseology again. If these are submitted under a so-called fourth reading you do not know what questions of law will meet them hereafter or what will be their fate.

Mr. LAMPSON: I think the gentleman is wholly right in his argument that there was a resolution adopted here unanimously referring all these proposals to the committee on Arrangement and Phraseology, and so far as that was concerned it waived the rule because the point of order was not made at the time. If it had been made, I concede under the rules it would have been sustained. So far as the report of the committee on Arrangement and Phraseology is concerned, the rules have been made and it can make its report.

Mr. KING: You do not claim that the committee on Arrangement and Phraseology has authority to do anything more than to make the proposal read right?

Mr. LAMPSON: They report back with amendments as to form, but nothing as to substance. If this rule is adopted, no further amendment except as to form or a form of submission or correcting an error can be adopted, and if the rules were simply interpreted as Judge King suggests even that might not be done, but that certainly ought to be done and that is an additional reason for the adoption of the resolution of the gentleman from Butler. Now Rule 94 provides that any proposal may be amended until the final vote is taken after third reading thereof. When a proposal is on its second or third reading any number of amendments may be made. So the rule merely contemplates that after third reading amendment shall cease. But the Convention unanimously adopted the motion of the gentleman from Ashtabula [Mr. HARRIS] to refer back to the committee on Arrangement and Phraseology all of the proposals, together with those that were slightly amended the other day, and we, therefore, waived this rule so far as the committee on Arrangement and Phraseology is concerned, but the committee on Arrangement and Phraseology has not jurisdiction to report out anything except as to form. So when its report comes in it will be in order to go under Rule 94 and no amendment as to substance is in order. I think the resolution of the gentleman from Butler should be adopted so that we can make the necessary corrections as to form of submission or as to any error in transcribing that may appear after the final reading. I hope the resolution will be adopted.

Mr. HALFHILL: I ask the yeas and nays on that motion.

The yeas and nays were taken, and resulted—yeas 72, nays 27, as follows:

Resolution Relative to Amendments to Proposals After Third Reading—Reports of Standing Committees.

Those who voted in the affirmative are:

Anderson,	Harbarger,	Moore,
Baum,	Harter, Huron,	Okey,
Beatty, Morrow,	Henderson,	Partington,
Beyer,	Holtz,	Peck,
Brattain,	Hursh,	Peters,
Brown, Highland,	Johnson, Williams,	Pettit,
Brown, Lucas,	Jones,	Pierce,
Brown, Pike,	Kehoe,	Shaw,
Cassidy,	Keller,	Smith, Hamilton,
Cody,	Kilpatrick,	Solether,
Collett,	King,	Stamm,
Colton,	Kramer,	Stevens,
Crites,	Kunkel,	Stewart,
Crosser,	Lambert,	Stilwell,
Cunningham,	Lampson,	Tallman,
Dunn,	Leete,	Tannehill,
Dwyer,	Lonstreth,	Tetlow,
Earnhart,	Ludey,	Thomas,
Eby,	Marshall,	Ulmer,
Fess,	Mauck,	Wagner,
FitzSimons,	McClelland,	Watson,
Fluke,	Miller, Crawford,	Winn,
Fox,	Miller, Fairfield,	Wise,
Harris, Ashtabula,	Miller, Ottawa,	Woods.

Those who voted in the negative are:

Antrim,	Hahn,	Nye,
Bowdle,	Halenkamp,	Read,
Campbell,	Halfhill,	Riley,
Cordes,	Hoffman,	Rockel,
Donahey,	Hoskins,	Roehm,
Doty,	Kerr,	Rorick,
Dunlap,	Knight,	Smith, Geauga,
Evans,	Malin,	Stokes,
Fackler,	Matthews,	Taggart.

So the resolution was adopted.

Mr. LAMPSON: The gentleman from Wood [Mr. BEATTY] has gone away and will not be back. He is a member of the committee on Submission and Address to the People. It is desired that his place be filled because there is certain work that that committee has to do in arranging an address to the people and so forth that requires men who will give attention to it, and I move that Mr. Cassidy be named on that committee.

Mr. DOTY: I second the motion. We want some one on the committee to do the work for us.

The motion was carried.

Mr. READ: A question of privilege.

The PRESIDENT: State the question.

Mr. READ: I can state the question by explaining.

The PRESIDENT: I would like to have a suggestion as to what it is.

Mr. READ: There has been an injustice done me on a certain report with regard to an amendment that I proposed the other evening, and I want to get that impression corrected. It is a matter of personal privilege. I desire the privilege of the floor to explain the injustice that has been done me and I claim my right to ask the indulgence of the Convention for one minute.

The PRESIDENT: The member asks the indulgence of the Convention for one minute.

Mr. READ: It may be two minutes. I have been cut off a good many times already and I want to be heard now.

The PRESIDENT: There are forty roll calls to be taken and I hope that you will not consume unnecessary time.

Mr. READ: I read in yesterday morning's issue of the Ohio State Journal the following:

Delegate A. Ross Read, who is one of the single-taxers, tried to have the single-tax inhibition taken out of the proposal, but he was turned down overwhelmingly.

That along with the context implies that I introduced that amendment on account of the single tax, which is absolutely incorrect, and I do not want that impression to go out. Again I read in this morning's issue of the same paper the following editorial:

As every observing person knows, the Con-Con. was packed for the single tax; not directly for that, but for the initiative and referendum, which was to have been the instrumentality used for the adoption of the land value tax.

The PRESIDENT: The president will rule that that is not a question of personal privilege.

Mr. READ: I wish to say to this Convention that that is absolutely false so far as I am concerned and I want it strictly understood that I offered that amendment for the sole purpose of having a correct initiative and referendum and for no other purpose—

The PRESIDENT: The time is up.

Mr. READ: And I am opposed to anything in that proposal which denies the principle of the initiative and referendum no matter what it may refer to.

The PRESIDENT: The time is up.

Mr. READ: That is the only reason I offered the amendment.

The PRESIDENT: The time is up. Will the member take his seat?

Mr. READ: I am done.

Mr. PECK: I would like to have unanimous consent to make a motion which will take but a moment. Judge Dwyer has written a brief intended for use as a speech. It is a very splendid condensation of the authorities on the subject of the ordinance of 1787. He was shut off from opportunity to deliver it by the previous question which was suddenly called at the end of Judge Norris' speech. I move that Judge Dwyer be given the opportunity to print his speech as if delivered.

The motion was carried.

[Judge Dwyer's address immediately follows the address delivered by Judge Norris, to which reference is made, and will be found in the proceedings of the Convention of the seventy-third day, May 22.—THE EDITOR.]

REPORTS OF STANDING COMMITTEES.

Mr. COLTON: I offer a report.

The report was read as follows:

The standing committee on Arrangement and Phraseology, to which was referred Proposal No. 340—Mr. Taggart, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended: Strike out title and insert: "Schedule to amendments."

Between lines 3 and 4 insert subhead: "SCHEDULE."

Reports of Standing Committees—Schedule—Report of Committee on Arrangement and Phraseology.

In line 4 strike out "That" and change first "the" to "The".

In line 4 strike out "or any of the same".

In line 4 insert "and submitted" after "passed".
In line 6 strike out "in" and insert: "by the schedule attached to".

In line 6 strike out "the".

In line 6 strike out "and" and change "all" in line 7 to "All".

In line 7 after first "force" insert a comma.

In lines 8 and 9 strike out "at the time this amendment takes effect" and insert: "on the first day of January, 1913".

The report was agreed to. The proposal was ordered to be engrossed.

Mr. Colton moved that the proposal be read the third time at once.

The motion was carried.

Proposal No. 340—Mr. Taggart, was read the third time.

Mr. Lampson here assumed the chair as president pro tem.

Mr. KNIGHT: Is this to be submitted and voted on as a separate amendment?

Mr. DOTY: Yes.

Mr. KNIGHT: What will be the effect if this fails?

Mr. DOTY: A large number of the proposals have a separate schedule. If they are passed they will go into effect and if any fail they will not.

Mr. SMITH, of Hamilton: There is no time fixed as to the initiative and referendum.

Mr. DOTY: We have that.

The PRESIDENT PRO TEM: The question is, "Shall the proposal pass?"

The yeas and nays were taken, and resulted—yeas 103, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Fox,	Mauck,
Antrim,	Hahn,	McClelland,
Baum,	Halenkamp,	Miller, Crawford,
Beatty, Morrow,	Halfhill,	Miller, Fairfield,
Beyer,	Harbarger,	Miller, Ottawa,
Bowdle,	Harris, Hamilton,	Moore,
Brattain,	Harter, Huron,	Nye,
Brown, Highland,	Henderson,	Okey,
Brown, Lucas,	Hoffman,	Partington,
Brown, Pike,	Holtz,	Peck,
Campbell,	Hoskins,	Peters,
Cassidy,	Hursh,	Pettit,
Cody,	Johnson, Madison,	Pierce,
Collett,	Johnson, Williams,	Read,
Colton,	Jones,	Riley,
Cordes,	Kehoe,	Rockel,
Crites,	Keller,	Roehm,
Crosser,	Kerr,	Rorick,
Cunningham,	Kilpatrick,	Shaffer,
Davio,	King,	Shaw,
Donahey,	Knight,	Smith, Geauga,
Doty,	Kramer,	Smith, Hamilton,
Dunlap,	Kunkel,	Solether,
Dunn,	Lambert,	Stamm,
Dwyer,	Lampson,	Stevens,
Earnhart,	Leete,	Stewart,
Eby,	Leslie,	Stilwell,
Evans,	Longstreth,	Stokes,
Fackler,	Ludey,	Taggart,
Fess,	Malin,	Tallman,
FitzSimons,	Marshall,	Tannehill,
Fluke,	Matthews,	Tetlow,

Thomas,
Ulmer,
Wagner,

Watson,
Winn,

Wise,
Woods.

So the proposal passed as follows:

Proposal No. 340—Mr. Taggart:

SCHEDULE TO AMENDMENTS.

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

SCHEDULE.

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

Mr. DOTY: I desire to submit a report from the committee on Arrangement and Phraseology and I would like to submit the report in a peculiar way. We have our report so framed that the amendments proposed are set forth in the report itself for each separate proposal. I would like to read the report and explain it as I go along and I will answer such questions as I can.

The introductory clause of the report was read as follows:

The standing committee on Arrangement and Phraseology, to which was referred Proposals Nos. 2, 5, 7, 15, 24, 34, 51, 54, 62, 64, 72, 91, 93, 96, 100, 118, 122, 134, 151, 163, 166, 169, 170, 184, 209, 212, 236, 240, 241, 242, 249, 252, 261, 272, 304, 309, 322, 329, 331, 333 and 334, having had the same under consideration, reports said proposals back with the following amendments and recommends their passage when so amended:

Mr. DOTY: This gives in numerical order all of the proposals that were referred to that committee except Proposal No. 340, which has only been referred a very short time. You will find them in numerical order in the yellow book and the first proposal is Proposal No. 2. I will state that this proposal for the first part of the report is according to the line numbers in the book; as to the others, we will have to tell you where they come in.

The amendments to Proposal No. 2 were read as follows:

In line 32 insert a comma after "provided".

In line 36 insert comma after "assembly".

In line 37 insert a comma after "form".

In line 38 strike out "said proposed law" and insert "it".

In line 39 after "action" insert "shall".

In line 39 strike out second comma.

In line 41 strike out "the same" and insert "it".

In line 43 insert a comma after "election".

In line 46 insert "supplementary" after "which".

In line 47 change "such" to "the".

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In line 49 insert a comma after "months".

In line 49 strike out "in the event" and insert "if".

In line 50 insert a comma after "thereon".

In line 52 strike out "such secretary" and insert "the secretary of state".

Strike out all of line 52 after the period and all of lines 53, 54, 55 and 56 and insert: The proposed law shall be submitted in the form demanded by such supplementary petition, which form shall be either as [first] petitioned for or with any amendment or amendments which may have been incorporated therein by either branch, or by both branches, of the general assembly.

In line 57 strike out "In the event that" and insert "If".

In line 59 strike out both commas.

In line 71 change both capitals "S" to lower case "s".

In line 67 change semi-colon to period.

No paragraph between lines 67 and 68.

In line 91 strike out "comma".

At the end of proposal add:

SCHEDULE.

The foregoing amendment, if adopted by the electors shall take effect [mentioning a date].

Mr. DOTY: That is all on that proposal.

Mr. RILEY: Allow me to inquire how you fixed that date.

Mr. DOTY: It is fixed tentatively to get a schedule in here for the consideration of the Convention.

Mr. RILEY: Why is it necessary to make this take effect at a time different from that of almost all of the other proposals? I do not see the object.

Mr. DOTY: If the member from Cuyahoga [Mr. CROSSER] will step up and take care of his own matter I will be obliged to him.

Mr. RILEY: My point is that the committee on Arrangement and Phraseology has assumed to dictate. It should have been left blank.

Mr. DOTY: That is satisfactory. It was only fixed that way to get it before us.

The PRESIDENT: There is no objection and the schedule will be left blank. The question is upon agreeing to that part of the report that the committee has made which has just been read.

Mr. KNIGHT: Does this mean final action if we agree?

The PRESIDENT: There are amendments as to form, or correcting errors that are in here, and we will have opportunity also to correct errors after this.

Mr. KNIGHT: Was not the word "first" in there? Ought it not be "shall be either as first petitioned for"?

Mr. DOTY: I think so and if there is no objection I will incorporate that. I think that is a mistake in copying.

Mr. THOMAS: I noticed that some language has been incorporated in there which makes it a good deal different from the original proposition.

Mr. CROSSER: I was on the subcommittee which prepared this so-called compromise proposal. The proposal as now reported to the Convention is entirely dif-

ferent from that which the committee appointed on Wednesday agreed to and I for one am not satisfied with it.

The PRESIDENT: I don't see the difference.

Mr. CROSSER: Here is the difference: In the proposal reported to the Convention—of which I was not particularly fond—it was stated that an additional petition containing three per cent of the voters be submitted after the general assembly had passed an amended form and that would require to be submitted to the voters, either the original proposition by three per cent petition or that proposition as amended by any amendment offered in the general assembly. This must be incorporated.

Mr. DOTY: The member is very much mistaken. He may have meant to do what he says, but he did not do it. All we did was to make this thing do exactly what this language here attempted.

Mr. SMITH, of Hamilton: If Mr. Cassidy is here I would like him to give us his idea.

Mr. DOTY: Let us get the idea from the language. I don't object to Mr. Cassidy, but I would rather get the idea from the language.

Mr. THOMAS: Why not use the word "introduced" instead of "incorporated?" The word "introduced" as used there is absolutely meaningless. Frankly, the idea that I got from that was that the word "introduced" was absolutely useless and I didn't see where it possibly could be correct.

Mr. BIGELOW: That word "introduced" was taken out of the Wisconsin amendment. We did not want to be limited to amendments that the general assembly might adopt.

Mr. DOTY: The word "incorporated" is there.

Mr. BIGELOW: The word "incorporated" ought not to be there.

Mr. DOTY: That may be, but it is there.

Mr. BIGELOW: The word "introduced" was in the report.

Mr. DOTY: So was the word "incorporated."

Mr. BIGELOW: No.

Mr. DOTY: I say yes. There is the bill with it to work on. Wherever it came from, it is there. Now you gentlemen can get an idea of what the committee on Phraseology was up against.

A vote being taken, the report of the committee on Arrangement and Phraseology, as far as read, was agreed to.

Mr. Fess rose to a question of privilege, and asked that his vote be recorded on Proposal No. 252, by Mr. Weybrecht. His name being called, Mr. Fess voted "aye".

Mr. Fess rose to a question of privilege and asked that his vote be recorded on Proposal No. 304, by Mr. Halfhill. His name being called, Mr. Fess voted "aye."

Mr. Fess rose to a question of privilege, and asked that his vote be recorded on Proposal No. 249, by Mr. Tannehill. His name being called, Mr. Fess voted "aye".

Mr. Fess rose to a question of privilege and asked that his vote be recorded on Proposal No. 329, by Mr. Knight. His name being called, Mr. Fess voted "aye".

Mr. Fess rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Fess voted "aye."

Mr. Norris rose to a question of privilege and asked

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that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Norris voted "no".

Mr. Kilpatrick rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Kilpatrick voted "aye".

Mr. Evans rose to a question of privilege, and asked that his vote be recorded on Proposal No. 2, by Mr. Crosser. His name being called, Mr. Evans voted "aye."

The PRESIDENT PRO TEM: The question is on the adoption of the final proposal. There is a blank to be filled, but that cannot be filled until the committee on Submission makes its report.

Mr. WINN: My notion is that this proposal should take effect as all others, January 1, 1913. I am just as earnest about that as anybody else. I want it to be workable and I do not want it to come into disrepute any quicker than necessary. This provides that it shall take effect October 1, 1912. I know there is an element now waiting, like a race horse champing on the bit, to start the fight, and before the people come to know what the initiative and referendum are the legislature will be deluged with laws. This will bring the measure into disrepute. But if we have cooling-off time and then act upon it intelligently, in my mind it is just as safe a method of enacting laws as any other, but we must not do it in this way. I do not know whether it is in order to move to strike out or not.

The PRESIDENT PRO TEM: The chair will hold that, being part of the form of submission, it is in order to move to strike out.

Mr. WINN: Then I move that we strike from the report of the committee "at the end of the proposal add" and the further word "schedule" and the further words "the foregoing amendment if adopted by the electors shall take effect."

The PRESIDENT PRO TEM: The form of the motion should be to strike out the word "schedule" and all thereafter.

Mr. STILWELL: I hope this amendment will not prevail. I believe that the principle should be incorporated into the law and should become operative at the earliest possible moment. We shall not have another session of the general assembly until two years from the coming January, and it will be almost three years before it is possible to have a vote upon any initiated legislation. I move that the amendment be laid on the table.

Mr. WINN: And on that I demand the yeas and nays.

The yeas and nays were taken and resulted—yeas 58, nays 50, as follows:

Those who voted in the affirmative are:

Anderson,	Fackler,	Kilpatrick,
Beyer,	Farrell,	Kunkel,
Bowdle,	FitzSimons,	Lambert,
Brown, Lucas,	Fluke,	Leete,
Cassidy,	Hahn,	Leslie,
Cordes,	Halenkamp,	Malin,
Crosser,	Harbarger,	Marshall,
Davio,	Harris, Hamilton,	Miller, Fairfield,
DeFrees,	Harter, Huron,	Moore,
Donahey,	Henderson,	Okey,
Doty,	Hoffman,	Peck,
Dunn,	Hoskins,	Pierce,
Earnhart,	Hursh,	Read,
Evans,	Johnson, Williams,	Roehm,

Shaffer,	Stokes,	Ulmer,
Smith, Geauga,	Tallman,	Watson,
Smith, Hamilton,	Tannehill,	Wise,
Solether,	Tetlow,	Woods,
Stamm,	Thomas,	Mr. President.
Stilwell		

Those who voted in the negative are:

Antrim,	Halfhill,	Miller, Ottawa,
Baum,	Harris, Ashtabula,	Norris,
Beatty, Morrow,	Holtz,	Nye,
Brattain,	Johnson, Madison,	Partington,
Brown, Highland,	Jones,	Peters,
Brown, Pike,	Kehoe,	Pettit,
Campbell,	Keller,	Price,
Cody,	Kerr,	Riley,
Collett,	King,	Rockel,
Colton,	Knight,	Rorick,
Crites,	Kramer,	Shaw,
Cunningham,	Lampson,	Stevens,
Dunlap,	Longstreth,	Stewart,
Dwyer,	Ludey,	Taggart,
Eby,	Matthews,	Wagner,
Fess,	McClelland,	Winn.
Fox,	Miller, Crawford,	

So the motion to table was carried.

Mr. THOMAS: Is there any final date set in that proposal?

The PRESIDENT PRO TEM: No.

Mr. THOMAS: I move that the date be filled in with October 1, 1912.

The motion was carried.

The PRESIDENT PRO TEM: The secretary will call the roll upon the final passage of this proposal.

The yeas and nays were taken, and resulted—yeas 82, nays 18, as follows:

Those who voted in the affirmative are:

Anderson,	Hoffman,	Peck,
Baum,	Hoskins,	Peters,
Beatty, Morrow,	Hursh,	Pettit,
Beyer,	Johnson, Madison,	Pierce,
Bowdle,	Johnson, Williams,	Read,
Brown, Highland,	Kehoe,	Rockel,
Brown, Pike,	Keller,	Roehm,
Cassidy,	Kilpatrick,	Shaffer,
Cordes,	King,	Smith, Geauga,
Crites,	Knight,	Smith, Hamilton,
Crosser,	Kramer,	Solether,
Davio,	Kunkel,	Stamm,
DeFrees,	Lambert,	Stevens,
Doty,	Lampson,	Stewart,
Dunn,	Leete,	Stilwell,
Dwyer,	Leslie,	Stokes,
Earnhart,	Longstreth,	Tallman,
Evans,	Ludey,	Tannehill,
Fackler,	Malin,	Tetlow,
Farrell,	Marshall,	Thomas,
Fess,	Matthews,	Ulmer,
FitzSimons,	McClelland,	Wagner,
Fluke,	Miller, Crawford,	Watson,
Hahn,	Miller, Fairfield,	Winn,
Halenkamp,	Moore,	Wise,
Harbarger,	Okey,	Woods,
Harter, Huron,	Partington,	Mr. President.
Henderson,		

Those who voted in the negative are:

Antrim,	Cunningham,	Miller, Ottawa,
Brattain,	Dunlap,	Norris,
Campbell,	Eby,	Nye,
Cody,	Halfhill,	Riley,
Collett,	Jones,	Rorick,
Colton,	Kerr,	Taggart.

So the proposal finally passed.

Report of Committee on Arrangement and Phraseology.

Mr. DOTY: The next is Proposal No. 5. The amendments are as follows:

In line 8 strike out second comma.

In line 10 strike out "No. 2" and insert period after "Schedule."

In line 11 strike out all after "further" and all of line 12 and up to "be" and insert: "That if the amendment to article V, section 1, to the constitution.—Woman's Suffrage,".

In line 13 change "proposal" to "amendment".

The foregoing amendments were agreed to.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of the proposal.

The yeas and nays were taken, and resulted—yeas 91, nays 1, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Nye,
Antrim,	Harter, Huron,	Okey,
Baum,	Henderson,	Partington,
Beatty, Morrow,	Hoffman,	Peck,
Bowdle,	Hoskins,	Peters,
Brattain,	Hursh,	Pettit,
Brown, Highland,	Johnson, Madison,	Pierce,
Brown, Pike,	Johnson, Williams,	Read,
Campbell,	Jones,	Riley,
Cassidy,	Kehoe,	Rockel,
Cody,	Keller,	Roehm,
Colton,	Kerr,	Rorick,
Crosser,	Kilpatrick,	Shaffer,
Cunningham,	King,	Shaw,
DeFrees,	Knight,	Smith, Hamilton,
Donahey,	Kramer,	Solether,
Doty,	Kunkel,	Stevens,
Dunlap,	Lambert,	Stewart,
Dunn,	Lampson,	Stilwell,
Dwyer,	Leete,	Stokes,
Earnhart,	Leslie,	Taggart,
Farrell,	Ludey,	Tallman,
Fess,	Malin,	Tannehill,
FitzSimons,	Marshall,	Tetlow,
Fluke,	Matthews,	Thomas,
Fox,	McClelland,	Ulmer,
Hahn,	Miller, Crawford,	Wagner,
Halenkamp,	Miller, Fairfield,	Watson,
Halfhill,	Miller, Ottawa,	Winn,
Harbarger,	Moore,	Wise.
Harris, Ashtabula,		

Mr. Collett voted in the negative.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 7 and there is no change.

The PRESIDENT PRO TEM: The question is on the passage of the proposal.

The yeas and nays were taken, and resulted—yeas 99, nays 2, as follows:

Those who voted in the affirmative are:

Anderson,	Cordes,	FitzSimons,
Antrim,	Crites,	Fluke,
Baum,	Crosser,	Fox,
Beatty, Morrow,	Cunningham,	Halfhill,
Beyer,	DeFrees,	Harbarger,
Bowdle,	Donahey,	Harris, Hamilton,
Brattain,	Doty,	Harter, Huron,
Brown, Highland,	Dunlap,	Henderson,
Brown, Lucas,	Dunn,	Hoffman,
Brown, Pike,	Dwyer,	Holtz,
Campbell,	Earnhart,	Hoskins,
Cassidy,	Eby,	Hursh,
Cody,	Evans,	Johnson, Madison,
Collett,	Farrell,	Johnson, Williams,
Colton,	Fess,	Jones,

Kehoe,	Miller, Fairfield,	Smith, Hamilton,
Keller,	Miller, Ottawa,	Solether,
Kerr,	Moore,	Stamm,
King,	Norris,	Stevens,
Knight,	Nye,	Stewart,
Kunkel,	Okey,	Stilwell,
Lambert,	Partington,	Stokes,
Lampson,	Peck,	Taggart,
Leete,	Peters,	Tallman,
Leslie,	Pettit,	Tannehill,
Longstreth,	Pierce,	Tetlow,
Ludev,	Riley,	Thomas,
Malin,	Rockel,	Ulmer,
Marshall,	Roehm,	Wagner,
Matthews,	Rorick,	Watson,
Mauck,	Shaffer,	Winn,
McClelland,	Shaw,	Wise,
Miller, Crawford,	Smith, Geauga,	Woods.

Mr. Davio and Mr. Halenkamp voted in the negative. So the proposal finally passed.

Mr. DOTY: I would like to make a statement before the next roll call. Those of you who can multiply forty-two by ten will find that it will take us about seven hours to call the rolls and that is what is ahead of you if you are going to get up and insist on having your names called after the roll has been once called. If it is a matter of getting the necessary sixty votes, all right; but if we don't need the votes why delay the roll call?

The next is Proposal No. 15—Mr. Riley, to which there is no amendment.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of this proposal.

The yeas and nays were taken, and resulted—yeas 85, nays 10, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Moore,
Antrim,	Harter, Huron,	Okey,
Baum,	Henderson,	Partington,
Beatty, Morrow,	Hoffman,	Peck,
Beyer,	Hoskins,	Peters,
Bowdle,	Hursh,	Pettit,
Brown, Highland,	Johnson, Madison,	Pierce,
Brown, Pike,	Johnson, Williams,	Riley,
Cody,	Jones,	Rockel,
Collett,	Kehoe,	Roehm,
Colton,	Kilpatrick,	Rorick,
Cordes,	King,	Shaffer,
Crites,	Knight,	Shaw,
Cunningham,	Kramer,	Smith, Geauga,
Davio,	Kunkel,	Stamm,
Dunlap,	Lambert,	Stevens,
Dunn,	Lampson,	Stewart,
Dwyer,	Leete,	Stilwell,
Earnhart,	Leslie,	Stokes,
Eby,	Longstreth,	Taggart,
Evans,	Ludey,	Tannehill,
Fess,	Marshall,	Tetlow,
FitzSimons,	Matthews,	Ulmer,
Fluke,	Mauck,	Wagner,
Fox,	McClelland,	Watson,
Hahn,	Miller, Crawford,	Winn,
Halenkamp,	Miller, Fairfield,	Wise,
Harbarger,	Miller, Ottawa,	Woods.
Harris, Ashtabula,		

Those who voted in the negative are:

Brattain,	Malin,	Price,
Campbell,	Norris,	Tallman,
Halfhill,	Nye,	Thomas.
Kerr,		

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 24, to which there is no amendment.

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The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of this proposal.

The yeas and nays were taken, and resulted—yeas 92, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Hahn,	Okey,
Antrim,	Halenkamp,	Peck,
Baum,	Halfhill,	Peters,
Beatty, Morrow,	Harbarger,	Pettit,
Beyer,	Harter, Huron,	Pierce,
Brattain,	Henderson,	Price,
Brown, Highland,	Holtz,	Read,
Brown, Lucas,	Hursh,	Riley,
Brown, Pike,	Johnson, Madison,	Rockel,
Campbell,	Johnson, Williams,	Roehm,
Cody,	Kehoe,	Rorick,
Collett,	Kerr,	Shaffer,
Colton,	Kilpatrick,	Shaw,
Cordes,	King,	Smith, Geauga,
Crites,	Knight,	Smith, Hamilton,
Crosser,	Kramer,	Solether,
Davio,	Kunkel,	Stamm,
Donahey,	Lampson,	Stevens,
Doty,	Leete,	Stewart,
Dunlap,	Leslie,	Stilwell,
Dunn,	Longstreth,	Stokes,
Dwyer,	Ludey,	Tannehill,
Earnhart,	Malin,	Tetlow,
Eby,	Marshall,	Thomas,
Evans,	Matthews,	Ulmer,
Fackler,	Mauck,	Wagner,
Farrell,	McClelland,	Watson,
Fess,	Miller, Ottawa,	Winn,
FitzSimons,	Moore,	Wise,
Fluke,	Norris,	Woods.
Fox,	Nye,	

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 34, with some amendments:

In line 17 change semi-colon to a period and strike out lines 18, 19, 20 and 21.

Strike out lines 11 and 12 and all of line 13 up to "Nothing" and insert:

"by persons under sentence to any penal institution or reformatory without the state of Ohio, and such goods made within the state of Ohio excepting those disposed of to the state or any political sub-division thereof or to any public institution owned, managed or controlled by the state or any political sub-division thereof, shall not be sold within this state unless the same are conspicuously marked "prison made."

In line 7 after "reformatory" insert the following: "while under sentence thereto," and in line 8 strike out, "while under sentence thereto."

The amendments were agreed to.

The PRESIDENT PRO TEM: The question is on the final passage of the proposal.

The yeas and nays were taken, and resulted—yeas 76, nays 22, as follows:

Those who voted in the affirmative are:

Anderson,	DeFrees,	Farrell,
Baum,	Donahey,	Fess,
Beyer,	Doty,	FitzSimons,
Brown, Highland,	Dunlap,	Fluke,
Brown, Lucas,	Dunn,	Hahn,
Brown, Pike,	Dwyer,	Halenkamp,
Cody,	Earnhart,	Halfhill,
Cordes,	Eby,	Harbarger,
Davio,	Evans,	Harris, Hamilton,

Harter, Huron,	Longstreth,	Smith, Geauga,
Henderson,	Ludey,	Smith, Hamilton,
Hoffman,	Malin,	Stamm,
Hoskins,	Marshall,	Stevens,
Hursh,	Matthews,	Stewart,
Johnson, Madison,	Miller, Crawford,	Stilwell,
Jones,	Miller, Fairfield,	Stokes,
Kehoe,	Moore,	Tallman,
Keller,	Okey,	Tannehill,
Kerr,	Pierce,	Tetlow,
Kilpatrick,	Price,	Thomas,
King,	Riley,	Ulmer,
Kunkel,	Rockel,	Watson,
Lambert,	Roehm,	Winn,
Lampson,	Shaffer,	Wise,
Leete,	Shaw,	Woods.

Those who voted in the negative are:

Antrim,	Harris, Ashtabula,	Nye,
Brattain,	Holtz,	Partington,
Campbell,	Johnson, Williams,	Pettit,
Collett,	Kramer,	Rorick,
Colton,	Mauck,	Solether,
Crites,	McClelland,	Taggart,
Cunningham,	Miller, Ottawa,	Wagner.
Fox,		

So the proposal finally passed.

The PRESIDENT PRO TEM: The next proposal is No. 51.

Mr. DOTY: There are no amendments.

The PRESIDENT PRO TEM: The question is on the final passage of the proposal.

The yeas and nays were taken, and resulted—yeas 90, nays 4, as follows:

Those who voted in the affirmative are:

Anderson,	Harter, Huron,	Peck,
Antrim,	Henderson,	Peters,
Baum,	Hoffman,	Pettit,
Beatty, Morrow,	Holtz,	Pierce,
Beyer,	Hoskins,	Price,
Bowdle,	Hursh,	Read,
Brown, Highland,	Johnson, Madison,	Riley,
Brown, Lucas,	Johnson, Williams,	Rockel,
Campbell,	Jones,	Roehm,
Cody,	Keller,	Rorick,
Collett,	Kerr,	Shaffer,
Colton,	Kilpatrick,	Shaw,
Cordes,	King,	Smith, Geauga,
Crites,	Kramer,	Smith, Hamilton,
Davio,	Kunkel,	Stamm,
DeFrees,	Lambert,	Stevens,
Donahey,	Lampson,	Stewart,
Doty,	Leete,	Stilwell,
Dunlap,	Longstreth,	Stokes,
Dunn,	Ludey,	Taggart,
Dwyer,	Malin,	Tallman,
Earnhart,	Marshall,	Tannehill,
Eby,	Matthews,	Tetlow,
Fess,	Mauck,	Thomas,
Fluke,	McClelland,	Ulmer,
Fox,	Miller, Crawford,	Wagner,
Hahn,	Miller, Fairfield,	Watson,
Halenkamp,	Miller, Ottawa,	Winn,
Harbarger,	Nye,	Wise,
Harris, Hamilton,	Okey,	Woods.

Those who voted in the negative are: Brattain, Evans, Halfhill, Harris, of Ashtabula.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 54. There is a slight change in the title. In the title change "reform" to "change".

The amendment was agreed to.

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The PRESIDENT PRO TEM: The question is on the final passage of the proposal.

The yeas and nays were taken, and resulted—yeas 86, nays 6, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Okey,
Antrim,	Harter Huron,	Peck,
Baum,	Henderson,	Peters,
Beatty, Morrow,	Hoffman,	Pettit,
Beyer,	Holtz,	Pierce,
Bowdle,	Hoskins,	Read,
Brown, Highland,	Hursh,	Rockel,
Brown, Lucas,	Johnson, Madison,	Roehm,
Collett,	Johnson, Williams,	Rorick,
Colton,	Jones,	Shaffer,
Cordes,	Kehoe,	Shaw,
Crites,	Keller,	Smith, Geauga,
Cunningham,	Kilpatrick,	Smith, Hamilton,
Donahey,	King,	Stamm,
Dunlap,	Knight,	Stevens,
Dunn,	Kramer,	Stewart,
Dwyer,	Kunkel,	Stilwell,
Eby,	Lambert,	Stokes,
Evans,	Lampson,	Taggart,
Farrell,	Leete,	Tallman,
Fess,	Leslie,	Tannehill,
FitzSimons,	Longstreth,	Tetlow,
Fluke,	Ludey,	Thomas,
Fox,	Matthews,	Ulmer,
Hahn,	Mauck,	Wagner,
Halenkamp,	McClelland,	Watson,
Halfhill,	Miller, Crawford,	Winn,
Harbarger,	Miller, Ottawa,	Woods.
Harris, Ashtabula,	Moore,	

Those who voted in the negative are: Brattain, Brown, of Pike, Campbell, Earnhart, Kerr, Nye.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 62 and there is no change.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of that proposal.

The yeas and nays were taken, and resulted—yeas 63, nays 31, as follows:

Those who voted in the affirmative are:

Baum,	Halfhill,	Miller, Ottawa,
Beatty, Morrow,	Harbarger,	Moore,
Beyer,	Harris, Hamilton,	Nye,
Bowdle,	Harter, Huron,	Peck,
Brown, Lucas,	Hoffman,	Pettit,
Campbell,	Holtz,	Pierce,
Cody,	Hoskins,	Price,
Cordes,	Hursh,	Shaffer,
Crites,	Jones,	Smith, Geauga,
Davio,	Keller,	Stamm,
Doty,	Kilpatrick,	Stevens,
Dunlap,	Knight,	Stewart,
Dunn,	Kramer,	Stilwell,
Dwyer,	Kunkel,	Stokes,
Earnhart,	Lambert,	Tannehill,
Eby,	Leete,	Tetlow,
Farrell,	Malin,	Thomas,
FitzSimons,	Marshall,	Ulmer,
Fluke,	Matthews,	Wagner,
Hahn,	Miller, Crawford,	Winn,
Halenkamp,	Miller, Fairfield,	Wise.

Those who voted in the negative are:

Brattain,	Fox,	King,
Brown, Highland,	Harris, Ashtabula,	Lampson,
Collett,	Henderson,	Longstreth,
Colton,	Johnson, Madison,	Mauck,
Cunningham,	Johnson, Williams,	Ludey,
Donahey,	Kehoe,	McClelland,
Evans,	Kerr,	Norris,

Okey,
Partington,
Riley,
Roehm,

Rorick,
Shaw,
Smith, Hamilton,

Tallman,
Watson,
Woods.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 64, Mr. Stokes, no change.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of that proposal.

The yeas and nays were taken, and resulted—yeas 87, nays 1, as follows:

Those who voted in the affirmative are:

Antrim,	Harris, Ashtabula,	Nye,
Baum,	Harter, Huron,	Partington,
Beatty, Morrow,	Henderson,	Peters,
Beyer,	Hoffman,	Pettit,
Brattain,	Holtz,	Pierce,
Brown, Highland,	Hoskins,	Price,
Brown, Lucas,	Hursh,	Read,
Campbell,	Johnson, Madison,	Riley,
Cody,	Johnson, Williams,	Rockel,
Collett,	Kehoe,	Roehm,
Colton,	Kerr,	Shaffer,
Crites,	Kilpatrick,	Shaw,
Cunningham,	King,	Smith, Geauga,
Davio,	Knight,	Smith, Hamilton,
Donahey,	Kramer,	Stamm,
Doty,	Kunkel,	Stevens,
Dunlap,	Lampson,	Stewart,
Dunn,	Leete,	Stilwell,
Dwyer,	Leslie,	Stokes,
Earnhart,	Longstreth,	Tallman,
Eby,	Ludey,	Tannehill,
Farrell,	Malin,	Tetlow,
Fess,	Marshall,	Ulmer,
FitzSimons,	Matthews,	Wagner,
Fox,	McClelland,	Watson,
Hahn,	Miller, Crawford,	Winn,
Halenkamp,	Miller, Fairfield,	Wise,
Halfhill,	Miller, Ottawa,	Woods,
Harbarger,	Moore,	Mr. President.

Mr. Brown, of Pike, voted in the negative.

So the proposal finally passed.

Mr. DOTY: Next is Proposal No. 72 and there are no amendments.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of that proposal.

The yeas and nays were taken, and resulted—yeas 95, nays none, as follows:

Those who voted in the affirmative are:

Antrim,	FitzSimons,	Lampson,
Baum,	Fox,	Leete,
Beatty, Morrow,	Hahn,	Leslie,
Beyer,	Halenkamp,	Longstreth,
Brattain,	Halfhill,	Ludey,
Brown, Highland,	Harbarger,	Malin,
Brown, Lucas,	Harris, Ashtabula,	Marshall,
Brown, Pike,	Harris, Hamilton,	Matthews,
Campbell,	Harter, Huron,	Mauck,
Cody,	Henderson,	McClelland,
Collett,	Hoffman,	Miller, Crawford,
Colton,	Holtz,	Miller, Fairfield,
Cordes,	Hoskins,	Miller Ottawa,
Crites,	Hursh,	Norris,
Cunningham,	Johnson, Madison,	Nye,
Donahey,	Johnson, Williams,	Okey,
Doty,	Jones,	Partington,
Dunlap,	Kehoe,	Peters,
Dunn,	Keller,	Pettit,
Dwyer,	Kerr,	Read,
Earnhart,	Kilpatrick,	Redington,
Eby,	King,	Riley,
Farrell,	Kunkel,	Rockel,
Fess,	Lambert,	Roehm,

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Rorick,	Stewart,	Ulmer,
Shaffer,	Stilwell,	Wagner,
Shaw,	Stokes,	Watson,
Smith, Geauga,	Taggart,	Winn,
Smith, Hamilton,	Tallman,	Wise,
Solether,	Tannehill,	Woods,
Stamm,	Tetlow,	Mr. President.
Stevens,	Thomas,	

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 91 with no change.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of that proposal.

The question being, "Shall Proposal No. 91 finally pass?"

The yeas and nays were taken, and resulted—yeas 63, nays 25, as follows:

Those who voted in the affirmative are:

Antrim,	Harbarger,	Read,
Baum,	Harris, Hamilton,	Rockel,
Beatty, Morrow,	Henderson,	Rorick,
Beyer,	Hursh,	Shaffer,
Brown, Highland,	Jones,	Shaw,
Brown, Lucas,	Kehoe,	Smith, Geauga,
Campbell,	Kilpatrick,	Smith, Hamilton,
Cody,	Lambert,	Solether,
Colton,	Lampson,	Stevens,
Crites,	Leete,	Stewart,
Cunningham,	Longstreth,	Stokes,
DeFrees,	Malin,	Taggart,
Dunn,	Matthews,	Tannehill,
Dwyer,	Miller, Fairfield,	Tetlow,
Eby,	Miller, Ottawa,	Thomas,
Farrell,	Moore,	Wagner,
Fess,	Nye,	Watson,
FitzSimons,	Peck,	Winn,
Hahn,	Peters,	Wise,
Halenkamp,	Pettit,	Woods,
Halfhill,	Pierce,	Mr. President.

Those who voted in the negative are:

Bowdle,	Johnson, Williams,	Mauck,
Brattain,	Keller,	McClelland,
Brown, Pike,	Kerr,	Norris,
Collett,	King,	Partington,
Cordes,	Knight,	Riley,
Donahy,	Kunkel,	Roehm,
Dunlap,	Ludey,	Stamm,
Fox,	Marshall,	Tallman.
Hoffman,		

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 93 and the change is simply in line 14, "after the word banking insert a comma."

The amendment was agreed to.

The PRESIDENT PRO TEM: The question is now on the final passage of the proposal and the secretary will call the roll.

The question being, "Shall Proposal No. 93 finally pass?"

The yeas and nays were taken, and resulted—yeas 75, nays 19, as follows:

Those who voted in the affirmative are:

Anderson,	Donahy,	Fox,
Antrim,	Dunn,	Hahn,
Beatty, Morrow,	Earnhart,	Halenkamp,
Beyer,	Eby,	Harbarger,
Bowdle,	Evans,	Harris, Ashtabula,
Brown, Highland,	Farrell,	Harris, Hamilton,
Brown, Lucas,	Fess,	Harter, Huron,
Campbell,	FitzSimons,	Hoffman,
Cunningham,	Fluke,	Holtz,
Davio,		Hursh,

Johnson, Williams,	McClelland,	Stevens,
Kehoe,	Miller, Fairfield,	Stewart,
Kerr,	Miller, Ottawa,	Stilwell,
Kilpatrick,	Moore,	Stokes,
King,	Nye,	Taggart,
Knight,	Okey,	Tallman,
Kramer,	Peters,	Tannehill,
Kunkel,	Pettit,	Tetlow,
Lambert,	Redington,	Thomas,
Lampson,	Rockel,	Ulmer,
Leete,	Roehm,	Wagner,
Ludey,	Shaw,	Watson,
Malin,	Smith, Geauga,	Winn,
Marshall,	Smith, Hamilton,	Wise,
Mauck,	Stamm,	Woods.

Those who voted in the negative are:

Baum,	Henderson,	Norris,
Brattain,	Johnson, Madison,	Partington,
Cody,	Jones,	Peck,
Collett,	Keller,	Pierce,
Crites,	Longstreth,	Riley,
Dunlap,	Miller, Crawford,	Rorick.
Halfhill,		

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 96, to which there are some amendments but only as to the schedule, which will not appear in your bill book:

In line 11 strike out "No. 5" and insert a period after "Schedule".

Strike out line 12 and "Convention" in line 13 and insert: "Resolved further, If the foregoing amendment".

In line 13 strike out "of the state".

The amendments were agreed to.

The PRESIDENT PRO TEM: The secretary will call the roll on the final passage of the proposal.

The yeas and nays were taken, and resulted—yeas 79, nays 11, as follows:

Those who voted in the affirmative are:

Anderson,	Harter, Huron,	Peters,
Antrim,	Henderson,	Pettit,
Baum,	Hoffman,	Pierce,
Beatty, Morrow,	Holtz,	Redington,
Beyer,	Hoskins,	Riley,
Bowdle,	Hursh,	Rockel,
Brown, Lucas,	Johnson, Madison,	Rorick,
Campbell,	Johnson, Williams,	Shaffer,
Colton,	Jones,	Shaw,
Cordes,	Kehoe,	Smith, Geauga,
Crites,	Kilpatrick,	Smith, Hamilton,
Cunningham,	King,	Solether,
Davio,	Knight,	Stamm,
DeFrees,	Kramer,	Stevens,
Donahy,	Lambert,	Stewart,
Dunn,	Lampson,	Stilwell,
Dwyer,	Leete,	Stokes,
Earnhart,	Longstreth,	Taggart,
Evans,	Ludey,	Tallman,
Fess,	Marshall,	Tannehill,
FitzSimons,	Mauck,	Tetlow,
Fluke,	Miller, Crawford,	Thomas,
Hahn,	Miller, Fairfield,	Wagner,
Halenkamp,	Miller, Ottawa,	Winn,
Harbarger,	Moore,	Wise,
Harris, Ashtabula,	Nye,	Woods,
Harris, Hamilton,		

Those who voted in the negative are:

Brattain,	Dunlap,	Malin,
Brown, Highland,	Fox,	Okey,
Brown, Pike,	Halfhill,	Watson.
Collett,	Kerr,	

So the proposal finally passed.

Report of Committee on Arrangement and Phraseology.

Mr. DOTY: The next is Proposal No. 100. There are some amendments:

In line 12 strike out "No. 1" and add period after "Schedule."

In line 13 change semi-colon and insert comma and change "that" to "That".

Strike out all after "that" and all of line 14 up to "be" and insert: "if the amendment to article IV, section 1, 2 and 6".

In line 16 change "proposal" to "amendment".

The PRESIDENT PRO TEM: The question is upon agreeing to the amendments reported by the committee.

Mr. HOSKINS: This is Proposal No. 100 and it seems to be different from what I thought it was. I would like to hear some explanation.

The SECRETARY: That change was put in on the third reading and the committee on Phraseology did not make any change in that.

The amendments were agreed to.

The question being "Shall Proposal No. 100 finally pass?"

The yeas and nays were taken, and resulted — yeas 93, nays 2, as follows:

Those who voted in the affirmative are:

Anderson,	Halfhill,	Partington,
Antrim,	Harbarger,	Peck,
Baum,	Harris, Ashtabula,	Peters,
Beatty, Morrow,	Harris, Hamilton,	Pettit,
Beyer,	Harter, Huron,	Pierce,
Brattain,	Henderson,	Read,
Brown, Highland,	Hoffman,	Redington,
Brown, Lucas,	Holtz,	Riley,
Brown, Pike,	Hoskins,	Rockel,
Campbell,	Hursh,	Roehm,
Collett,	Johnson, Williams,	Rorick,
Colton,	Jones,	Shaffer,
Cordes,	Kehoe,	Shaw,
Crites,	Kerr,	Smith, Geauga,
Crosser,	Kilpatrick,	Smith, Hamilton,
Cunningham,	King,	Solether,
DeFrees,	Knight,	Stamm,
Donahay,	Kramer,	Stevens,
Doty,	Kunkel,	Stewart,
Dunlap,	Lampson,	Stilwell,
Dunn,	Leete,	Stokes,
Dwyer,	Longstreth,	Taggart,
Earnhart,	Ludey,	Tallman,
Eby,	Malin,	Tannehill,
Fackler,	Marshall,	Tetlow,
Fess,	Mauck,	Ulmer,
FitzSimons,	McClelland,	Wagner,
Fluke,	Miller, Ottawa,	Watson,
Fox,	Moore,	Winn,
Hahn,	Nye,	Wise,
Halenkamp,	Okey,	Woods.

Mr. Davio and Mr. Evans voted in the negative.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 118 and we have the following amendment:

In title strike out all after dash and insert: "To extend state bond limit to fifty million dollars for inter-county wagon roads."

The amendment was agreed to.

The question being "Shall proposal No. 118 finally pass?"

The yeas and nays were taken, and resulted — yeas 78, nays 21, as follows:

Those who voted in the affirmative are:

Antrim,	Harris, Ashtabula,	Peck,
Beatty, Morrow,	Harris, Hamilton,	Peters,
Beyer,	Harter, Huron,	Pettit,
Bowdle,	Henderson,	Read,
Brown, Highland,	Hoffman,	Redington,
Brown, Lucas,	Holtz,	Riley,
Brown, Pike,	Johnson, Madison,	Rockel,
Campbell,	Kerr,	Roehm,
Collett,	Kilpatrick,	Rorick,
Colton,	King,	Shaffer,
Crites,	Knight,	Shaw,
Crosser,	Kramer,	Smith, Geauga,
Cunningham,	Lambert,	Stamm,
Davio,	Lampson,	Stevens,
Doty,	Leete,	Stewart,
Dunlap,	Longstreth,	Stilwell,
Dunn,	Ludey,	Stokes,
Dwyer,	Malin,	Taggart,
Earnhart,	Marshall,	Tallman,
Eby,	Matthews,	Tannehill,
Farrell,	McClelland,	Tetlow,
Fess,	Miller, Crawford,	Thomas,
FitzSimons,	Miller, Fairfield,	Ulmer,
Fox,	Miller, Ottawa,	Watson,
Hahn,	Nye,	Winn,
Halfhill,	Okey,	Wise.

Those who voted in the negative are:

Baum,	Harbarger,	Mauck,
Brattain,	Hoskins,	Moore,
DeFrees,	Hursh,	Norris,
Donahay,	Johnson, Williams,	Partington,
Evans,	Jones,	Pierce,
Fluke,	Kehoe,	Solether,
Halenkamp,	Kunkel,	Woods.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 122 and there is no change.

The question being "Shall Proposal No. 122 finally pass?"

The yeas and nays were taken, and resulted—yeas 87, nays 8, as follows:

Those who voted in the affirmative are:

Anderson,	Halfhill,	Okey,
Antrim,	Harbarger,	Peck,
Baum,	Harris, Hamilton,	Pettit,
Beatty, Morrow,	Harter, Huron,	Pierce,
Beyer,	Henderson,	Price,
Bowdle,	Hoffman,	Redington,
Brown, Highland,	Hoskins,	Riley,
Brown, Lucas,	Hursh,	Rockel,
Cody,	Jones,	Roehm,
Colton,	Kehoe,	Rorick,
Cordes,	Kerr,	Shaffer,
Crites,	Kilpatrick,	Shaw,
Crosser,	King,	Smith, Geauga,
Davio,	Kramer,	Smith, Hamilton,
DeFrees,	Kunkel,	Stamm,
Doty,	Lambert,	Stevens,
Dunlap,	Lampson,	Stewart,
Dunn,	Leete,	Stilwell,
Dwyer,	Longstreth,	Stokes,
Earnhart,	Ludey,	Taggart,
Eby,	Malin,	Tallman,
Evans,	Marshall,	Tetlow,
Farrell,	Matthews,	Thomas,
Fess,	McClelland,	Ulmer,
FitzSimons,	Miller, Fairfield,	Wagner,
Fluke,	Miller, Ottawa,	Watson,
Fox,	Moore,	Winn,
Hahn,	Norris,	Wise,
Halenkamp,	Nye,	Woods.

Report of Committee on Arrangement and Phraseology.

Those who voted in the negative are:

Brattain,	Collett,	Johnson, Williams,
Brown, Pike,	Harris, Ashtabula,	Solether.
Campbell,	Holtz,	

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 134 and there is no change.

The question being "Shall Proposal No. 134 finally pass?"

The yeas and nays were taken, and resulted — yeas 88, nays 9, as follows:

Those who voted in the affirmative are:

Anderson,	Harbarger,	Moore,
Antrim,	Harris, Ashtabula,	Okey,
Baum,	Harris, Hamilton,	Peck,
Beyer,	Harter, Huron,	Pierce,
Bowdle,	Henderson,	Read,
Brown, Highland,	Hoffman,	Redington,
Brown, Lucas,	Hoskins,	Riley,
Cody,	Hursh,	Rockel,
Colton,	Johnson, Madison,	Roehm,
Cordes,	Johnson, Williams,	Rorick,
Crites,	Jones,	Shaffer,
Crosser,	Kehoe,	Shaw,
Davio,	Kerr,	Smith, Geauga,
DeFrees,	Kilpatrick,	Smith, Hamilton,
Donahey,	King,	Stamm,
Doty,	Kramer,	Stevens,
Dunlap,	Kunkel,	Stewart,
Dunn,	Lambert,	Stilwell,
Dwyer,	Lampson,	Stokes,
Earnhart,	Leete,	Tallman,
Eby,	Longstreth,	Tannehill,
Evans,	Ludey,	Tetlow,
Farrell,	Malin,	Thomas,
Fess,	Marshall,	Ulmer,
FitzSimons,	Matthews,	Watson,
Fluke,	Mauck,	Winn,
Fox,	McClelland,	Wise,
Hahn,	Miller, Crawford,	Woods,
Halenkamp,	Miller, Ottawa,	Mr. President.
Halfhill,		

Those who voted in the negative are:

Beatty, Morrow,	Cunningham,	Nye,
Brattain,	Holtz,	Pettit,
Campbell,	Norris,	Solether.

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 151 and there are no amendments.

The president resumed the chair.

The question being "Shall Proposal No. 151 finally pass?"

The yeas and nays were taken, and resulted — yeas 88, nays 14, as follows:

Those who voted in the affirmative are:

Anderson,	DeFrees,	Harris, Ashtabula,
Antrim,	Donahey,	Harris, Hamilton,
Baum,	Doty,	Harter, Huron,
Beatty, Morrow,	Dunlap,	Henderson,
Beyer,	Dwyer,	Hoffman,
Bowdle,	Earnhart,	Holtz,
Brattain,	Eby,	Hoskins,
Brown, Highland,	Evans,	Hursh,
Brown, Lucas,	Farrell,	Johnson, Williams,
Brown, Pike,	Fess,	Jones,
Campbell,	FitzSimons,	Kehoe,
Collett,	Fluke,	Keller,
Colton,	Fox,	Kerr,
Cordes,	Hahn,	King,
Crites,	Halenkamp,	Knight,
Crosser,	Halfhill,	Kramer,
Davio,	Harbarger,	Kunkel,

Lambert,	Nye,	Smith, Geauga,
Lampson,	Okey,	Smith, Hamilton,
Leete,	Partington,	Stamm,
Longstreth,	Peck,	Stilwell,
Ludey,	Pierce,	Stokes,
Malin,	Redington,	Tallman,
Marshall,	Riley,	Tetlow,
McClelland,	Rockel,	Thomas,
Miller, Crawford,	Roehm,	Ulmer,
Miller, Ottawa,	Rorick,	Winn,
Moore,	Shaffer,	Wise,
Norris,	Shaw,	Woods,
		Mr. President.

Those who voted in the negative are:

Cunningham,	Pettit,	Stewart,
Dunn,	Read,	Tannehill,
Kilpatrick,	Solether,	Wagner,
Miller, Fairfield,	Stevens,	Watson.
Peters,		

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 163 and there are no amendments.

Mr. KNIGHT: The committee should have reported back the word "of" in line 7 after the word "boards", "Members of boards of, or to positions in." I offer the following amendment:

The amendment was read as follows:

In line 7 after the word "boards" and before the comma insert the word "of".

In line 8 insert a comma after the word "in".

The amendment was agreed to.

The question being "Shall Proposal No. 163 finally pass?"

The yeas and nays were taken, and resulted — yeas 97, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Nye,
Antrim,	Harter, Huron,	Okey,
Baum,	Henderson,	Partington,
Beatty, Morrow,	Hoffman,	Peters,
Beyer,	Holtz,	Pettit,
Brattain,	Hoskins,	Pierce,
Brown, Highland,	Hursh,	Read,
Brown, Lucas,	Johnson, Williams,	Redington,
Campbell,	Jones,	Riley,
Collett,	Keller,	Rockel,
Colton,	Kerr,	Roehm,
Crites,	Kilpatrick,	Rorick,
Crosser,	King,	Shaffer,
Cunningham,	Knight,	Shaw,
DeFrees,	Kramer,	Smith, Geauga,
Donahey,	Kunkel,	Smith, Hamilton,
Doty,	Lambert,	Solether,
Dunlap,	Lampson,	Stevens,
Dunn,	Leete,	Stewart,
Dwyer,	Leslie,	Stilwell,
Earnhart,	Longstreth,	Stokes,
Elson,	Ludey,	Taggart,
Evans,	Malin,	Tannehill,
Farrell,	Marshall,	Tetlow,
Fess,	Matthews,	Thomas,
FitzSimons,	Mauck,	Ulmer,
Fluke,	McClelland,	Wagner,
Fox,	Miller, Crawford,	Watson,
Hahn,	Miller, Fairfield,	Winn,
Halenkamp,	Miller, Ottawa,	Wise,
Halfhill,	Moore,	Woods,
Harbarger,	Norris,	Mr. President.
Harris, Ashtabula,		

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 166 and there are no amendments.

Report of Committee on Arrangement and Phraseology.

The question being "Shall Proposal No. 166 finally pass?"

The yeas and nays were taken, and resulted — yeas 99, nays 1, as follows:

Those who voted in the affirmative are:

- | | | |
|------------------|--------------------|------------------|
| Anderson, | Harris, Ashtabula, | Partington, |
| Antrim, | Harter, Huron, | Peck, |
| Baum, | Henderson, | Peters, |
| Beyer, | Hoffman, | Pettit, |
| Bowdle, | Holtz, | Pierce, |
| Brown, Highland, | Hoskins, | Read, |
| Brown, Lucas, | Hursh, | Redington, |
| Campbell, | Johnson, Madison, | Riley, |
| Cody, | Johnson, Williams, | Rockel, |
| Collett, | Jones, | Roehm, |
| Colton, | Kehoe, | Rorick, |
| Cordes, | Keller, | Shaffer, |
| Crites, | Kerr, | Shaw, |
| Crosser, | Kilpatrick, | Smith, Geauga, |
| Cunningham, | Knight, | Smith, Hamilton, |
| Davio, | Kramer, | Solether, |
| DeFrees, | Kunkel, | Stamm, |
| Donahey, | Lambert, | Stevens, |
| Dunlap, | Lampson, | Stewart, |
| Dunn, | Leete, | Stilwell, |
| Dwyer, | Longstreth, | Stokes, |
| Earnhart, | Ludey, | Taggart, |
| Eby, | Malin, | Tallman, |
| Evans, | Marshall, | Tannehill, |
| Farrell, | Matthews, | Tetlow, |
| Fess, | Mauck, | Thomas, |
| FitzSimons, | McClelland, | Ulmer, |
| Fluke, | Miller, Crawford, | Wagner, |
| Fox, | Miller, Fairfield, | Watson, |
| Hahn, | Miller, Ottawa, | Winn, |
| Halenkamp, | Moore, | Wise, |
| Halfhill, | Nye, | Woods, |
| Harbarger, | Okey, | Mr. President. |

Mr. Brattain voted in the negative.

So the proposal finally passed.

Mr. DOTY: Proposal No. 169, no amendments.

Proposal No. 169 was next considered.

The question being "Shall Proposal No. 169 finally pass?"

The yeas and nays were taken, and resulted—yeas 84, nays 17, as follows:

Those who voted in the affirmative are:

- | | | |
|------------------|--------------------|------------------|
| Anderson, | Harbarger, | Nye, |
| Antrim, | Harris, Ashtabula, | Peck, |
| Baum, | Harris, Hamilton, | Peters, |
| Beatty, Morrow, | Harter, Huron, | Pierce, |
| Beyer, | Henderson, | Read, |
| Bowdle, | Hoffman, | Redington, |
| Brown, Highland, | Holtz, | Rockel, |
| Brown, Lucas, | Hoskins, | Roehm, |
| Campbell, | Hursh, | Rorick, |
| Cody, | Johnson, Madison, | Shaffer, |
| Colton, | Johnson, Williams, | Shaw, |
| Cordes, | Jones, | Smith, Geauga, |
| Crites, | Kehoe, | Smith, Hamilton, |
| Crosser, | Kerr, | Solether, |
| Cunningham, | Kilpatrick, | Stamm, |
| Dunlap, | King, | Stevens, |
| Dunn, | Knight, | Stewart, |
| Dwyer, | Kramer, | Stilwell, |
| Earnhart, | Lambert, | Stokes, |
| Eby, | Leete, | Taggart, |
| Evans, | Longstreth, | Tallman, |
| Farrell, | Matthews, | Tannehill, |
| Fess, | Mauck, | Tetlow, |
| FitzSimons, | McClelland, | Thomas, |
| Fox, | Miller, Crawford, | Ulmer, |
| Hahn, | Miller, Fairfield, | Wagner, |
| Halenkamp, | Miller, Ottawa, | Winn, |
| Halfhill, | Moore, | Mr. President. |

Those who voted in the negative are:

- | | | |
|--------------|-------------|---------|
| Brattain, | Ludey, | Pettit, |
| Brown, Pike, | Malin, | Riley, |
| Davio, | Marshall, | Watson, |
| Donahey, | Norris, | Wise, |
| Fluke, | Okey, | Woods. |
| Keller, | Partington, | |

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 170 and there are amendments to that:

In line 34 strike out "(50)".

In line 42 strike out "the".

In lines 42 and 43 change "collection" to "collecting".

In line 43 strike out "of".

In line 44 insert "to" before "provide".

The amendments were agreed to.

The question being "Shall Proposal No. 170 finally pass?"

The yeas and nays were taken, and resulted—yeas 73, nays 32, as follows:

Those who voted in the affirmative are:

- | | | |
|------------------|--------------------|-----------------|
| Anderson, | Harris, Ashtabula, | Miller, Ottawa, |
| Baum, | Harter, Huron, | Moore, |
| Beatty, Morrow, | Henderson, | Norris, |
| Beyer, | Holtz, | Okey, |
| Brown, Highland, | Hursh, | Partington, |
| Brown, Lucas, | Johnson, Madison, | Peters, |
| Brown, Pike, | Jones, | Pettit, |
| Cody, | Kehoe, | Pierce, |
| Collett, | Keller, | Price, |
| Colton, | Kerr, | Rockel, |
| Crites, | Kilpatrick, | Roehm, |
| Crosser, | King, | Shaw, |
| Cunningham, | Kramer, | Smith, Geauga, |
| DeFrees, | Kunkel, | Solether, |
| Donahey, | Lambert, | Stewart, |
| Dunlap, | Lampson, | Stokes, |
| Dunn, | Leete, | Tannehill, |
| Dwyer, | Longstreth, | Tetlow, |
| Earnhart, | Ludey, | Thomas, |
| Eby, | Marshall, | Wagner, |
| Farnsworth, | Mauck, | Watson, |
| Fess, | McClelland, | Winn, |
| Fluke, | Miller, Crawford, | Wise, |
| Fox, | Miller, Fairfield, | Woods. |
| Harbarger, | | |

Those who voted in the negative are:

- | | | |
|-------------|--------------------|------------------|
| Antrim, | Halfhill, | Redington, |
| Bowdle, | Harris, Hamilton, | Riley, |
| Brattain, | Hoffman, | Rorick, |
| Campbell, | Hoskins, | Shaffer, |
| Cordes, | Johnson, Williams, | Smith, Hamilton, |
| Davio, | Knight, | Stamm, |
| Doty, | Malin, | Stevens, |
| Evans, | Matthews, | Stilwell, |
| FitzSimons, | Nye, | Ulmer, |
| Hahn, | Peck, | Mr. President. |
| Halenkamp, | Read, | |

So the proposal finally passed.

Mr. DOTY: The next is Proposal No. 184 and there are no amendments.

The question being "Shall Proposal No. 184 finally pass?"

The yeas and nays were taken, and resulted—yeas 93, nays 6, as follows:

Those who voted in the affirmative are:

- | | | |
|-----------|-----------------|------------------|
| Anderson, | Beatty, Morrow, | Brown, Highland, |
| Antrim, | Beyer, | Brown, Lucas, |
| Baum, | Bowdle, | Brown, Pike, |

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Cody,	Holtz,	Peters,
Colton,	Hoskins,	Pettit,
Cordes,	Hursh,	Pierce,
Crites,	Johnson, Madison,	Read,
Crosser,	Jones,	Redington,
Davio,	Kehoe,	Riley,
DeFrees,	Keller,	Rockel,
Donahey,	Kerr,	Roehm,
Doty,	Kilpatrick,	Rorick,
Dunlap,	King,	Shaw,
Dunn,	Knight,	Smith, Geauga,
Dwyer,	Kramer,	Smith, Hamilton,
Earnhart,	Kunkel,	Solether,
Eby,	Lambert,	Stamm,
Farrell,	Lampson,	Stevens,
Fess,	Leete,	Stewart,
FitzSimons,	Longstreth,	Stilwell,
Fluke,	Ludey,	Stokes,
Fox,	Malin,	Taggart,
Hahn,	Marshall,	Tetlow,
Halenkamp,	Matthews,	Thomas,
Halfhill,	Miller, Crawford,	Ulmer,
Harbarger,	Miller, Fairfield,	Wagner,
Harris, Ashtabula,	Miller, Ottawa,	Watson,
Harris, Hamilton,	Moore,	Winn,
Harter, Huron,	Okey,	Wise,
Henderson,	Partington,	Woods,
Hoffman,	Peck,	Mr. President.

Those who voted in the negative are:

Brattain,	Evans,	Norris,
Campbell,	Johnson, Williams,	Nye.

So the proposal finally passed.

On motion of Mr. Stokes the Convention recessed until 1:30 o'clock p. m.

AFTERNOON SESSION.

1:30 o'clock p. m.

The Convention met pursuant to recess and was called to order by the president.

Proposal No. 209 was then considered.

The question being "Shall Proposal No. 209 finally pass?"

The yeas and nays were taken, and resulted—yeas 78, nays 2, as follows:

Those who voted in the affirmative are:

Anderson,	Harbarger,	Pierce,
Antrim,	Harris, Ashtabula,	Redington,
Beatty, Morrow,	Harris, Hamilton,	Riley,
Beyer,	Harter, Huron,	Rockel,
Bowdle,	Hoffman,	Roehm,
Brown, Highland,	Hoskins,	Rorick,
Brown, Lucas,	Hursh,	Shaffer,
Campbell,	Johnson, Madison,	Smith, Geauga,
Colton,	Johnson, Williams,	Smith, Hamilton,
Cordes,	Jones,	Stalter,
Crites,	Kerr,	Stamm,
Crosser,	Kilpatrick,	Stevens,
Davio,	King,	Stilwell,
Donahey,	Knight,	Stokes,
Dunlap,	Kramer,	Taggart,
Dunn,	Kunkel,	Tallman,
Dwyer,	Lambert,	Tannehill,
Earnhart,	Lampson,	Tetlow,
Farrell,	Ludey,	Thomas,
Fess,	Malin,	Ulmer,
FitzSimons,	Miller, Crawford,	Wagner,
Fluke,	Moore,	Watson,
Fox,	Nye,	Winn,
Hahn,	Okey,	Wise,
Halenkamp,	Peck,	Woods,
Halfhill,	Pettit,	Mr. President.

Mr. McClelland and Mr. Miller, of Ottawa, voted in the negative.

So the proposal finally passed.

Proposal No. 212 was then considered.

The question being "Shall Proposal No. 212 finally pass?"

The yeas and nays were taken, and resulted—yeas 88, nays 1, as follows:

Those who voted in the affirmative are:

Anderson,	Hoffman,	Pettit,
Antrim,	Hoskins,	Pierce,
Baum,	Hursh,	Price,
Beatty, Morrow,	Johnson, Madison,	Read,
Beyer,	Johnson, Williams,	Redington,
Brown, Highland,	Jones,	Riley,
Brown, Lucas,	Kehoe,	Rockel,
Brown, Pike,	Keller,	Roehm,
Campbell,	Kerr,	Rorick,
Cody,	Kilpatrick,	Shaffer,
Collett,	King,	Smith, Geauga,
Colton,	Knight,	Smith, Hamilton,
Cordes,	Kramer,	Stalter,
Crosser,	Kunkel,	Stamm,
Cunningham,	Lambert,	Stevens,
Donahey,	Lampson,	Stewart,
Doty,	Leete,	Stilwell,
Dunlap,	Longstreth,	Stokes,
Dunn,	Ludey,	Taggart,
Earnhart,	Malin,	Tallman,
Fess,	Mauck,	Tannehill,
FitzSimons,	McClelland,	Tetlow,
Fox,	Miller, Crawford,	Thomas,
Hahn,	Miller, Ottawa,	Ulmer,
Halenkamp,	Moore,	Wagner,
Halfhill,	Nye,	Watson,
Harbarger,	Okey,	Winn,
Harris, Ashtabula,	Partington,	Wise,
Harter, Huron,	Peck,	Mr. President.
Henderson,		

Mr. Woods voted in the negative.

So the proposal finally passed.

Proposal No. 236 was then considered.

The question being "Shall Proposal No. 236 finally pass?"

The yeas and nays were taken, and resulted—yeas 98, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Hahn,	Matthews,
Antrim,	Halenkamp,	Mauck,
Baum,	Halfhill,	McClelland,
Beatty, Morrow,	Harbarger,	Miller, Crawford,
Beyer,	Harris, Ashtabula,	Miller, Fairfield,
Bowdle,	Harris, Hamilton,	Miller, Ottawa,
Brattain,	Harter, Huron,	Moore,
Brown, Highland,	Hoffman,	Norris,
Brown, Lucas,	Holtz,	Nye,
Brown, Pike,	Hursh,	Okey,
Campbell,	Johnson, Madison,	Partington,
Cody,	Johnson, Williams,	Peck,
Collett,	Jones,	Peters,
Colton,	Kehoe,	Pettit,
Cordes,	Keller,	Pierce,
Crites,	Kerr,	Price,
Crosser,	Kilpatrick,	Read,
Cunningham,	King,	Redington,
Donahey,	Kramer,	Riley,
Doty,	Kunkel,	Rockel,
Dunlap,	Lambert,	Roehm,
Dunn,	Lampson,	Rorick,
Earnhart,	Leete,	Shaffer,
Farrell,	Leslie,	Smith, Geauga,
Fess,	Longstreth,	Smith, Hamilton,
FitzSimons,	Ludey,	Stalter,
Fluke,	Malin,	Stamm,
Fox,	Marshall,	Stevens,

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Stewart,	Tannehill,	Winn,
Stilwell,	Tetlow,	Wise,
Stokes,	Thomas,	Woods,
Taggart,	Ulmer,	Mr. President.
Tallman,	Watson,	

So the proposal finally passed.
 Proposal No. 240 was then considered.

The question being "Shall Proposal No. 240 finally pass?"

The yeas and nays were taken, and resulted—yeas 80, nays 18, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Pettit,
Baum,	Harter, Huron,	Pierce,
Beyer,	Hoffman,	Price,
Bowdle,	Hursh,	Read,
Brown, Highland,	Johnson, Madison,	Röckel,
Brown, Lucas,	Johnson, Williams,	Roehm,
Cody,	Jones,	Shaffer,
Colton,	Kehoe,	Smith, Geauga,
Cordes,	Keller,	Stalter,
Crosser,	Kerr,	Stamm,
Davio,	Kilpatrick,	Stevens,
DeFrees,	King,	Stewart,
Donahey,	Kunkel,	Stilwell,
Doty,	Lampson,	Stokes,
Dunn,	Leete,	Taggart,
Dwyer,	Longstreth,	Tallman,
Earnhart,	Ludey,	Tannehill,
Farrell,	Marshall,	Tetlow,
Fess,	Matthews,	Thomas,
FitzSimons,	Mauck,	Ulmer,
Fluke,	Miller, Crawford,	Wagner,
Fox,	Miller, Fairfield,	Watson,
Hahn,	Miller, Ottawa,	Winn,
Halenkamp,	Moore,	Wise,
Halfhill,	Nye,	Woods,
Harbarger,	Okey,	Mr. President.
Harris, Ashtabula,	Peck,	

Those who voted in the negative are:

Antrim,	Crites,	Norris,
Beatty, Morrow,	Cunningham,	Partington,
Brattain,	Dunlap,	Redington,
Brown, Pike,	Holtz,	Riley,
Campbell,	Kramer,	Rorick,
Collett,	Malin,	Smith, Hamilton.

So the proposal finally passed.
 Proposal No. 241 was then considered.

The question being "Shall Proposal No. 241 finally pass?"

The yeas and nays were taken, and resulted—yeas 96, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Dunn,	Kerr,
Antrim,	Earnhart,	Kilpatrick,
Baum,	Fess,	King,
Beatty, Morrow,	FitzSimons,	Knight,
Beyer,	Fluke,	Kramer,
Powdle,	Fox,	Kunkel,
Brattain,	Hahn,	Leete,
Brown, Highland,	Halenkamp,	Leslie,
Brown, Lucas,	Halfhill,	Longstreth,
Brown, Pike,	Harbarger,	Ludey,
Campbell,	Harris, Ashtabula,	Malin,
Cody,	Harris, Hamilton,	Marshall,
Collett,	Harter, Huron,	Matthews,
Colton,	Hoffman,	Mauck,
Cordes,	Holtz,	McClelland,
Crites,	Hoskins,	Miller, Crawford,
Crosser,	Hursh,	Miller, Fairfield,
Cunningham,	Johnson, Madison,	Miller, Ottawa,
DeFrees,	Johnson, Williams,	Moore,
Donahey,	Jones,	Norris,
Dunlap,	Kehoe,	Nye,

Okey,	Rorick,	Taggart,
Partington,	Shaffer,	Tallman,
Peck,	Smith, Geauga,	Tetlow,
Peters,	Smith, Hamilton,	Thomas,
Pettit,	Solether,	Ulmer,
Pierce,	Stalter,	Wagner,
Price,	Stamm,	Watson,
Redington,	Stevens,	Winn,
Riley,	Stewart,	Wise,
Röckel,	Stilwell,	Woods,
Roehm,	Stokes,	Mr. President.

So the proposal finally passed.
 Proposal No. 242 was then considered.

The question being "Shall Proposal No. 242 finally pass?"

The yeas and nays were taken, and resulted—yeas 94, nays 5, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Partington,
Antrim,	Harter, Huron,	Peck,
Baum,	Harter, Stark,	Peters,
Beatty, Morrow,	Hoffman,	Pierce,
Beyer,	Holtz,	Price,
Bowdle,	Hursh,	Read,
Brown, Highland,	Johnson, Madison,	Redington,
Brown, Lucas,	Johnson, Williams,	Riley,
Campbell,	Jones,	Röckel,
Cody,	Kehoe,	Roehm,
Colton,	Keller,	Rorick,
Cordes,	Kilpatrick,	Shaffer,
Crites,	Knight,	Smith, Geauga,
Crosser,	Kramer,	Smith, Hamilton,
Cunningham,	Kunkel,	Solether,
Davio,	Lambert,	Stalter,
DeFrees,	Lampson,	Stamm,
Donahey,	Leete,	Stevens,
Doty,	Leslie,	Stewart,
Dunlap,	Longstreth,	Stilwell,
Dunn,	Ludey,	Stokes,
Dwyer,	Marshall,	Tallman,
Earnhart,	Matthews,	Tannehill,
Farrell,	Mauck,	Tetlow,
Fess,	McClelland,	Thomas,
FitzSimons,	Miller, Crawford,	Ulmer,
Fluke,	Miller, Fairfield,	Watson,
Fox,	Miller, Ottawa,	Winn,
Hahn,	Moore,	Wise,
Halenkamp,	Nye,	Woods,
Halfhill,	Okey,	Mr. President.
Harris, Ashtabula,		

Those who voted in the negative are: Bowdle, Brown, of Pike, Collett, Harbarger, Norris.

So the proposal finally passed.

Proposal No. 249 was then considered.

The question being "Shall Proposal No. 249 finally pass?"

The yeas and nays were taken, and resulted—yeas 74, nays 24, as follows:

Those who voted in the affirmative are:

Anderson,	Earnhart,	Kehoe,
Antrim,	Fess,	Kilpatrick,
Baum,	FitzSimons,	Knight,
Beatty, Morrow,	Fluke,	Kramer,
Beyer,	Fox,	Kunkel,
Bowdle,	Hahn,	Lambert,
Brown, Lucas,	Halenkamp,	Lampson,
Colton,	Halfhill,	Leete,
Cordes,	Harbarger,	Leslie,
Crites,	Harris, Hamilton,	Longstreth,
Crosser,	Harter, Huron,	Marshall,
Davio,	Hoffman,	McClelland,
Donahey,	Holtz,	Miller, Crawford,
Doty,	Hoskins,	Miller, Fairfield,
Dunn,	Hursh,	Moore,
Dwyer,	Jones,	Okey,

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Peters,	Stamm,	Ulmer,
Pettit,	Stevens,	Wagner,
Pierce,	Stewart,	Walker,
Redington,	Stilwell,	Watson,
Roehm,	Stokes,	Winn,
Shaffer,	Tarrant,	Wise,
Smith, Geauga,	Tannehill,	Woods,
Smith, Hamilton,	Tetlow,	Mr. President.
Solether,	Thomas,	

Those who voted in the negative are:

Brattain,	Keller,	Nye,
Campbell,	King,	Partington,
Cody,	Ludey,	Peck,
Collett,	Malin,	Price,
Cunningham,	Matthews,	Riley,
Dunlap,	Mauck,	Rockel,
Johnson, Madison,	Miller, Ottawa,	Rorick,
Johnson, Williams,	Norris,	Tallman.

So the proposal finally passed.

Proposal No. 252 was then considered.

The question being "Shall Proposal No. 252 finally pass?"

The yeas and nays were taken, and resulted—yeas 88, nays 6, as follows:

Those who voted in the affirmative are:

Anderson,	Harter, Huron,	Partington,
Baum,	Harter, Stark,	Peck,
Beatty, Morrow,	Hoffman,	Peters,
Beyer,	Holtz,	Pettit,
Bowdle,	Hoskins,	Pierce,
Brown, Lucas,	Johnson, Madison,	Price,
Brown, Pike,	Johnson, Williams,	Redington,
Campbell,	Jones,	Rockel,
Cody,	Kehoe,	Roehm,
Cordes,	Keller,	Rorick,
Crites,	Kilpatrick,	Shaffer,
Crosser,	Knight,	Smith, Geauga,
DeFrees,	Kunkel,	Smith, Hamilton,
Donahy,	Lambert,	Stalter,
Dunn,	Lampson,	Stamm,
Dwyer,	Leete,	Stewart,
Earnhart,	Leslie,	Stokes,
Eby,	Longstreth,	Taggart,
Farnsworth,	Ludey,	Tallman,
Farrell,	Malin,	Tannehill,
Fess,	Marshall,	Tetlow,
FitzSimons,	Matthews,	Thomas,
Fluke,	Mauck,	Ulmer,
Fox,	McClelland,	Wagner,
Hahn,	Miller, Fairfield,	Walker,
Halenkamp,	Miller, Ottawa,	Watson,
Halfhill,	Norris,	Winn,
Harbarger,	Nye,	Wise,
Harris, Ashtabula,	Okey,	Mr. President.
Harris, Hamilton,		

Those who voted in the negative are: Antrim, Brattain, Brown, of Highland, Dunlap, Stevens, Woods.

So the proposal finally passed.

Proposal No. 261 was then considered.

The question being "Shall Proposal No. 261 finally pass?"

The yeas and nays were taken, and resulted—yeas 104, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Campbell,	DeFrees,
Antrim,	Cody,	Doty,
Baum,	Collett,	Dunlap,
Beatty, Morrow,	Colton,	Dunn,
Beyer,	Cordes,	Dwyer,
Brattain,	Crites,	Earnhart,
Brown, Highland,	Crosser,	Evans,
Brown, Lucas,	Cunningham,	Farnsworth,
Brown, Pike,	Davio,	Farrell,

Fess,	Kunkel,	Riley,
FitzSimons,	Lambert,	Rockel,
Fluke,	Lampson,	Roehm,
Fox,	Leete,	Rorick,
Hahn,	Leslie,	Shaffer,
Halenkamp,	Longstreth,	Smith, Geauga,
Halfhill,	Ludey,	Smith, Hamilton,
Harbarger,	Marshall,	Solether,
Harris, Ashtabula,	Matthews,	Stalter,
Harris, Hamilton,	Mauck,	Stamm,
Harter, Huron,	McClelland,	Stevens,
Harter, Stark,	Miller, Crawford,	Stewart,
Hoffman,	Miller, Fairfield,	Stilwell,
Holtz,	Miller, Ottawa,	Stokes,
Hoskins,	Moore,	Taggart,
Hursh,	Norris,	Tallman,
Johnson, Madison,	Nye,	Tannehill,
Johnson, Williams,	Okey,	Tetlow,
Jones,	Partington,	Thomas,
Kehoe,	Peck,	Ulmer,
Keller,	Peters,	Walker,
Kerr,	Pettit,	Watson,
Kilpatrick,	Pierce,	Winn,
King,	Price,	Wise,
Knight,	Read,	Mr. President.
Kramer,	Redington,	

So the proposal finally passed.

Proposal No. 272 was then considered.

The following amendments to Proposal No. 272 were read.

In line 10 strike out the words "The general assembly shall by general laws," and in lieu thereof insert, "General laws shall be passed to".

In lines 11 and 12 strike out the words "and it may also pass additional laws" and in lieu thereof insert, "and additional laws may also be passed".

In line 106 strike out the words "The general assembly shall have authority" and in lieu thereof insert, "Laws may be passed".

After line 115 insert:

SCHEDULE.

Resolved further, That if the foregoing amendment to the constitution be adopted by the electors and becomes a part of the constitution, it shall take effect on November 15, 1912.

The foregoing amendments were agreed to.

The question being "Shall Proposal No. 272 finally pass?"

The yeas and nays were taken, and resulted—yeas 95, nays 8, as follows:

Those who voted in the affirmative are:

Anderson,	Farrell,	Kerr,
Antrim,	Fess,	Kilpatrick,
Baum,	FitzSimons,	King,
Beatty, Morrow,	Fluke,	Knight,
Beyer,	Fox,	Kramer,
Bowdle,	Hahn,	Kunkel,
Brown, Higland,	Halenkamp,	Lambert,
Brown, Lucas,	Halfhill,	Lampson,
Brown, Pike,	Harbarger,	Leete,
Colton,	Harris, Ashtabula,	Leslie,
Cordes,	Harter, Huron,	Longstreth,
Crites,	Harter, Stark,	Ludey,
Crosser,	Hoffman,	Malin,
Davio,	Holtz,	Marshall,
DeFrees,	Hoskins,	Mauck,
Doty,	Hursh,	McClelland,
Dunn,	Johnson, Madison,	Miller, Crawford,
Dwyer,	Johnson, Williams,	Miller, Ottawa,
Earnhart,	Jones,	Moore,
Elson,	Kehoe,	Nye,
Farnsworth,	Keller,	Okey,

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Partington,	Rorick,	Tetlow,
Peck,	Shaffer,	Thomas,
Peters,	Smith, Geauga,	Ulmer,
Pettit,	Smith, Hamilton,	Wagner,
Pierce,	Stalter,	Walker,
Price,	Stamm,	Watson,
Read,	Stevens,	Winn,
Redington,	Stilwell,	Wise,
Riley,	Stokes,	Woods,
Rockel,	Tallman,	Mr. President.
Roehm,	Tannehill,	

Those who voted in the negative are:

Brattain,	Dunlap,	Solether,
Campbell,	Mathews,	Stewart.
Cunningham,	Norris,	

So the proposal finally passed:

Proposal No. 304 was then considered.

The following amendments to Proposal No. 304 were read:

- Eliminate the paragraph in lines 19 and 20.
- In line 21 strike out comma.
- In line 24 change "offices" to "officers".
- In line 26 insert a comma after "pleas".
- In line 28 strike out comma.
- Strike out all of line 41 after the period and all of lines 42, 43 and 44.
- At the end of the proposal add:

SCHEDULE.

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

The foregoing amendments were agreed to.

The question being "Shall Proposal No. 304 finally pass?"

The yeas and nays were taken, and resulted—yeas 88, nays 9, as follows:

Those who voted in the affirmative are:

Anderson,	Fess,	Lampson,
Antrim,	FitzSimons,	Leslie,
Baum,	Fluke,	Longstreth,
Beatty, Morrow,	Hahn,	Ludey,
Beyer,	Halenkamp,	Marshall,
Bowdle,	Halfhill,	Mauck,
Brattain,	Harbarger,	McClelland,
Brown, Highland,	Harris, Hamilton,	Miller, Crawford,
Brown, Lucas,	Harter, Huron,	Miller, Fairfield,
Brown, Pike,	Hoffman,	Moore,
Campbell,	Holtz,	Norris,
Collett,	Hoskins,	Nye,
Colton,	Johnson, Madison,	Okey,
Cordes,	Jones,	Partington,
Crites,	Kehoe,	Peck,
Crosser,	Keller,	Peters,
Cunningham,	Kerr,	Pettit,
Davio,	Kilpatrick,	Pierce,
Donahey,	King,	Read,
Dunlap,	Knight,	Redington,
Dwyer,	Kramer,	Roehm,
Earnhart,	Kunkel,	Rockel,
Farnsworth,	Lambert,	Shaffer,

Shaw,	Stokes,	Walker,
Smith, Geauga,	Taggart,	Watson,
Smith, Hamilton,	Tannehill,	Winn,
Stalter,	Thomas,	Wise,
Stamm,	Ulmer,	Woods,
Stevens,	Wagner,	Mr. President.
Stilwell,		

Those who voted in the negative are:

Doty,	Hursh,	Miller, Ottawa,
Elson,	Johnson, Williams,	Riley,
Harris, Ashtabula,	Leete,	Stewart,

So the proposal finally passed.

Proposal No. 309 was then considered.

The question being "Shall Proposal No. 309 finally pass?"

The yeas and nays were taken, and resulted—yeas 98, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Hoffman,	Peck,
Antrim,	Holtz,	Peters,
Baum,	Hoskins,	Pettit,
Beatty, Morrow,	Hursh,	Pierce,
Bowdle,	Johnson, Madison,	Read,
Brattain,	Johnson, Williams,	Redington,
Brown, Highland,	Jones,	Riley,
Brown, Lucas,	Kehoe,	Rockel,
Brown, Pike,	Keller,	Roehm,
Campbell,	Kerr,	Rorick,
Cody,	Kilpatrick,	Shaffer,
Collett,	King,	Smith, Geauga,
Colton,	Knight,	Smith, Hamilton,
Cordes,	Kramer,	Solether,
Crites,	Kunkel,	Stalter,
Crosser,	Lambert,	Stamm,
Cunningham,	Lampson,	Stewart,
Davio,	Leete,	Stilwell,
Dunlap,	Leslie,	Stokes,
Dwyer,	Longstreth,	Taggart,
Earnhart,	Ludey,	Tallman,
Evans,	Marshall,	Tannehill,
Farnsworth,	Mathews,	Tetlow,
Farrell,	Mauck,	Thomas,
Fess,	McClelland,	Ulmer,
FitzSimons,	Miller, Crawford,	Wagner,
Fluke,	Miller, Fairfield,	Walker,
Hahn,	Miller, Ottawa,	Watson,
Halfhill,	Moore,	Winn,
Harbarger,	Norris,	Wise,
Harris, Ashtabula,	Nye,	Woods,
Harter, Huron,	Okey,	Mr. President.
Harter, Stark,	Partington,	

So the proposal finally passed.

Proposal No. 322 was then considered.

The question being "Shall Proposal No. 322 finally pass?"

The yeas and nays were taken, and resulted—yeas 83, nays 11, as follows:

Those who voted in the affirmative are:

Anderson,	Dunn,	Jones,
Antrim,	Dwyer,	Kehoe,
Baum,	Earnhart,	Keller,
Beatty, Morrow,	Evans,	Kilpatrick,
Beyer,	Farnsworth,	King,
Bowdle,	Farrell,	Knight,
Brown, Highland,	FitzSimons,	Kramer,
Brown, Lucas,	Fox,	Kunkel,
Collett,	Hahn,	Lambert,
Colton,	Halenkamp,	Lampson,
Crites,	Harbarger,	Leete,
Crosser,	Harter, Huron,	Leslie,
Davio,	Harter, Stark,	Longstreth,
DeFrees,	Hoffman,	Marshall,
Donahey,	Hursh,	Mauck,
Dunlap,	Johnson, Williams,	McClelland,

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Miller, Crawford,	Roehm,	Tallman,
Miller, Fairfield,	Rorick,	Tannehill,
Miller, Ottawa,	Shaffer,	Thomas,
Moore,	Smith, Geauga,	Ulmer,
Okey,	Smith, Hamilton,	Wagner,
Partington,	Solesher,	Walker,
Peck,	Stamm,	Watson,
Peters,	Stevens,	Winn,
Pettit,	Stewart,	Wise,
Price,	Stilwell,	Woods,
Riley,	Stokes,	Mr. President.
Rockel,	Taggart,	

Those who voted in the negative are:

Brattain,	Holtz,	Nye,
Campbell,	Hoskins,	Pierce,
Fluke,	Johnson, Madison,	Stalter.
Halfhill,	Mathews,	

So the proposal finally passed.

Proposal No. 329 was then considered.

The question being "Shall Proposal No. 329 finally pass?"

The yeas and nays were taken, and resulted—yeas 87, nays 14, as follows:

Those who voted in the affirmative are:

Anderson,	Harbarger,	Peck,
Antrim,	Harris, Ashtabula,	Peters,
Baum,	Harris, Hamilton,	Pettit,
Beatty, Morrow,	Harter, Huron,	Pierce,
Beyer,	Harter, Stark,	Price,
Bowdle,	Hoffman,	Redington,
Brown, Lucas,	Holtz,	Riley,
Campbell,	Hoskins,	Rockel,
Cody,	Hursh,	Roehm,
Colton,	Johnson, Madison,	Rorick,
Cordes,	Kerr,	Shaffer,
Crites,	Kilpatrick,	Shaw,
Crosser,	King,	Smith, Geauga,
Cunningham,	Knight,	Smith, Hamilton,
Davio,	Kramer,	Solesher,
Donahey,	Lambert,	Stamm,
Doty,	Lampson,	Stevens,
Dunn,	Leete,	Stilwell,
Dwyer,	Leslie,	Stokes,
Earnhart,	Ludey,	Taggart,
Evans,	Marshall,	Tallman,
Farrell,	Matthews,	Tannehill,
Fess,	Mauck,	Thomas,
FitzSimons,	McClelland,	Ulmer,
Fluke,	Miller, Crawford,	Wagner,
Fox,	Miller, Ottawa,	Walker,
Hahn,	Moore,	Watson,
Halenkamp,	Nye,	Winn,
Halfhill,	Okey,	Wise,
		Woods,
		Mr. President.

Those who voted in the negative are:

Brattain,	Farnsworth,	Malin,
Brown, Highland,	Johnson, Williams,	Miller, Fairfield,
Brown, Pike,	Keller,	Stalter,
Collett,	Kunkel,	Stewart.
Dunlap,	Longstreth,	

So the proposal finally passed.

Proposal No. 331 was then considered.

The following amendments to Proposal No. 331 were read:

In line 7 strike out all after the word "year," and insert:

"with the powers and duties now exercised by the board of public works until otherwise provided by law, and with such other powers as may be provided by law."

Before line 8 insert subhead: SCHEDULE.

The amendments were agreed to.

The question being "Shall Proposal No. 331 finally pass?"

The yeas and nays were taken, and resulted—yeas 99, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Harter, Huron,	Partington,
Baum,	Hoffman,	Peck,
Beatty, Morrow,	Holtz,	Peters,
Beyer,	Hoskins,	Pettit,
Bowdle,	Hursh,	Pierce,
Brattain,	Johnson, Madison,	Price,
Brown, Lucas,	Johnson, Williams,	Redington,
Brown, Pike,	Jones,	Riley,
Cody,	Kehoe,	Rockel,
Collett,	Keller,	Roehm,
Colton,	Kerr,	Rorick,
Cordes,	Kilpatrick,	Shaffer,
Crites,	King,	Shaw,
Crosser,	Knight,	Smith, Geauga,
Cunningham,	Kramer,	Smith, Hamilton,
Donahey,	Kunkel,	Solesher,
Doty,	Lambert,	Stalter,
Dunlap,	Lampson,	Stamm,
Dunn,	Leete,	Stevens,
Dwyer,	Longstreth,	Stewart,
Earnhart,	Ludey,	Stilwell,
Evans,	Marriott,	Stokes,
Farnsworth,	Marshall,	Taggart,
Farrell,	Matthews,	Tannehill,
Fess,	Mauck,	Thomas,
FitzSimons,	McClelland,	Ulmer,
Fluke,	Miller, Crawford,	Wagner,
Fox,	Miller, Fairfield,	Walker,
Hahn,	Miller, Ottawa,	Watson,
Halenkamp,	Moore,	Winn,
Halfhill,	Norris,	Wise,
Harbarger,	Nye,	Woods,
Harris, Ashtabula,	Okey,	Mr. President.

So the proposal finally passed.

Proposal No. 333 was then considered.

The question being "Shall Proposal No. 333 finally pass?"

The yeas and nays were taken, and resulted—yeas 71, nays 27, as follows:

Those who voted in the affirmative are:

Anderson,	Halenkamp,	Peters,
Antrim,	Halfhill,	Pettit,
Baum,	Harter, Huron,	Pierce,
Beatty, Morrow,	Harter, Stark,	Read,
Beyer,	Hoffman,	Redington,
Brown, Highland,	Johnson, Williams,	Rockel,
Brown, Lucas,	Jones,	Roehm,
Colton,	Kehoe,	Rorick,
Cordes,	Kilpatrick,	Shaffer,
Crites,	King,	Smith, Geauga,
Crosser,	Lambert,	Smith, Hamilton,
Davio,	Lampson,	Stamm,
DeFrees,	Leete,	Stevens,
Donahey,	Leslie,	Stewart,
Doty,	Longstreth,	Stilwell,
Dunlap,	Marshall,	Stokes,
Dunn,	Matthews,	Tannehill,
Dwyer,	Mauck,	Tetlow,
Farnsworth,	Miller, Crawford,	Ulmer,
Farrell,	Miller, Fairfield,	Watson,
Fess,	Miller, Ottawa,	Winn,
FitzSimons,	Moore,	Wise,
Fox,	Okey,	Woods.
Hahn,	Peck,	

Those who voted in the negative are:

Brattain,	Cody,	Earnhart,
Brown, Pike,	Collett,	Fluke,
Campbell,	Cunningham,	Harbarger,

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Harris, Ashtabula,	Malin,	Riley,
Holtz,	Marriott,	Shaw,
Johnson, Madison,	McClelland,	Taggart,
Kerr,	Nye,	Tallman,
Kramer,	Partington,	Wagner,
Ludey,	Price,	Walker,

So the proposal finally passed.

Proposal No. 334 was then considered.

The question being "Shall Proposal No. 334 finally pass?"

The yeas and nays were taken, and resulted—yeas 71, nays 28, as follows:

Those who voted in the affirmative are:

Anderson,	Harbarger,	Redington,
Antrim,	Harris, Hamilton,	Riley,
Baum,	Harter, Huron,	Rockel,
Beyer,	Harter, Stark,	Roehm,
Brown, Highland,	Hoffman,	Rorick,
Brown, Lucas,	Hursh,	Shaffer,
Campbell,	Johnson, Williams,	Shaw,
Cody,	Jones,	Smith, Geauga,
Colton,	Kehoe,	Smith, Hamilton,
Cordes,	Kerr,	Solether,
Crites,	Kilpatrick,	Stamm,
Crosser,	King,	Stevens,
Cunningham,	Lampson,	Stewart,
Donahey,	Leslie,	Stilwell,
Doty,	Marshall,	Stokes,
Dwyer,	Matthews,	Taggart,
Farnsworth,	Mauck,	Tannehill,
Farrell,	McClelland,	Tetlow,
Fess,	Miller, Ottawa,	Thomas,
FitzSimons,	Moore,	Ulmer,
Fox,	Peck,	Winn,
Hahn,	Pierce,	Wise,
Halenkamp,	Price,	Woods,
Halfhill,	Read,	

Those who voted in the negative are:

Beatty, Morrow,	Keller,	Nye,
Brattain,	Kramer,	Okey,
Collett,	Kunkel,	Partington,
Dunlap,	Lambert,	Peters,
Dunn,	Leete,	Pettit,
Earnhart,	Malin,	Tallman,
Fluke,	Marriott,	Wagner,
Harris, Ashtabula,	Miller, Fairfield,	Walker,
Holtz,	Norris,	Watson,
Johnson, Madison,		

So the proposal finally passed.

Proposal No. 340 was then considered.

The question being "Shall Proposal No. 340 finally pass?"

The yeas and nays were taken, and resulted—yeas 98, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Dunn,	Hursh,
Antrim,	Dwyer,	Johnson, Madison,
Baum,	Earnhart,	Johnson, Williams,
Beyer,	Farnsworth,	Jones,
Brattain,	Farrell,	Kehoe,
Brown, Highland,	Fess,	Keller,
Brown, Lucas,	FitzSimons,	Kerr,
Campbell,	Fluke,	Kilpatrick,
Collett,	Fox,	King,
Colton,	Hahn,	Knight,
Cordes,	Halfhill,	Kramer,
Crites,	Harbarger,	Kunkel,
Crosser,	Harris, Ashtabula,	Lampson,
Cunningham,	Harris, Hamilton,	Leete,
Davio,	Harter, Huron,	Leslie,
Donahey,	Hoffman,	Longstreth,
Doty,	Holtz,	Ludey,
Dunlap,	Hoskins,	Marriott,

Marshall,	Pierce,	Stilwell,
Matthews,	Price,	Stokes,
Mauck,	Read,	Taggart,
McClelland,	Riley,	Tallman,
Miller, Crawford,	Rockel,	Tannehill,
Miller, Fairfield,	Roehm,	Tetlow,
Miller, Ottawa,	Rorick,	Thomas,
Moore,	Shaffer,	Ulmer,
Norris,	Shaw,	Wagner,
Nye,	Smith, Geauga,	Walker,
Okey,	Smith, Hamilton,	Watson,
Partington,	Solether,	Winn,
Peck,	Stamm,	Wise,
Peters,	Stevens,	Woods,
Pettit,	Stewart,	

So the proposal finally passed.

Mr. DOTY: I desire to introduce a resolution and it is rather a lengthy one. I shall ask that further consideration of it be postponed and that in the meantime it be printed.

The resolution was presented as follows:

Resolution No. 133:

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

ARTICLE II.

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

SEC. 1A. The first aforesaid power reserved by the people is designated the initiative, and the signatures of ten per centum of the electors shall be required upon a petition to propose an amendment to the constitution. When a petition signed by the aforesaid required number of electors, shall have been filed with the secretary of state, and verified as herein provided, proposing an amendment to the constitution, the full text of which shall have been set forth in such petition, the secretary of state shall submit for the approval or rejection of the electors, the proposed amendment, in the manner hereinafter provided, at the next succeeding regular or general election in any year occurring subsequent to ninety days after the fil-

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ing of such petition. The initiative petitions, above described, shall have printed across the top thereof: "Amendment to the constitution proposed by initiative petition to be submitted directly to the electors."

SEC. 1b. When at any time, not less than ten days prior to the commencement of any session of the general assembly, there shall have been filed with the secretary of state a petition signed by three per centum of the electors and verified as herein provided, proposing a law, the full text of which shall have been set forth in such petition, the secretary of state shall transmit the same to the general assembly as soon as it convenes. If said proposed law shall be passed by the general assembly, either as petitioned for or in an amended form, it shall be subject to the referendum. If it shall not be passed, or if it shall be passed in an amended form, or if no action shall be taken thereon within four months from the time it is received by the general assembly it shall be submitted by the secretary of state to the electors for their approval or rejection at the next regular or general election, if such submission shall be demanded by supplementary petition verified as herein provided and signed by not less than three per centum of the electors in addition to those signing the original petition, which supplementary petition must be signed and filed with the secretary of state within ninety days after the proposed law shall have been rejected by the general assembly or after the expiration of such term of four months, if no action has been taken thereon, or after the law as passed by the general assembly shall have been filed by the governor in the office of the secretary of state. The proposed law shall be submitted in the form demanded by such supplementary petition, which form shall be either as first petitioned for or with any amendment or amendments which may have been incorporated therein by either branch or by both branches of the general assembly. If a proposed law so submitted is approved by a majority of the electors voting thereon, it shall be the law and shall go into effect as herein provided in lieu of any amended form of said law which may have been passed by the general assembly, and such amended law passed by the general assembly shall not go into effect until and unless the law proposed by supplementary petition shall have been rejected by the electors.

All such initiative petitions, last above described, shall have printed across the top thereof, in the case of proposed laws: "Law proposed by initiative petition first to be submitted to the general assembly". Ballots shall be so printed as to permit an affirmative or negative vote upon each measure submitted to the electors. Any proposed law or amendment to the constitution submitted to the electors as provided in section 1a and section 1b, if approved by a majority of the electors voting thereon, shall take effect thirty days after the election at which it was approved and shall be published by the secretary of state. If con-

flicting proposed laws or conflicting proposed amendments to the constitution shall be approved at the same election by a majority of the total number of votes cast for and against the same, the one receiving the highest number of affirmative votes shall be the law, or in the case of amendments to the constitution shall be the amendment to the constitution. No law proposed by initiative petition and approved by the electors shall be subject to the veto of the governor.

SEC. 1c. The second aforesaid power reserved by the people is designated the referendum, and the signatures of six per centum of the electors shall be required upon a petition to order the submission to the electors of the state for their approval or rejection, of any law, section of any law or any item in any law appropriating money passed by the general assembly. No law passed by the general assembly shall go into effect until ninety days after it shall have been filed by the governor in the office of the secretary of state, except as herein provided. When a petition, signed by six per centum of the electors of the state and verified as herein provided, shall have been filed with the secretary of state within ninety days after any law shall have been filed by the governor in the office of the secretary of state, ordering that such law, section of such law or any item in such law, appropriating money be submitted to the electors of the state for their approval or rejection, the secretary of state shall submit to the electors of the state for their approval or rejection such law, section or item, in the manner herein provided, at the next succeeding regular or general election in any year occurring subsequent to sixty days after the filing of such petition, and no such law, section or item shall go into effect until and unless approved by a majority of those voting upon the same. If, however, a referendum petition is filed against any such section or item, the remainder of the law shall not thereby be prevented or delayed from going into effect.

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

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

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may be applied to improvements thereon or to personal property.

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

SEC. 1g. Any initiative, supplementary or referendum petition may be presented in separate parts but each part shall contain a full and correct copy of the title, and text of the law, section or item thereof sought to be referred, or the proposed law or proposed amendment to the constitution. Each signer of any initiative, supplementary or referendum petition must be an elector of the state and shall place on such petition after his name the date of signing and his place of residence. A signer residing outside of a municipality shall state the township and county in which he resides. A resident of a municipality shall state in addition to the name of such municipality, the street and number, if any, of his residence and the ward and precinct in which the same is located. The names of all signers to such petitions shall be written in ink, each signer for himself. To each part of such petition shall be attached the affidavit of the person soliciting the signatures to the same, which affidavit shall contain a statement of the number of the signers of such part of such petition and shall state that each of the signatures attached to such part was made in the presence of the affiant, that to the best of his knowledge and belief each signature on such part is the genuine signature of the person whose name it purports to be, that he believes the persons who have signed it to be electors, that they so signed said petition with knowledge of the contents thereof, that each signer signed the same on the date stated opposite his name; and no other affidavit thereto shall be required. The petition and signatures upon such petitions, so verified, shall be presumed to be in all respects sufficient, unless not later than forty days before the election, it shall be otherwise proved and in such event ten additional days shall be allowed for the filing of additional signatures to such petition. No law or amendment to the constitution submitted to the electors by initiative and supplementary petition and receiving an affirmative majority of the votes cast thereon, shall be held unconstitutional or void on account of the insufficiency of the petitions by which such submission of the same was procured; nor shall the rejection of any law submitted by referendum petition be held invalid for such insufficiency. Upon all initiative, supplementary and referendum petitions provided for in any of the sections of this article, it shall be necessary to file from each of one-half of the counties of the state, petitions bearing the signatures of not less than one-half of the designated percentage of the electors of such county.

A true copy of all laws or proposed laws or proposed amendments to the constitution, together with an argument or explanation, or both, for, and also an argument or explanation, or both, against the same, shall be prepared. The person or persons who prepare the argument or explanation, or both, against any law, section or item, submitted to the electors by referendum petition, may be named in such petition and the persons who prepare the argument or explanation, or both, for any proposed law or proposed amendment to the constitution may be named in the petition proposing the same. The person or persons who prepare the argument or explanation, or both, for the law, section or item, submitted to the electors by referendum petition, or against any proposed law submitted by supplementary petition, shall be named by the general assembly, if in session, and if not in session then by the governor. The secretary of state shall cause to be printed the law, or proposed law, or proposed amendment to the constitution, together with the arguments and explanations, not exceeding a total of three hundred words for each, and also the arguments and explanations, not exceeding a total of three hundred words against each, and shall mail, or otherwise distribute, a copy of such law, or proposed law, or proposed amendment to the constitution, together with such arguments and explanations for and against the same to each of the electors of the state, as far as may be reasonably possible. Unless otherwise provided by law, the secretary of state shall cause to be placed upon the ballots, the title of any such law, or proposed law, or proposed amendment to the constitution, to be submitted. He shall also cause the ballots so to be printed as to permit an affirmative or negative vote upon each law, section of law, or item in a law appropriating money, or proposed law, or proposed amendment to the constitution. The style of all laws submitted by initiative and supplementary petition shall be: "Be it Enacted by the People of the State of Ohio," and of all constitutional amendments: "Be it Resolved by the People of the State of Ohio." The basis upon which the required number of petitioners in any case shall be determined shall be the total number of votes cast for the office of governor at the last preceding election therefor. The foregoing provisions of this section shall be self-executing, except as herein otherwise provided. Laws may be passed to facilitate their operation, but in no way limiting or restricting either such provisions or the powers herein reserved.

ARTICLE V.

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

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SCHEDULE.

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

ARTICLE III.

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

ARTICLE I.

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

ARTICLE II.

SEC. 35. For the purpose of providing compensation to workmen and their dependents, for death, injuries or occupational diseases, occasioned in the course of such workmen's employ-

ment, laws may be passed establishing a state fund to be created by compulsory contribution thereto by employers, and administered by the state, determining the terms and conditions upon which payment shall be made therefrom, and taking away any or all rights of action or defenses from employes and employers; but no right of action shall be taken away from any employe when the injury, disease or death arises from failure of the employer to comply with any lawful requirement for the protection of the lives, health and safety of employes. Laws may be passed establishing a board which may be empowered to classify all occupations, according to their degree of hazard, to fix rate of contribution to such fund according to such classification, and to collect, administer and distribute such fund, and to determine all rights of claimants thereto.

ARTICLE II.

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

ARTICLE VIII.

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

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ARTICLE I.

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

ARTICLE I.

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

ARTICLE II.

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

ARTICLE XIII.

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

ARTICLE V.

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

ARTICLE XIII.

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

ARTICLE VI.

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

SCHEDULE.

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

ARTICLE IV.

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

SCHEDULE.

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

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ARTICLE VIII.

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

ARTICLE II.

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

ARTICLE IV.

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

ARTICLE XV.

SEC. 9. License to traffic in intoxicating liquors shall be granted in this state, and license laws operative throughout the state shall be passed with such restrictions and regulations as may be provided by law and municipal corporations shall be authorized by general laws to provide for the limitation of the number of saloons. Laws shall not be passed authorizing more than one saloon in each township or municipality of less than five

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

Resolved further. That at said election a ballot shall be in the following form:

INTOXICATING LIQUORS.

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

The voter shall indicate his choice by placing a cross-mark within the blank space opposite the words "For License" if he desires to vote in favor of the article above mentioned and opposite the words "Against License," within the blank space if he desires to vote against said article. If a cross-mark is placed opposite both phrases or neither phrase, then the vote upon the subject shall not be counted.

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

ARTICLE XV.

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

ARTICLE II.

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

ARTICLE XV.

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

ARTICLE XII.

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

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

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

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

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

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

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

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

ARTICLE IV.

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

SEC. 2. The supreme court shall, until otherwise provided by law, consist of a chief justice and six judges, and the judges now in office in that court shall continue therein until the end of the terms for which they were respectively elected, unless they are removed, die or resign. A majority of the supreme court shall be necessary to constitute a quorum or to pronounce a decision, except as hereinafter provided. It shall have original jurisdiction in quo warranto, mandamus, habeas corpus, prohibition and procedendo, and appellate jurisdiction in all cases involving questions arising under the constitution of the United States or of this state, in cases of felony on leave first obtained, and in cases which originated in the courts of appeals, and such revisory jurisdiction of the proceedings of administrative officers as may be conferred by law. It shall hold at least one term in each year at the seat of government, and such other terms, there or elsewhere, as may be provided by law. The judges of the supreme court shall be elected by the electors of the state at large for such term, not less than six years, as

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may be prescribed by law, and they shall be elected, and their official term shall begin, at such time as may now or hereafter be fixed by law. Whenever the judges of the supreme court shall be equally divided in opinion as to the merits of any case before them and are unable for that reason to agree upon a judgment, that fact shall be entered upon the record and such entry shall be held to constitute an affirmance of the judgment of the court below. No law shall be held unconstitutional and void by the supreme court without the concurrence of at least all but one of the judges, except in the affirmance of a judgment of the court of appeals declaring a law unconstitutional and void. In cases of public or great general interest the supreme court may, within such limitation of time as may be prescribed by law, direct any court of appeals to certify its record to the supreme court, and may review, and affirm, modify or reverse the judgment of the court of appeals. All cases pending in the supreme court at the time of the adoption of this amendment by the people, shall proceed to judgment in the manner provided by existing law. No law shall be passed or rule made whereby any person shall be prevented from invoking the original jurisdiction of the supreme court.

SEC. 6. The state shall be divided into appellate districts of compact territory bounded by county lines, in each of which there shall be a court of appeals consisting of three judges, and until altered by law the circuits in which circuit courts are now held shall constitute the appellate districts aforesaid. The judges of the circuit courts now residing in their respective districts shall be the judges of the respective courts of appeals in such districts and perform the duties thereof until the expiration of their respective terms of office. Vacancies caused by the expiration of the terms of office of the judges of the courts of appeals shall be filled by the electors of the respective appellate districts in which such vacancies shall arise. Until otherwise provided by law the term of office of such judges shall be six years. Laws may be passed to prescribe the time and mode of such election and to alter the number of districts or the boundaries thereof, but no such change shall abridge the term of any judge then in office. The court of appeals shall hold at least one term annually in each county in the district and such other terms at a county seat in the district as the judges may determine upon, and the county commissioners of any county in which the court of appeals shall hold session shall make proper and convenient provisions for the holding of such court by its judges and officers. Each judge shall be competent to exercise judicial powers in any appellate district of the state. The courts of appeals shall continue the work of the respective circuit courts and all pending cases and proceedings in the circuit courts shall proceed to judgment and be determined by the respective courts of appeals, and the supreme court, as now provided by law, and cases brought into said courts of appeals after the taking effect hereof shall be subject to the pro-

visions hereof, and the circuit courts shall be merged into, and their work continued by, the courts of appeals. The courts of appeals shall have original jurisdiction in quo warranto, mandamus, habeas corpus, prohibition and precedendo, and appellate jurisdiction in the trial of chancery cases, and to review, affirm, modify, or reverse the judgments of the courts of common pleas, superior courts and other courts of record within the district as may be provided by law, and judgments of the courts of appeals shall be final in all cases, except cases involving questions arising under the constitution of the United States or of this state, cases of felony, cases of which it has original jurisdiction, and cases of public or great general interest in which the supreme court may direct any court of appeals to certify its record to that court. No judgment of a court of common pleas, a superior court or other court of record shall be reversed except by the concurrence of all the judges of the court of appeals on the weight of the evidence, and by a majority of such court of appeals upon other questions; and whenever the judges of a court of appeals find that a judgment upon which they have agreed is in conflict with a judgment pronounced upon the same question by any other court of appeals of the state, the judges shall certify the record of the case to the supreme court for review and final determination. The decisions in all cases in the supreme court shall be reported, together with the reasons therefor, and laws may be passed providing for the reporting of cases in the courts of appeals. The chief justice of the supreme court of the state shall determine the disability or disqualification of any judge of the courts of appeals and he may assign any judge of the courts of appeals to any county to hold court.

ARTICLE II.

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

ARTICLE II.

SEC. 16. Every bill shall be fully and distinctly read on three different days, unless in case of urgency three-fourths of the house in which it shall be pending, shall dispense with the rule. No bill shall contain more than one subject, which shall be clearly expressed in its title, and no law shall be revived, or amended unless the new act contains the entire act revived, or the section or sections amended, and the section or sections so amended shall be repealed. Every bill passed by the general assembly shall, before it becomes a law, be presented to the governor for his approval. If he approves, he shall sign it and thereupon it shall become a law and be filed with the secretary of state. If he does not approve it, he

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shall return it with his objections in writing, to the house in which it originated, which shall enter the objections at large upon its journal, and may then reconsider the vote on its passage. If three-fifths of the members elected to that house vote to repass the bill, it shall be sent, with the objections of the governor, to the other house, which may also reconsider the vote on its passage. If three-fifths of the members elected to that house vote to repass it, it shall become a law notwithstanding the objections of the governor, except that in no case shall a bill be repassed by a smaller vote than is required by the constitution on its original passage. In all such cases the vote of each house shall be determined by yeas and nays and the names of the members voting for and against the bill shall be entered upon the journal. If a bill shall not be returned by the governor within ten days, Sundays excepted, after being presented to him, it shall become a law in like manner as if he had signed it, unless the general assembly by adjournment prevents its return; in which case, it shall become a law unless, within ten days after such adjournment, it shall be filed by him, with his objections in writing, in the office of the secretary of state. The governor may disapprove any item or items in any bill making an appropriation of money and the item or items, so disapproved, shall be void, unless repassed in the manner herein prescribed for the repassage of a bill.

ARTICLE II.

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

ARTICLE I.

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

ARTICLE II.

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

ARTICLE V.

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

ARTICLE V.

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

ARTICLE I.

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

ARTICLE XV.

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

ARTICLE XVIII.

Municipal Corporations.

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

SEC. 2. General laws shall be passed to provide for the incorporation and government of cities and villages; and additional laws may also be passed for the government of municipalities adopting the same; but no such additional law shall become operative in any municipality until

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it shall have been submitted to the electors thereof, and affirmed by a majority of those voting thereon, under regulations to be established by law.

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

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

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

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

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

SEC. 8. The legislative authority of any city or village may by a two-thirds vote of its members, and upon petition of ten per centum of the electors shall forthwith provide by ordinance for the submission to the electors, of the question, "Shall a commission be chosen to frame a charter." The ordinance providing for the submission of such question shall require that it be submitted to the electors at the next regular municipal election if one shall occur not less than sixty nor more than one hundred and twenty days after its passage; otherwise it shall provide for the submission of the question at a special elec-

tion to be called and held within the time aforesaid. The ballot containing such question shall bear no party designation, and provision shall be made thereon for the election from the municipality at large of fifteen electors who shall constitute a commission to frame a charter; provided that a majority of the electors voting on such question shall have voted in the affirmative. Any charter so framed shall be submitted to the electors of the municipality at an election to be held at a time fixed by the charter commission and within one year from date of its election, provision for which shall be made by the legislative authority of the municipality in so far as not prescribed by general law. Not less than thirty days prior to such election the clerk of the municipality shall mail a copy of the proposed charter to each elector whose name appears upon the poll or registration books of the last regular or general election held therein. If such proposed charter is approved by a majority of the electors voting thereon it shall become the charter of such municipality at the time fixed therein.

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

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

SEC. 11. Any municipality appropriating private property for a public improvement may provide money therefor in part by assessments upon benefited property not in excess of the special benefits conferred upon such property by the improvements. Said assessments, however, upon all

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the abutting, adjacent, and other property in the district benefited, shall in no case be levied for more than fifty per centum of the cost of such appropriation.

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

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

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

SCHEDULE.

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

ARTICLE IV.

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

SEC. 7. There shall be established in each county, a probate court, which shall be a court of record, open at all times, and holden by one judge, elected by the electors of the county, who shall hold his office for the term of four years,

and shall receive such compensation, payable out of the county treasury, as shall be provided by law. Whenever ten per cent. of the number of the electors voting for governor at the next preceding election in any county having less than sixty thousand population as determined by the next preceding federal census, shall petition the judge of the court of common pleas of any such county not less than ninety days before any general election for county officers, the judge of the court of common pleas shall submit to the electors of such county the question of combining the probate court with the court of common pleas, and such courts shall be combined and shall be known as the court of common pleas in case a majority of the electors voting upon such question vote in favor of such combination. Notice of such election shall be given in the same manner as for the election of county officers. Elections may be had in the same manner for the separation of such courts, when once combined.

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

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

SCHEDULE.

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

ARTICLE XVI.

SEC. 1. Either branch of the general assembly may propose amendments to this constitution; and, if the same shall be agreed to by three-fifths of the members elected to each house, such proposed amendments shall be entered on the journals, with the yeas and nays, and shall be submitted to the electors, for their approval or rejection, on a separate ballot without party designation of any kind, at either a special or a general election as the general assembly may prescribe. Such proposed amendments shall be published once a week for five consecutive weeks preceding such

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election, in at least one newspaper in each county of the state, where a newspaper is published. If the majority of the electors voting on the same shall adopt such amendments the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment, separately.

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

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

ARTICLE II.

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

ARTICLE VI.

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

ARTICLE VIII.

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

SCHEDULE.

Resolved further, That section 13 of article VIII is hereby repealed.

ARTICLE XV.

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

ARTICLE II.

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

SCHEDULE.

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

Mr. DOTY: I move that further consideration of the resolution be postponed until 8 o'clock p. m. and that it be made a special order for that hour.

The motion was carried.

Mr. DOTY: I offer a resolution.

The resolution was read as follows:

Resolution No. 134:

Resolved, Section 1. That when this Convention adjourns on Saturday, June 1, 1912, it be to meet at 2 o'clock in the afternoon of Monday, August 26, 1912, unless a meeting of the Convention shall be called in the meantime; the written demand of any ten members of the Convention filed with the secretary of the Convention shall constitute a call for any such meeting, and the sec-

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retary shall notify each member of the Convention by mail of such call, provided that the time for convening the Convention for such called meeting, shall be not less than five days from the time when the notice therefor shall have been filed; and that such meeting shall be held in the city of Columbus, Ohio.

SECTION 2. The president and secretary shall continue to keep their present office rooms and shall have general charge of the issuing of such pamphlets and documents and the preparation and placing of such advertising matter, as the Convention shall authorize; the indexing, proof reading and publication of the journal of the Convention; the editing, proofreading, indexing and publication of the debates of the Convention. For this work the following employes of the Convention are hereby continued at their present compensation: Ira I. Morrison, Ella M. Scriven, Julia Kersting, Katharine Kellar, George Cartwright, for such length of time, not longer than August 26, 1912, as the president and secretary may find their services necessary; and in addition and at the same compensation and for the same time, E. S. Nichols, expert proofreader, is hereby employed, to assist in the editorial and proofreading work upon the debates of this Convention; the services of J. B. Lewis and H. S. Brown, bill clerks, are hereby authorized during the month of June, for the purpose of sorting, filing and forwarding the documents of this Convention to the delegates and to the public and such other documents as may be authorized by the Convention; and their services may be continued by the president and secretary after the month of June for any distribution of documents that may be authorized by the Convention; the services of Carl A. Mutschler, clerk of the historian and reference librarian, are continued for the month of June at his present compensation; the services of the postmaster are hereby continued up to June 16, 1912, at his present compensation.

SECTION 3. The services of the sergeant-at-arms, J. C. Sherlock, and of the custodian, Fred Blankner, are hereby continued for the period of ten days after this date, and they are hereby instructed to procure boxes and all necessary material for packing and shipping documents of the delegates; they are hereby authorized to retain from the present force, the necessary help required not to exceed five persons; they shall receive for such service the same per diem as is now being paid them by this Convention; the president of the Convention is hereby authorized and instructed to sign vouchers therefor and for necessary material and express charges.

SECTION 4. Ten days after June 1, 1912, the sergeant-at-arms of this Convention shall turn over the hall and committee rooms to the proper custodians thereof; except such rooms as may be required by the president and secretary for the work authorized by this Convention, which rooms are hereby retained until August 26, 1912.

SECTION 5. The bill clerk is hereby directed to

cause to be filed one complete set of documents, proposals, reports and printed matter, except the daily journal, with the state librarian for preservation in the state library. The secretary of this Convention is hereby directed to deposit with the state librarian one complete printed journal and printed debates, after publication.

SECTION 6. The secretary of this Convention shall attest one printed copy of the journal of this Convention and file the same with the secretary of state as the official record of this Convention. He shall file with any certificate of proposed amendments, engrossed copies of the proposals as finally passed by the Convention and each engrossed copy shall be certified to by the secretary of the Convention, showing the date of final action.

SECTION 7. The services and compensation of all employes of the Convention, not provided for in this resolution, shall cease June 1, 1912.

Mr. DOTY: I move that the rules be suspended and that the resolution be considered at this time.

Mr. WOODS: I don't like to consider this proposition until I can have a copy of it and know more about it, about what it is. There are some things in there that I for one will never stand for. I would like to have a copy of that before we vote on it.

Mr. DOTY: I have no objection to letting it lie over.

The PRESIDENT: The question before the Convention is to suspend the rules.

Mr. DOTY: I said that if there was any objection I would not make the motion and there seems to be objection.

Mr. LAMPSON: I move that further consideration be postponed until 8:05 o'clock this afternoon and that in the meantime it be printed.

The motion was carried.

Mr. MILLER, of Fairfield: I offer a resolution.

The resolution was read as follows:

Resolution No. 135:

Resolved, That the secretary of this Convention is hereby authorized and directed to secure for the state a copyright of the Proceedings and Debates of this Convention as published in final form.

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

The resolution was adopted.

Mr. HARRIS, of Ashtabula: I wish to make a report from the committee on Claims.

The report was read as follows:

The standing committee on Claims Against the Convention, to which was referred Resolution No. 129—Mr. Lampson, having had the same under consideration, reports it back and recommends its adoption.

Resolution No. 129 was read as follows:

WHEREAS, The contract of the official reporter was not made with any idea of night sessions other than Monday nights and

WHEREAS, The Convention has held and intends to hold other night sessions; therefore

Additional Pay for Official Reporter and Certain Stenographers.

Be it resolved, That the official reporter be and is hereby allowed the additional sum of thirty dollars for each night session other than Monday nights.

Mr. HARRIS, of Ashtabula: From the reading of the resolution it is clear that the additional compensation for night sessions is involved and a few words of explanation are not out of order. Rule 41 as contained in the red book is the one upon which bids were asked for doing the stenographic reporting work of the Convention. That rule provides the hours to which the Convention shall stand adjourned from day to day shall be seven o'clock on Monday, one o'clock p. m. on Tuesday, Wednesday and Thursday and ten o'clock a. m. on Friday. Unless otherwise ordered no additional sessions shall be held. It was clearly shown in the committee that Mr. Walker understood at the time that he was asked to bid that the sessions would be four daily sessions and no night sessions except on Monday evening; that he especially asked if there were to be any other night sessions; that his attention was called to that rule and his bid was made accordingly. When we started holding night sessions other than those on Monday, Mr. Walker very promptly informed the chairman of the committee on Claims that that was not in his contract and was in excess of what his duties were supposed to be and that he should expect additional compensation for it. It was clearly shown to the committee that he had a right to suppose that his bid covered only the four days and, except on Monday, no evening sessions. As every one knows, the holding of these sessions has entailed an immense amount of additional work upon the reporter and the committee was clearly of the opinion that the additional compensation as asked should be allowed.

Mr. KRAMER: How many of those night sessions are there?

Mr. HARRIS, of Ashtabula: I think seven or eight up to the present.

Mr. KRAMER: Might we not have the contract read?

Mr. HARRIS, of Ashtabula: It was clearly shown that the contract did not cover the night sessions, and as everyone knows, that the evening sessions have involved more than a half day's work, and all that Mr. Walker is asking for night sessions is the equivalent of one-half a day. I am informed now that there are ten additional night sessions.

The PRESIDENT: The question is on agreeing to the committee's report.

The report was agreed to.

The PRESIDENT: The question now is, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 89, nays 9, as follows:

Those who voted in the affirmative are:

Anderson,	Cody,	Dunlap,
Antrim,	Collett,	Dunn,
Beatty, Morrow,	Colton,	Earnhart,
Beyer,	Cordes,	Evans,
Bowdle,	Crites,	Farnsworth,
Brattain,	Crosser,	Farrell,
Brown, Highland,	Cunningham,	Fess,
Brown, Pike,	Donahey,	FitzSimons,
Campbell,	Doty,	Fluke,

Fox,	Leslie,	Redington,
Hahn,	Longstreth,	Riley,
Halenkamp,	Ludey,	Rockel,
Halfhill,	Marriott,	Roehm,
Harris, Ashtabula,	Marshall,	Shaffer,
Harris, Hamilton,	Matthews,	Shaw,
Harter, Stark,	Mauck,	Smith, Geauga,
Henderson,	Miller, Crawford,	Smith, Hamilton,
Hoffman,	Miller, Fairfield,	Stalter,
Holtz,	Miller, Ottawa,	Stamm,
Hoskins,	Moore,	Stevens,
Hursh,	Norris,	Stewart,
Johnson, Williams,	Nye,	Stilwell,
Jones,	Okey,	Stokes,
Kehoe,	Partington,	Tallman,
Keller,	Peck,	Tannehill,
Kerr,	Peters,	Ulmer,
Kilpatrick,	Pettit,	Walker,
King,	Pierce,	Wise,
Knight,	Price,	Woods.
Lampson,	Read,	

Those who voted in the negative are;

Baum,	Johnson, Madison,	Wagner,
DeFrees,	Kramer,	Watson,
Harbarger,	Solether,	Winn.

So the resolution was adopted.

Mr. Antrim submitted the following report:

The standing committee on Claims Against the Convention, to which was referred Resolution No. 100—Mr. Antrim, having had the same under consideration, reports it back with the following amendments, and recommends its adoption when so amended:

In line 6 strike out "\$75.00" and in lieu thereof insert "\$37.50".

In line 9 strike out "\$75.00" and in lieu thereof insert "\$37.50".

Mr. ANTRIM: This represents extra compensation for the stenographic service in the Convention prior to the time that Mr. Walker, our expert stenographer, was employed. Two of the most expert of the young ladies were selected and they did this work for two weeks and they rendered bills for extra compensation for \$75 or \$5 a day each. The committee on Claims has cut that in two and allowed them \$37.50. I certainly feel that we should be liberal enough to allow these young ladies \$37.50 for what they did.

Mr. WINN: I quite agree with the gentleman that after having made a contract with a person to report our debates at a given amount per day and then having given that person a gratuity of \$30 per day extra for quite a number of days we should at least vote \$5 to these young ladies.

Mr. HARRIS, of Ashtabula: I object to the statement of the gentleman calling the compensation allowed Mr. Walker for night sessions a gratuity. If it were a gratuity the committee would not have reported it favorably. The committee on Claims did not regard it as a gratuity at all. They regarded it in the light of compensation for services not embraced in his contract. And this is not the time to make objection to a claim that has already been allowed.

Mr. WINN: Perhaps my objection should have been made at another time. I voted against the resolution because I regarded it as a gratuity. The person who has received this extra compensation has a written contract with this Convention by which he agreed to

Additional Pay for Certain Stenographers—Pay for Group Picture of Convention—Relative to Illness of Mr. Worthington.

report the debates and proceedings for \$60 per day. When that contract was reduced to writing and when it was subscribed to by the contracting party it became binding at the rate stipulated in the contract.

The PRESIDENT: Is the member discussing the question under consideration?

Mr. HALFHILL: I don't think he is and I don't think he thinks he is.

Mr. WINN: I withdraw the statement then if necessary.

Mr. HALFHILL: I quite agree with the Claims committee and I think the amount allowed to Mr. Walker for night sessions was not a gratuity, but a well-earned added compensation. I am in favor now of paying the amount here recommended to these young women who did that work too.

Mr. KRAMER: It seems to me that we should have had the contract with Mr. Walker read. It looks to me as though we are spending money as if we had an unlimited amount. Here there is a resolution to allow the sergeant-at-arms with five helpers ten days to send junk. It will cost about \$600 and it isn't worth \$6. You can just see where we are running to. I don't want to find fault with Mr. Walker, but we ought to have had that contract read and it seems to me that these young women were regularly employed and put in the time they were regularly paid for to attend to their duties. I am not favor, simply because we have \$10,000 left, to spend it anywhere and to anybody.

Mr. LAMPSON: I do not know whether the delegates know what their services were or not. There were two young women employed at the desk here to take down the proceedings and make a stenographic report when the Convention first met. The first days of that work, before Mr. Walker was employed, were done by these women. It was work they were not hired to do, and as a delegate I was personally responsible for getting at least one of them to come up here and do that work on the first day.

Mr. THOMAS: Is that in addition to the \$5 a day that they have received regularly?

Mr. LAMPSON: Yes, but that \$5 a day is for the ordinary stenographer. We have several of those out there and that is not compensation for expert work such as these women were required to do.

Mr. WOODS: I am not a miser and I believe in paying what is justly owing. I believe that those two ladies that did that work are entitled to the money and I believe that we ought to pay it. When we get up against some of these other propositions that call for an expenditure that we ought not to make, then I am for cutting those out, but let us not go the other way and not pay a thing that we really owe.

The report of the committee was agreed to.

The PRESIDENT: The roll will be called on the adoption of the resolution.

The yeas and nays were taken, and resulted—yeas 95, nays 4, as follows:

Those who voted in the affirmative are:

Anderson,	Brattain,	Collett,
Antrim,	Brown, Highland,	Colton,
Beatty, Morrow,	Brown, Pike,	Crites,
Beyer,	Campbell,	Cunningham,
Bowdle,	Cody,	Davio,

DeFrees,	Kehoe,	Pettit,
Donahey,	Keller,	Pierce,
Doty,	Kerr,	Price,
Dunlap,	Kilpatrick,	Read,
Dunn,	King,	Redington,
Dwyer,	Knight,	Riley,
Earnhart,	Kramer,	Rockel,
Farnsworth,	Kunkel,	Roehm,
Farrell,	Lambert,	Shaffer,
Fess,	Lampson,	Shaw,
FitzSimons,	Leete,	Smith, Geauga,
Fluke,	Leslie,	Smith, Hamilton,
Fox,	Longstreth,	Stalter,
Hahn,	Ludey,	Stamm,
Halenkamp,	Malin,	Stevens,
Halfhill,	Marshall,	Stewart,
Harbarger,	Matthews,	Stilwell,
Harris, Ashtabula,	McClelland,	Stokes,
Harris, Hamilton,	Miller, Fairfield,	Taggart,
Harter, Stark,	Miller, Ottawa,	Tallman,
Henderson,	Moore,	Tetlow,
Hoffman,	Norris,	Thomas,
Holtz,	Nye,	Watson,
Hoskins,	Okey,	Winn,
Hursh,	Partington,	Wise,
Johnson, Williams,	Peck,	Woods.
Jones,	Peters,	

Those who voted in the negative are: Johnson, of Madison, Mauck, Solether, Walker.

So the resolution was adopted.

Mr. PETERS: I offer a resolution.

The resolution was read as follows:

Resolution No. 136:

Resolved, That the sum of two hundred and ninety-three dollars (\$293.00) be paid to the Baker Art Gallery for the large framed group picture of the Convention, the same to hang permanently in the state house.

On motion of Mr. Peters the resolution was referred to the committee on Claims against the Convention.

Mr. Dwyer offered the following resolution:

Resolution No. 137:

Resolved, As the sense of this Convention, that expression is hereby given to our sincere regret at the severe and long-continued illness of our esteemed fellow member, Judge Worthington, by reason of which he has been prevented from aiding us in our work in which he took an earnest and active interest, and we have been deprived of his valuable aid and counsel.

In this connection, it affords us pleasure to bear testimony to his gentlemanly courtesy, painstaking application to his work and scholarly presentation on the floor of the Convention of every proposal with which he was connected during the time he was able to be with us.

It is therefore our earnest hope and prayer that our friend and co-laborer, Judge Worthington, will soon be restored to full health and usefulness, for which nature, education and experience has qualified him.

Further, it is hereby provided that the copy of the constitution, when ready for the signatures of delegates, shall be taken to the home of Judge Worthington by the sergeant-at-arms of this Convention, for him to affix his signature thereto.

Relative to Illness of Mr. Worthington—Distribution of Printed Copies of Proceedings and Debates.

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

Mr. Doty moved to amend Resolution No. 137 as follows:

At the end of the resolution add the following:
"The president is hereby authorized to sign a voucher for the expenses of the sergeant-at-arms in carrying out the provisions of this resolution."

Mr. NYE: It seems to me it is unwise to send a paper that we have all signed to Cincinnati, or to take it away from the office where it belongs. With the other part of the resolution I am entirely in accord, but to take this instrument, which is our most important official instrument, to Cincinnati for one person to sign is wrong. I suggest that there be a resolution providing the Judge Worthington sign it hereafter, when he gets able to come to the office of the secretary of state.

Mr. LAMPSON: I suppose the sergeant-at-arms could take just one page upon which the signatures will be attached, have Judge Worthington attach his signature to that page and bring it back and attach it to the other pages of the manuscript. That is probably the way it will be done.

Mr. NYE: That is entirely different from the resolution.

The amendment was agreed to.

The PRESIDENT: The question is, "Shall the resolution be adopted?"

The yeas and nays were taken and resulted—yeas 117, nays none, as follows:

Those who voted in the affirmative are:

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

So the resolution was adopted.

Mr. DOTY: I move that a copy of the resolution and the roll call attached be forwarded by the secretary of the Convention to Judge Worthington.

The motion was carried.

Mr. WATSON: I offer a resolution.

The resolution was read as follows:

Resolution No. 138:

Be it resolved, That the distribution of the printed debates of this Fourth Constitutional Convention of Ohio shall be as follows:

1. To each member of the Convention two complete sets of the Debates and index.

2. To the state library of each state in the Union one complete set.

3. To the secretary and official reporter two complete sets.

4. To each public library in the state, whether state, county or city, one complete set.

5. One copy to each accredited reporter for press.

6. One set to the library of each college and university in the state.

That all the remaining sets shall be turned over to the secretary of state and shall be placed on sale by him at \$4 per volume or \$12 per set of three volumes, the money from same to be covered into the state treasury.

All resolutions or orders of the Convention in conflict herewith are repealed, revoked and rescinded.

Mr. WATSON: I feel that there should be some steps taken in regard to this matter, and I move that the rules be suspended and that this resolution be placed on its passage.

The motion to suspend the rules was carried.

Mr. DOTY: I want to tell you what is going to happen if this resolution is carried out. There are one thousand and nine hundred sets left in the hands of the secretary of state to be sold at \$12. There will be about twenty-five sets sold or maybe fifty for \$12. There are about that many people in the state who would be willing to give that much for them. Next winter when the general assembly meets some wise member, probably from my county, will find out that those books are there and they will just pass one simple resolution dividing them up among them and they will distribute them and they will be distributed through them instead of through us. I am in favor of amending that by inserting fourteen instead of two. That will leave about two hundred sets in the hands of the secretary of state for sale, which I think is ample.

Mr. ANDERSON: I do not agree with the gentleman. In my opinion after the members of the coming legislature get hold of those books and find out what we have said about the legislature they would pass a resolution to suppress them.

Mr. DOTY: That is an additional reason why we should not leave it to them to distribute.

Mr. EVANS: I want to amend the resolution by including law libraries of the state and one complete set to each employe. Each law library ought to have a copy.

Mr. DOTY: Then I will move to amend by inserting law libraries of the state and that would include the law libraries of Cincinnati and Cleveland.

Distribution of Printed Copies of Proceedings and Debates—Schedule.

The PRESIDENT: The member from Scioto moves an amendment that each law library and each employe be included.

The amendment was agreed to.

Mr. HARRIS, of Hamilton: I think it would be a gracious thing to send one set to each law library and one set to the congressional library at Washington.

Mr. DOTY: The state libraries are provided for in the resolution and we have to send two to the congressional library to get a copyright.

Mr. HALFHILL: I hope that the amendment of the member from Cuyahoga will prevail. I know very well in my county there are places for at least fourteen of these sets, to say nothing of a whole lot of libraries in the county that would like to have them. We cannot do better for ourselves than to let the people have them instead of allowing the legislature to control it.

Mr. PECK: I hope the amendment will prevail, and the suggestion I want to make in this connection as a member is the act under which we are assembled directs among other things that we shall provide for the securing of a copyright on the debates in the name of the state.

Mr. DOTY: We have passed a resolution on that.

Mr. MILLER, of Fairfield: That was attended to an hour ago.

Mr. WINN: It has occurred to me that it would be appropriate for us to send one copy to the Ohio State Board of Commerce and I move that the member from Coshocton be specially appointed a committee of one to deliver that.

Mr. STOKES: I want to add to the amendment of the gentleman from Cuyahoga that they shall be for free distribution by the members.

Mr. DOTY: The members can be left to decide that.

Mr. STOKES: It would be nice to put it in there.

The amendment was agreed to and the resolution was adopted.

Mr. TAGGART: I move that the vote whereby Proposal No. 340 was passed be now reconsidered. The purpose of that is to add to it a little addenda to make certain that the sections of the article adopted by the Convention and ratified by the people will repeal the corresponding section of the constitution.

The motion to reconsider was carried.

Mr. FACKLER: I ask unanimous consent to introduce an amendment to Proposal No. 340.

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

At the end of the proposal add: "All amendments to existing sections of articles of the constitution, passed and submitted by this Convention and adopted by the electors, shall be held to repeal the sections so amended."

Mr. FACKLER: There is a strong probability that this is unnecessary. You can amend in two ways, by substitution and by addition. Ordinarily with bills introduced in the general assembly, they amend them so that every amendment provides that section so and so of such an article shall be amended. Now it may follow that by the addition of these amendments and the addition of sections, we have adopted them with the understand-

ing that they shall take the place of the existing sections, so that that question might never be raised.

Mr. PECK: Suppose your amendment consists simply of an addition; you do not want to repeal the former part of the section?

Mr. FACKLER: No, sir.

Mr. PECK: This says all sections shall be repealed.

Mr. FACKLER: No, sir; we have no such language. There is not a single amendment where there is something added to a section already existing.

Mr. PECK: Take Mr. Mauck's blue sky proposal.

Mr. FACKLER: Wherever there has been an addition to a section the whole section has been repealed with the addition to it. It was so arranged.

Mr. PECK: I don't think there has been any uniform rule about that.

Mr. FACKLER: Section 1 of article I as we adopted it on second reading repeats part of section 1 in the old constitution and then adds something, but the proposal we adopted would repeal old section 1 and take the place of it. When we have adopted any proposal here which places an addenda to a section we have pursued the policy of repeating all of the section we desire to retain. Mr. Mauck's proposal would not be affected by this. That will be section 1 of article I.

Mr. PECK: I don't think the proposal would be affected by it, but I fear you are repealing the first part of the section.

Mr. FACKLER: No, sir; you can make a comparison. Mr. Mauck repeats the old part of section 1 and adds something.

Mr. PECK: I think there are others in the same fix.

Mr. FACKLER: I do not think there are any of that kind.

Mr. PECK: Why not add the words "in so far as they are inconsistent therewith"?

Mr. FACKLER: Because in certain places we have repealed something and haven't adopted anything.

Mr. PECK: I don't feel certain enough to urge the matter, but I rather think my idea about it should be adopted in some form. I move that the consideration of this be continued until tomorrow morning until we can investigate the bearings and that it be placed at the head of the calendar.

The PRESIDENT: We cannot defer matters of this sort until tomorrow.

Mr. DOTY: I move that the proposal pending be referred to the committee on Judiciary with instructions to report this evening.

Mr. PECK: I will accept that.

Mr. DOTY: I said the Judiciary committee—I mean the committee on Schedule. It will be almost ready to report. If this is going to get in we must know it so that we can take care of it in other places.

Mr. PECK: I think something of the kind ought to go in. I have been thinking for some time that there should be some general provision, because none of these amendments expressly repeal the portions of the constitution that they are intended to supersede.

The motion by Mr. Doty was agreed to.

Mr. THOMAS: I want to read a telegram that has been sent us from Cleveland:

Congratulatory Telegram to Convention—Printing of Constitution with Amendments—Table on which First Constitution was Signed.

Congratulations and thanks to the Cuyahoga delegation and all progressives of the Convention. It was a long, hard fight and a splendid victory for the initiative and referendum. Your children's children will be proud of you.

EDMUND VANCE COOKE.

Mr. FESS: Edmund Vance Cooke is one of the recent and best poets living. I would like to quote two of his favorite stanzas:

Did you tackle that trouble that came your way
With a resolute heart and cheerful?
Or hide your face from the light of day
With a craven soul and fearful?

O, a trouble's a ton or a trouble's an ounce,
Or a trouble's what you make it.
And it isn't the fact that you're hurt that counts,
But only, how did you take it?

Mr. ANDERSON: I move that the committee on Printing is hereby instructed to have printed the constitution of 1851 and the present amendments in such form that the original section and the present amendments will be in different type.

The object is that each one of us may have our complete work and the constitution of 1851 before our eyes, so that we can determine immediately the change. I am told that it will cost less than five cents per pamphlet.

Mr. DOTY: How many will we get?

Mr. ANDERSON: Ten to each one.

Mr. DOTY: The amount involved here is a very small amount, but we will have to call the roll on it. And it doesn't seem to me to be necessary at all. It seems to me to be an absolute waste of money.

Mr. ANDERSON: It seems to me that we ought to get this in simplified form so that anyone, be he a lawyer or not, can immediately make any explanation desired of any changes.

Mr. HOSKINS: I am half lawyer and I am half farmer and I think this is the proper thing to do. Mr. Doty may believe otherwise. He may be able to carry all these things in his mind, but I am not, and I don't think many others are.

Mr. MARRIOTT: Just a question: Is there anything in the resolution that makes it compulsory on a member to receive the pamphlets unless he wants them?

Mr. ANDERSON: I didn't mean it for the smart members. I meant it for the members of less intelligence, like myself.

Mr. WINN: There will be no committee on Printing. It seems to me that the secretary is the one that will have this in charge.

Mr. ANDERSON: I accept that suggestion and will substitute the secretary instead of the Printing committee.

The PRESIDENT: The motion now is that the secretary be directed to prepare what was suggested by the member from Mahoning and on that the secretary will call the roll.

The yeas and nays were taken, and resulted—yeas 81, nays 3, as follows:

Those who voted in the affirmative are:

Anderson,	Halfhill,	Okey,
Antrim,	Harbarger,	Partington,
Baum,	Harris, Hamilton,	Peters,
Beatty, Morrow,	Harter, Stark,	Pettit,
Beyer,	Hoffman,	Pierce,
Brown, Highland,	Holtz,	Price,
Brown, Pike,	Hoskins,	Read,
Collett,	Johnson, Madison,	Riley,
Colton,	Johnson, Williams,	Rockel,
Cordes,	Jones,	Roehm,
Crites,	Kehoe,	Shaffer,
Cunningham,	Keller,	Shaw,
Davio,	Kerr,	Smith, Geauga,
DeFrees,	Knight,	Solether,
Donahay,	Kramer,	Stamm,
Dunlap,	Kunkel,	Stevens,
Dwyer,	Lambert,	Stewart,
Earnhart,	Longstreth,	Stilwell,
Fackler,	Ludey,	Tallman,
Farnsworth,	Marriott,	Tannehill,
Farrell,	Marshall,	Tetlow,
Fess,	Matthews,	Thomas,
FitzSimons,	McClelland,	Wagner,
Fluke,	Miller, Crawford,	Walker,
Fox,	Miller, Fairfield,	Watson,
Hahn,	Miller, Ottawa,	Winn,
Halenkamp,	Nye,	Wise.

Messrs. Brattain, Doty and Malin voted in the negative.

So the motion was carried.

Mr. KERR: I offer a resolution.

The resolution was read as follows:

Resolution No. 139:

WHEREAS, The table on which the first constitution of Ohio was signed is, by the courtesy of the commissioners of Ross county, now in possession of the state house custodian; therefore

Be it resolved, That the commissioners of Ross county be and are hereby requested to allow said table to remain in the state house, and that the secretary of this Convention be instructed to send said commissioners a copy of this resolution.

Mr. Knight moved to amend Resolution No. 139 as follows:

Strike out "the state house" and insert the following: "possession of the state of Ohio for preservation in the custody of the Ohio Archaeological and Historical Society."

Mr. KNIGHT: I favor the resolution in every way, but somebody should be given the custody of this table and the society I mention is the proper one. It has many other valuable relics of the state in its possession and I am suggesting that this be turned over to it.

Mr. WATSON: I rise to a point of order; the member from Hamilton county is smoking.

Mr. BROWN, of Highland: He has no "edge" on the member from Cuyahoga.

Mr. HARRIS, of Hamilton: As the Convention is in a good humor I would timidly inquire whether Mr. Doty is willing that this resolution should pass?

Mr. DOTY: This is the first time that the member from Hamilton county [Mr. HARRIS] has been at all timid.

The amendment was agreed to.

The resolution was adopted.

Resolution of Congratulation—Schedule.

On motion of Mr. Doty, the Convention recessed until 7:55 o'clock p. m.

EVENING SESSION.

The Convention met pursuant to recess and was called to order by the president.

Mr. MILLER, of Crawford: I offer a resolution.

The resolution was read as follows:

Resolution No. 140:

WHEREAS, On February the 7th, 1912, there was born to the member from Fairfield county, and wife, Mr. and Mrs. Frank P. Miller, a fine baby boy;

Be it therefore resolved, That the Convention extend to the happy parents congratulations.

Be it further resolved. That whereas baby Francis Edwin Miller was a guest of the Convention at its first banquet, that an invitation is hereby extended to him to attend all future banquets of the Convention.

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

The resolution was adopted.

Mr. Taggart submitted the following report:

The standing committee on Schedule, to which was referred Proposal No. 340—Mr. Taggart, and the amendment by Mr. Fackler, having had the same under consideration, reports it back with the following amendment, and recommends its passage when so amended:

At the end of the proposal add:

"Any section of the present constitution inconsistent with any section of the amendments passed and submitted by this Convention and adopted by the electors, shall be held to be repealed."

The amendment was agreed to.

Mr. DOTY: Why say "held to be repealed". Why not say it "shall be thereby repealed?"

Mr. TAGGART: I think that is right—to strike out that "held" if you want to.

Mr. KNIGHT: That is one of the most delicate subjects we have to deal with. In one instance the supreme court has held that the constitution applies to municipal and public, and not only to municipal and public, but to private corporations. That is the first section or article XIII. There is another section which applies to municipal corporations, but the first one seems to be applicable to both private and public corporations. With the language just embodied and incorporated in this proposed amendment the status of that section seems doubtful. If it is a total repeal, it would seem to be knocked out of existence as affecting private corporations too. I am not prepared to submit an amendment, but I raise the question whether it is safe to adopt the proposal in this form.

Mr. TAGGART: The only question that can arise is as to the determination of whether or not any amendment which has been adopted by the Convention and will be adopted by the electors is inconsistent with these provisions of the constitution, and they are the only

provisions I know of wherein the question could arise. The committee was unable to determine whether we should anticipate and settle that question in advance. Its recommendation is simply a matter of precaution, and it seems desirable to some of the members of the Convention.

Mr. DOTY: I call attention to the special order for this hour, being Resolution No. 133.

The PRESIDENT: The gentleman from Cuyahoga calls attention to the special order of this hour. Now, is it understood that the amendment shall remain as worded?

Mr. TAGGART: I would not suggest any change.

Mr. PECK: It seems to me good enough.

The report of the committee was agreed to.

The PRESIDENT: The question is now on the adoption of the proposal.

Mr. SMITH, of Hamilton: I simply want to go a little slow on adopting the proposal. I do not think it is necessary. Any article submitted to the people must necessarily be held by any court to repeal any section of the constitution inconsistent with what the people adopt, but I want it clearly shown that we are not endangering that portion of our present constitution which we may not want to change. My own view and that of a number of gentlemen of the Convention is that such a schedule as this is not necessary. I still adhere to that view, but I yielded my ideas at the urgent request of some of the members.

Mr. DOTY: I, for one, am not only willing, but anxious to take the opinion of so painstaking a lawyer as Judge Taggart. I think, in view of his opinion, that we should lay the amendment on the table and pass the resolution.

Meantime, I want to call attention to the special order for this hour, which is Resolution No. 134.

Mr. PECK: I was one of those who was inclined to think that it would be desirable to stop this. I am not certain, because one cannot be certain about that until he has examined every single proposal with reference to the existing constitution, which would be a job of some length, but I do not see how this as worded could do any harm. It only provides that those things inconsistent with it shall be held to be repealed.

Mr. SMITH, of Hamilton: Does it not provide that any section or article shall be repealed?

Mr. PECK: No, sir; it says any portion, I think.

Mr. SMITH, of Hamilton: No; it says section or article.

Mr. PECK: Any portion that is inconsistent will be repealed. Any portion not inconsistent will not be repealed. This doctrine of repeal by implication, which you rely upon, has a good many things to it, and one of the primary rules with reference to it is that the court will not hold an article or law to be repealed by implication unless it is driven to it, unless there is no escape from it. If there is any possible way of reconciling the two, it will be done rather than say the former law is repealed. That is the last resort of the court. If the conflict is perfectly square and straight and there is no escape the repeal takes place, but if there is any escape, it is not repealed. If the two can by any possible language be construed so as to let them both stand, it is a rule that the court shall do so. Applying that here, I

Schedule.

could not say that everything affected by what we have done is repealed, nor do I believe that anybody can, and for that reason I think it desirable that something like this shall be adopted; that the courts shall understand that what we have done here shall prevail over what existed before if there is anything like a conflict; that we shall not rely merely upon implication.

Mr. KNIGHT: This is really the same question raised by your colleague from Hamilton county. The amendment proposed here does not simply say any item or portion of the constitution held in conflict, but it says that if in any existing section there is found a conflict between what we are doing here and that existing section, the entire section is repealed.

Mr. KING: I don't think that is there. Please read it. I do not understand it that way.

Mr. KNIGHT: It repeals the entire section.

Mr. KING: When this amendment was first suggested I did not believe it was necessary. Assuming, of course, that the proposal upon the same shows that it is extended to a section or one or more sections or articles, and apparently takes the place of the one that is now in the constitution, if it is adopted, that would be a complete substitution and repeal of the original section of the constitution. That is true of most that have a title, but there are a few, you will remember, that are additional sections which absolutely refer to nothing in the present constitution. But take a proposal to submit an amendment to article IV, section 3, 7, 12 and 15 of the constitution, relating to judges of the court of common pleas. Then this proposal provides that sections 3, 7, 12 and 15 of article IV of the constitution are repealed. That would certainly repeal the present sections on the subject.

Mr. PECK: Are not some parts of those sections repeated?

Mr. KING: Yes; some words are. But the first section is almost entirely newly written. The seventh section and the third section provide that there shall be a probate court. That is all in the present constitution, but there was added to it a provision for the submission to the electors of any county, the question of combining that court with the common pleas court. Section 12 is a re-enactment. When it comes to Proposal No. 272, there is a difference. Proposal No. 272 is a proposal to add article XVIII to the constitution, entitled "Municipal Home Rule." Beginning with section 1 and running to section 14, all of it might be said to be absolutely new matter, and yet section 1 specifies how municipal corporations may be classified. Now, somewhere there should be a repeal of section 6 of article XIII, which relates to the same subject, and is the only section in the constitution of Ohio today that does particularly mention that. Of course, there is a provision in relation to all corporations which declares that no special act shall be passed conferring corporate powers and which the supreme court holds applies to municipal as well as private corporations. You cannot repeal that. But section 6 of article XIII relates to the organization of municipal corporations. That ought to be repealed. That is the only section not specially repealed that I know of. That still remains, and that ought to be referred to. I do not believe that, where these proposals enumerate the exact number of article and section as it is now, and pur-

ports to be an amendment to that section and covering the whole of said section and perhaps adding to it, it is necessary expressly to repeal it.

Mr. PECK: Take a section like this—I remember one—where a section is substituted on the same general subject, but in entirely different language, making entirely different provisions, containing no part of the original section, and where nothing is said about the repeal. Do you say that operates as a repeal when there is no necessary conflict between the two?

Mr. KING: I would like to see the case.

Mr. PECK: Perhaps I have one right here, section 7 of article V. No; this is absolutely new. I am mistaken in that. If the learned lawyers of this committee are satisfied to go on without this I do not propose to set my judgment up against theirs and insist upon it. I have always, however, practiced law upon the proposition that it is much better to avoid a possible difficulty by adding a few words in an instrument than to leave it open for doubt.

Mr. KING: If that is so, let me submit this: Ought not the repeal then to indicate expressly what is repealed rather than to leave it to construction?

Mr. PECK: Either way you leave it to construction; there is no doubt about that.

Mr. DOTY: Change the word "section" to "portion" in the proposal.

Mr. MARRIOTT: In view of the very great importance of this matter before the Convention, and the seeming indecision, I move that Proposal No. 340, with pending amendments, be referred back to the Schedule committee to report at the earliest possible moment.

Mr. PECK: I am inclined to insist upon my motion to substitute the word "portion" for "section".

Mr. TAGGART: Would not the word "provision" be better than "portion"?

Mr. PECK: That has been suggested by several, and I am not sure whether it would be better, but am willing that it be used. I will accept that.

The section as it would read in this amendment was read as follows:

Any provision of the present constitution inconsistent with any provision of the amendment passed and submitted by this Convention and adopted by the electors of the state shall be held to be repealed.

Mr. PECK: I move the adoption of that amendment.

Mr. KNIGHT: At the risk of violating all rules and knowing that I am not a lawyer, I still insist that this language does not cover the situation. At the time Proposal No. 272, the municipal home rule proposal, was reported to this Convention, it contained as the last section the specific statement that the adoption of this article would repeal section 6 of article XIII of the constitution. That was stricken out on second reading after a statement from several lawyers that if we repealed specifically that section it would leave the inference that all other parts of the constitution assigned to municipal corporations were in force.

Now, there are unquestionably upon the subject of municipal corporations two other clauses of the constitution which have been held by the supreme court to have an application. Yet those clauses do not apply to municipal

Schedule.

corporations alone, but apply to other corporations. Therefore, we should not say that those sections or provisions shall be repealed, because you cannot take half of the meaning out of the words and leave the words themselves there. You cannot take the words out that apply to the private corporation. It seems to me that a phrase must be added here, not that the section is repealed, but that any conflicting provisions shall be held to be inoperative so far as conflicting, rather than striking out certain words.

Mr. KING: How would it do to provide that where provisions are not specially repealed, if there is a conflict between the amendments adopted here and the present constitution, the amendments so adopted shall prevail?

Mr. KNIGHT: That is a better way to put it. If the gentleman will put that in proper form, it will save the situation.

The PRESIDENT: The member will please reduce the amendment to writing.

Mr. TAGGART: I suggest the following, which may govern the contingencies: "Should any provision of the present constitution be inconsistent with the provisions of any amendment passed and submitted by this Convention and adopted by the electors the latter shall be held to control."

Mr. PETTIT: That is just what Judge Peck has been saying.

Mr. KING: That is all right. That seems to me to be the exact language that Judge Peck wanted.

Mr. PECK: I don't think that ought to be "shall be held to control." I think it should be "shall prevail."

Time was here given to reduce the various suggestions to writing.

Mr. COLTON: I have a matter that I would like to present, and I can do it while we are wasting this time. I would like to call the attention of the Convention to the grand resolution on your desk. Perhaps you will better understand what I want to call your attention to if you turn to the journal of May 24, page 25. I am doing this for the committee on Arrangement and Phraseology. You will notice that Proposal No. 96 begins "Resolved by the Constitutional Convention of the state of Ohio, That a proposal to amend," etc. Now, when that proposal came to the committee on Arrangement and Phraseology there came also from the Schedule committee a schedule to be attached to it. That schedule follows here. You notice how it begins, "Schedule No. 5." We have omitted those numbers in the grand resolution, because we do not need them. "That in the event the above proposal passed by the Convention," etc., beginning with "in the event," we change in all cases by prefixing "Resolved further that" to make it correspond with the "Resolved" with which each proposal begins. Now, if you will turn to the grand resolution on page 3—turn over about four pages—you will see how it looks in article V, on that page. You will notice in that the "Resolved by the Constitutional Convention of the state of Ohio" is dropped out. The "Resolved" with which the proposal was introduced is dropped out in our grand resolution, but the schedule following article V on this page begins still with "Resolved further", with the words which we inserted to make this correspond with the "re-

solved" with which the proposal begins. You will see that these words, "Resolved further" in this schedule have no relation to any other "Resolved," and do not belong there, and what I ask is an amendment to remove "Resolved further" from each schedule provision, so that the schedule will begin, "If the amendment to article—", etc. If you will turn to the last page of this grand resolution you will see that that begins not with "Resolved further," but with the simple statement. I ask unanimous consent to strike out the words "Resolved further" and "Resolved further that," wherever they appear, and begin the sentence following with a capital.

Consent was given.

Mr. KING: I offer an amendment to Proposal No. 340.

The amendment was read as follows:

Strike out the last sentence of the proposal and all amendments and insert the following:

"That if any provision of the amendments passed by this Convention and adopted by the electors, conflicts with any provision of the present constitution, the former shall prevail".

Mr. PECK: I accept that amendment.

Mr. FACKLER: I think that is defective. If we take a certain section of the constitution and make a change and part of the old constitution is left out and part left in, there might not be anything that conflicted with the old, and yet the intention was to take out that whole matter from the old.

Mr. SMITH, of Hamilton: I now offer an amendment.

The amendment was read as follows:

Strike out the last sentence of the proposal and all pending amendments and insert the following:

"Any provision of the amendments passed and submitted by this Convention and adopted by the electors inconsistent or in conflict with any provision of the present constitution shall be held to control".

Mr. PECK: That is the same as the other, except that the word "control" is used instead of "prevail".

Mr. SMITH, of Hamilton: There are conflicts that are going to come, and they will be decided by the supreme court. If there is any provision in these amendments which we submit and which are adopted and which seem to be inconsistent with the present constitution, the question is bound to be tested in the courts, and this amendment provides in case of conflict of that kind the court shall hold that the amendment we submit and adopt shall prevail.

Mr. PECK: How does that differ from Judge King's? I have no objection to it, but I cannot see the difference.

Mr. JONES: What is the gentleman offering?

Mr. SMITH, of Hamilton: You recall what Professor Knight said about section 1 of article XIII, which provides that the general assembly shall pass no special acts conferring corporate powers. We do not want to repeal that section or any portion of it, so far as it affects private corporations, but the courts have held it applie-

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to municipalities too, and we only want to repeal or control it in so far as it conflicts with the proposal of Mr. FitzSimons.

Peck Mr. Smith, of Hamilton, Judge King and Judge Taggart.

The motion was carried.

Mr. ANDERSON: I move that that subject be referred to a committee consisting of Mr. Fackler, Mr.

Mr. FACKLER: I have a report to submit.

The report was read as follows:

The standing committee on Submission and Address to the People to which was referred Resolution No. 118, Mr. Lampson, having had the same under consideration, reports it back with the following amendments, and recommends its adoption when so amended:

Strike out all after the word "Resolution" and in lieu thereof insert the following:

Resolved, That the several proposals duly passed by this Convention shall be submitted to the electors as separate amendments to the constitution at a special election to be held on the third day of September, 1912.

The several amendments shall be designated on the ballot by their proper article and section numbers and also by their approved descriptive titles and shall be printed on said ballot and consecutively numbered in the manner and form hereinafter set forth. The adoption of any amendment by its title shall have the effect of adopting the amendment in full as finally passed by the Convention.

Said special election shall be held pursuant to all provisions of law applicable thereto including special registration.

Ballots shall be marked in accordance with instructions printed thereon.

Challengers and witnesses shall be admitted to all polling places under such regulations as may be prescribed by the secretary of state.

Within ten days after said election the boards of deputy state supervisors of elections of the several counties shall forward by mail in duplicate sealed certified abstracts of the votes cast on the several amendments, one to the secretary of state and one to the auditor of state at Columbus. Within five days thereafter such abstracts shall be opened and canvassed by the said secretary of state and auditor of state in the presence of the governor who shall forthwith, by proclamation, declare the results of said election.

Each amendment on which the number of affirmative votes shall exceed the number of negative votes shall become a part of the constitution.

Form of Ballot.

OFFICIAL BALLOT.

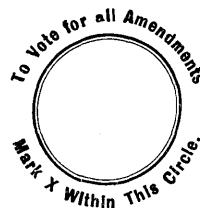
SPECIAL ELECTION, TUESDAY, SEPTEMBER 3, 1912.

AMENDMENTS TO THE CONSTITUTION.

(First Column)

To vote FOR any amendments place a cross mark in the blank space to the left of the word "Yes" opposite the title of such amendment.

To vote AGAINST any amendment place a cross mark in the blank space to the left of the word "No" opposite the title of such amendment.



I		YES	ARTICLE I, SECTION 5. Reform in Civil Jury System.
		NO	

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2	YES	ARTICLE I, SECTION 9. Abolition of Capital Punishment.
	NO	
3	YES	ARTICLE I, SECTION 10. Depositions by State and Comment on Failure of Accused to testify in Criminal Cases.
	NO	
4	YES	ARTICLE I, SECTION 16. Suits against the State.
	NO	
5	YES	ARTICLE I, SECTION 19a. Damage for Wrongful Death.
	NO	
6	YES	ARTICLE II, SECTIONS 1 TO 1g. Initiative and Referendum.
	NO	
7	YES	ARTICLE II, SECTION 8. Investigations by each House of General Assembly.
	NO	
8	YES	ARTICLE II, SECTION 16. Limiting Veto Power of Governor.
	NO	
9	YES	ARTICLE II, SECTION 33. Mechanics' and Builders' Liens.
	NO	
10	YES	ARTICLE II, SECTION 34. Welfare of Employees.
	NO	
11	YES	ARTICLE II, SECTION 35. Workmen's Compensation.
	NO	
12	YES	ARTICLE II, SECTION 36. Conservation of Natural Resources.
	NO	

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13	YES	ARTICLE II, SECTION 37. Eight Hour Day on Public Work.
	NO	
14	YES	ARTICLE II, SECTION 38. Removal of Officials.
	NO	
15	YES	ARTICLE II, SECTION 39. Regulating Expert Testimony in Criminal Trials.
	NO	
16	YES	ARTICLE II, SECTION 40. Registering and Warranting Land Titles.
	NO	
17	YES	ARTICLE II, SECTION 41. Abolishing Prison Contract Labor.
	NO	
18	YES	ARTICLE III, SECTION 8. Limiting Power of General Assembly in Extra Sessions.
	NO	
19	YES	ARTICLE IV, SECTIONS 1, 2 AND 6. Change in Judicial System.
	NO	
20	YES	ARTICLE IV, SECTIONS 3, 7, 12 AND 15. Judge of Court of Common Pleas for each County.
	NO	
21	YES	ARTICLE IV, SECTION 9. Abolition of Justices of the Peace in Certain Cities.
	NO	
22	YES	ARTICLE IV, SECTION 21. Contempt Proceedings and Injunctions.
	NO	
23	YES	ARTICLE V, SECTION 1. Woman's Suffrage.
	NO	

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24	YES	ARTICLE V, SECTION 1. Omitting word "White."
	NO	
25	YES	ARTICLE V, SECTION 2. Use of Voting Machines.
	NO	
26	YES	ARTICLE V, SECTION 7. Primary Elections.
	NO	
27	YES	ARTICLE VI, SECTION 3. Organization of Boards of Education.
	NO	
28	YES	ARTICLE VI, SECTION 4. Creating the office of Superintendent of Public Instruction to replace State Commissioner of Common Schools.
	NO	
29	YES	ARTICLE VIII, SECTION 1. To extend state bond limit to fifty million dollars for Inter-County Wagon Roads.
	NO	
30	YES	ARTICLE VIII, SECTION 6. Regulating Insurance.
	NO	
31	YES	ARTICLE VIII, SECTION 12. Abolishing Board of Public Works.
	NO	
32	YES	ARTICLE XII, SECTIONS 1, 2, 6, 7, 8, 9, 10 AND 11. Taxation of State and Municipal Bonds, Inheritances, Incomes, Franchises and Production of Minerals.
	NO	
33	YES	ARTICLE XIII, SECTION 2. Regulation of Corporations and Sale of Personal Property.
	NO	
34	YES	ARTICLE XIII, SECTION 3. Double Liability of Bank Stockholders and Inspection of Private Banks.
	NO	

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35	YES	ARTICLE XV, SECTION 2. Regulating State Printing.
	NO	
36	YES	ARTICLE XV, SECTION 4. Eligibility of Women to Certain Offices.
	NO	
37	YES	ARTICLE XV, SECTION 10. Civil Service.
	NO	
38	YES	ARTICLE XV, SECTION 11. Out-Door Advertising.
	NO	
39	YES	ARTICLE XVI, SECTIONS 1, 2, AND 3. Methods of Submitting Amendments to the Constitution.
	NO	
40	YES	ARTICLE XVIII, SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14. Municipal Home Rule.
	NO	
41	YES	Schedule of Amendments.
	NO	

(Second Column)

INTOXICATING LIQUORS.

To vote FOR license to traffic in intoxicating liquors place a cross-mark in the blank space to the left opposite the words:—"For license to traffic in intoxicating liquors."

To vote AGAINST license to traffic in intoxicating liquors place a cross-mark in the blank space to the left opposite the words:—"Against license to traffic in intoxicating liquors."

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

Mr. BROWN, of Lucas: I desire to explain this report on behalf of the committee on Submission and Address to the People. Briefly it covers these points; that there shall be a special election held on the third of September next, that the regular election laws of the state shall apply in all respects, so far as they can apply, to this special election. The penalties, the hours to vote, the

election officers, the legal holiday, witnesses and challengers at the polls, and all, shall apply under such regulations as shall be prescribed by the secretary of state. We found that that was the only practical way to work it out, because there might be such a large number of committees interested in these forty-two proposals that we would fill the booths with witnesses and challengers;

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so we put that problem up to the secretary of state. The various proposals are to be printed upon the ballot, designating the article and section of the constitution which they either amend or supplement or change, and are to be printed with the approved title, that is, with the title which we have adopted here. The ballots will be marked as we are accustomed to vote, with a cross-mark at the left of each proposition, two boxes being provided, one for yes and one for no.

DELEGATES: Boxes?

Mr. BROWN, of Lucas: I mean squares. The provision is made for sending the abstract of returns in duplicate and sealed to the secretary of state and auditor of state within ten days after the election. These officers were chosen, because they happen at this time to belong to different political parties. Within five days after the returns are sent to them the returns are to be opened in the presence of these officers and of the governor, canvassed, and the result of the election made known to the people of the state of Ohio by proclamation of the governor. Each amendment upon which the affirmative vote shall exceed the negative vote shall become a part of the constitution at the time fixed by the schedule applying to that amendment. Your committee has had great difficulty in agreeing upon a form of ballot. The form of ballot has been under consideration for two weeks or more and until tonight the committee has never been able to agree upon a form of ballot. Again and again the vote was a tie, but tonight a majority of your committee agreed on this report recommending the adoption of this resolution, and the report is signed by twelve members of the committee. The form of ballot places all of the proposals except the license proposal in a single column in the order in which the various articles of the constitution appear in the present constitution, so that each proposal or amendment appears in just the form in which it will be printed in the constitution, the proposals amending article I coming first, and so on down the list. That rule has been followed in all respects save in the license proposal. It is recommended by the committee that the other forty-one proposals appear in a single column without any circle in which to vote for or against all of them. The license proposal appears at the right of the ballot and at the top with a special direction how to vote for that, for the reason that in that proposal it is determined how the proposal shall be placed upon the ballot, and it is impossible to use the words yes and no; it is therefore necessary to have a special rule for that. The purpose of the committee was to submit separately the license proposal, and the others all appear in their order on the ballot.

Mr. WATSON: Do you not think it would be a little plainer if the longer bars were in upper case and the shorter bars in lower case?

Mr. BROWN, of Lucas: The detail of printing will be possibly much improved. This is a sample form and the typewriting machine had just such type to use.

Mr. DWYER: Why was it necessary to give the liquor proposal so prominent a place on the ticket?

Mr. BROWN, of Lucas: It is not. The purpose of it was simply to separately submit it.

Mr. PETTIT: Was it not the purpose to submit the right of franchise separately?

Mr. BROWN, of Lucas: Yes; I was on the subcommittee that favored the separate submission of that amendment, but the whole committee overruled the subcommittee of which I was a member.

Mr. PETTIT: I am not in favor of giving the whisky proposal any more prominence than any other.

Mr. HARBARGER: How about the ballot?

Mr. BROWN, of Lucas: All on one ballot appearing in two columns.

Mr. HARBARGER: Why two columns?

Mr. BROWN, of Lucas: So that the literature sent out affecting any proposal may refer to it by the number.

Mr. MILLER, of Crawford: Then could not the person vote by the numerals?

Mr. BROWN, of Lucas: No one would remember the numerals.

Mr. MILLER, of Crawford: Yes; it would be easy to say to vote against such and such a number.

Mr. BROWN, of Lucas: I do not think it is unreasonable to aid the voter in finding what he wants to vote for.

Mr. KEHOE: What did I understand you to say as to what passes a proposal?

Mr. BROWN, of Lucas: If the number of affirmative votes exceeds the number of negative votes, the proposal is part of the constitution.

Mr. KEHOE: Do we determine that in this constitution, or are we under the provisions of the old constitution in determining whether these amendments are passed?

Mr. BROWN, of Lucas: We are under the old constitution.

Mr. HALFHILL: I do not exactly understand your statement as to why the committee put numerals on the margin of the proposals?

Mr. BROWN, of Lucas: So that the voters might have every possible aid in finding a proposal that they wish to vote for or against.

Mr. HALFHILL: If this is to be a campaign of education, would it not be just as well for the literature the voter gets discussing the proposal to give a number on it?

Mr. BROWN, of Lucas: Of course; it has to discuss the proposal, and you would not think of voting anything because you got a letter from me asking you to vote against No. 23.

Mr. HALFHILL: Of course not; not because I got a letter from you, but because I was in favor of it.

Mr. BROWN, of Lucas: But if No. 23 were discussed and good reasons given, I think you would be glad to have that number, to find it on the ballot.

Mr. ANDERSON: With the numbers on the side, at least on the ballot, as here appearing, would it not permit a voter who could not read but who could understand numbers to take in his vest pocket into the booth certain numbers and then mark accordingly?

Mr. BROWN, of Lucas: I suppose he would be able to read enough to read yes and no.

Mr. ANDERSON: In other words, is that not putting a premium upon the densest kind of ignorance and assisting those who are too ignorant otherwise to pick out certain things to be killed or to be voted for?

Mr. DWYER: I do not object to the numbers, but all I want to know is, does the committee intend to mail

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a facsimile of the ballot to every voter in the state before the day of the election with the numbers and the explanations on the different proposals, so that every voter before he comes to the polls will have a copy of that ballot and could mark it himself? That would enable every voter to know every proposal on the ballot.

Mr. WINN: How did you obtain the information that the committee proposes to do that?

Mr. DWYER: I understand that. I am a member of the committee.

Mr. WINN: Well, how did the committee get authority to do that?

Mr. DWYER: That is what we have in fact decided.

Mr. WINN: You mean that your committee proposes to recommend to the Convention that this Convention take that action?

Mr. DWYER: We do, on the score of economy.

Mr. WINN: I want to know whether the committee has mapped out a certain line of action that it intends to take irrespective of the wishes of the Convention?

Mr. DWYER: Do you not think that is a highly proper thing to do?

Mr. FACKLER: I rise to a point of order.

The PRESIDENT: The point of order is sustained.

Mr. READ: Do you not think it proper that a person who can read well and who is well informed, or can be, should be assisted by numerals when he has made up his mind?

Mr. BROWN, of Lucas: The argument against numerals would apply to having any index to a book.

Mr. KNIGHT: If the ballot is to follow this form, would it not be better for six, seven, eight and nine, down to seventeen, article II instead of article XI?

Mr. BROWN, of Lucas: That is article II. That is simply that much more work for the committee on Phrasology.

Mr. KNIGHT: This does not come to us. It is not a proposal.

Mr. BROWN, of Lucas: That can be rectified. It applies to article II.

Mr. KNIGHT: I insist that we correct it now.

Mr. BROWN, of Lucas: Well, we will correct it.

Mr. MARRIOTT: Is the liquor proposal numbered?

Mr. BROWN, of Lucas: That is not numbered.

Mr. MARRIOTT: Will you number it?

Mr. BROWN, of Lucas: If you prefer.

Mr. MARRIOTT: Have you numbered it?

Mr. BROWN, of Lucas: No, sir; it is entirely by itself on the ballot. I see no objection to numbering it if anybody wants it numbered.

Mr. EVANS: Why did you put the liquor proposition off in a place by itself? I would like to understand the meaning of that. Why was that done?

Mr. BROWN, of Lucas: The reason was this: The majority of the committee believed that that was the right way to submit it separately, so that everybody would see that the liquor amendment stood by itself in this proposal. Now some of us think there are people who want to vote for the liquor amendment regardless of anything else, and that some want to vote against it regardless of anything else. We thought if it were in a column with the other proposals, some people might desire to vote simply upon that and vote straight down that column one way or the other. Some of us signed

statement No. 1 under the Green law that we would separately submit the liquor amendment, and not have the rest of the constitution carried along with it. Several of us thought that was the place to put it, where everybody could find it, and everybody who wanted to vote for it could find it and everybody who wanted to vote against it could find it.

Mr. EVANS: Is it at the bottom or at one side?

Mr. BROWN, of Lucas: This comes right here opposite Mr. Elson's proposal at the top.

Mr. EVANS: Why did you put it to one side that way?

Mr. BROWN, of Lucas: We simply wanted to submit that separately. To be consistent we should have them all together, and we should not have given anyone precedence of position over the other.

Mr. EVANS: Well, doesn't this give that precedence?

Mr. BROWN, of Lucas: We don't think it gives precedence, because everybody can find it.

Mr. EVANS: The committee thinks that would give him a chance to find it anyhow, and he can find the others or not.

Mr. BROWN, of Lucas: No; the point was this: We do not want anybody who wants to vote against the liquor amendment to vote against everything else, as was done in 1873.

Mr. ULMER: A great many of the delegates here have at least signed a statement by which they pledged themselves that the liquor amendment should be submitted on a separate ballot. That was the first thing. Then the second thing was that the woman's suffrage proposal should be put on a separate ballot. Now, why put the liquor question separately this way and not submit woman's suffrage in the same way?

Mr. EVANS: I am not in favor of woman's suffrage.

Mr. WINN: A point of order, who has the floor?

The PRESIDENT: The gentleman from Lucas. Mr. Brown yielded the floor to Mr. Ulmer.

Mr. BROWN, of Lucas: There is one other point that I wish to make about this separate submission of the license proposal. That is the only alternative proposition before us. One is that license shall be granted, and the other is that license shall not be granted. That is not true of any other of these proposals. If the affirmative vote exceeds the negative vote on any other than this proposal, it becomes part of the constitution. If the negative exceeds the affirmative, the whole matter is gone.

Mr. WATSON: Why not leave a blank space underneath the same as all of the others and submit it that way instead of wasting so much space and time on it?

Mr. BROWN, of Lucas: Why leave a blank space?

Mr. WATSON: Why not submit it on a separate ballot?

Mr. BROWN, of Lucas: Every separate ballot requires a separate ballot box and tally sheet and all of the machinery of an election.

Mr. FACKLER: Is it not a fact that the license proposal as adopted by the Convention provided a different method of voting on the proposal from that which the committee recommends?

Mr. BROWN, of Lucas: Certainly, and it so appears on this ballot.

Mr. THOMAS: Do the polls close at 5:30 or 6

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o'clock? Was there not an amendment to close the election at six o'clock last year?

Mr. BROWN, of Lucas: I think not.

DELEGATES: Yes; there was.

Mr. BROWN, of Lucas: If so, whatever the law it is applicable to this election. I now move the adoption of this report.

Mr. WINN: I desire to offer an amendment.

The amendment was read as follows:

Amend the report of the committee on Resolution No. 118 as follows:

Strike out the following on the last page of the form of ballot: "Intoxicating Liquors. To vote for license to traffic in intoxicating liquors place a cross-mark in the blank space to the left opposite the words:—'For license to traffic in intoxicating liquors.' To vote against license to traffic in intoxicating liquors place a cross-mark in the blank space to the left opposite the words: 'Against license to traffic in intoxicating liquors,'" and place the form of ballot for vote on liquor license proposal in the column with the other propositions to be voted upon, and in its proper place, under the rule followed in the resolution giving place to the other propositions on the ballot.

Mr. WINN: I am not certain, gentlemen of the Convention, whether any other amendment to the resolution is necessary. I have not the text of the resolution before me, but the form of the ballot is part of the resolution, so I suggest by this amendment that the third page of the form of the ballot be changed by striking out the words "Intoxicating liquors" and all following down to the form of ballot for the vote on the last proposition—

Mr. DWYER: Will the gentlemen permit me?

Mr. WINN: Not now.

Mr. DWYER: I want to read a section?

Mr. WINN: I cannot yield for that now. In a moment I will—and that that be placed in the column in its proper place, following the rule adopted by the committee. Proposal No. 151 is an amendment of section 9 of article XV of the constitution, so that, if the same rule is applied to this as to all of the other proposals, it would appear probably as No. 36 or No. 37. Now, I do not believe that the temper of this Convention is favorable to the submission of this proposition or proposal off on the right of the ballot as recommended by the committee. I appreciate this fact, gentlemen, that around about saloons there are a great many men who have spent the best years of their lives cleaning cuspidors and in similar service for their masters, who are the saloon keepers, and they are not qualified in many instances to vote upon a proposition unless it is put some place on the ballot where they may be able to pick it out without reference to the language used in it. I do not believe that there is a majority of this Convention ready to submit the result of our own labors on these proposals to the determination of that class of men, and that is what is proposed by this plan of submission.

Mr. DWYER: Will the gentleman permit me?

Mr. WINN: If it does not come out of my time.

Mr. DWYER: These are the laws of 1911 under

which this Constitutional Convention was assembled, and is doing business. It makes provision about this. It reads:

Statement No. 1. I hereby state to the people of Ohio, as well as to the people of my county, that during my incumbency of the office of delegate to the Constitutional Convention, I will always vote for a separate submission to the people as a separate part of the constitution, of the alternative questions, "Shall the constitution provide for the licensing of the traffic in intoxicating liquors, or shall the constitution prohibit the licensing of the traffic in intoxicating liquors?"

Mr. WINN: I think we are all familiar with that.

Mr. DWYER: I want you to construe that.

Mr. WINN: It would be an insult to the intelligence of this Convention to assume that its members are not advised of that. But I am not asking that any person who was foolish enough to sign any pledge respecting that question shall violate his pledge. There is no such purpose as that in the amendment I propose. I propose that it be separately submitted. I am not even suggesting the violation of any pledge. When the general assembly enacted this law bringing into existence this Convention it was presumed (as we first presumed) that the result of our work would be an amended constitution to be submitted to the people on a question of "New constitution, yes", or "New constitution, no"; and that the constitution would be rejected or ratified by the people. So having that in mind, it was proposed that candidates might be pledged to submit this separate from the general constitution. The latter part of March or the first part of April we passed a resolution declaring it to be the sense of the Convention that we submit each proposal separately. That is what we all intended to do until the last two or three days when the very same influences that procured the general assembly to provide for that pledge in the law got in its work on the floor of this Convention and undertook to secure enough pledges for the submission of this question on a ballot in such a way that a man who might be described as the finished product of the saloon may be able to defeat our work at the polls. To me it seems that it would be belittling ourselves and would be an insult to the intelligence of the voters of Ohio for us to do a thing of this sort. Now there are some who wanted to put a circle at the top so that the voters could vote easily. But that has been rejected, and now it is urged that all the proposals be in one column, allowing the electors of Ohio to go to the polls and intelligently decide whether or not our work shall be ratified.

Mr. FACKLER: The amendment you have proposed is impossible. If you will turn to Proposal No. 151 you will find on page 3 what the committee found this afternoon when we started to make up the ballot. You will find that the form of the ballot is described in Proposal No. 151 and that it differs from the form in which all of the other proposals are to be submitted, and your amendment would throw the whole report on submission out of gear.

Mr. WINN: It might require a little further amendment, and the words "for or against license" might be used instead of "for or against license to traffic in intoxi-

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cating liquors." I believe those words have not been changed and the words are "For license to traffic in intoxicating liquors. Against license to traffic in intoxicating liquors."

Mr. FACKLER: You have evidently misunderstood me. If you notice the form of the ballot on the change

in the jury system is yes and no, but that is not the form on the liquor question.

Mr. STEVENS: I desire to submit an amendment to the amendment offered by the member from Defiance [Mr. WINN].

The amendment was read as follows:

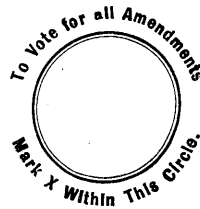
Strike out the first and second columns of the report of committee and the pending amendment and insert the following:

Form of Ballot.

OFFICIAL BALLOT.

SPECIAL ELECTION, TUESDAY, SEPTEMBER 3, 1912.

AMENDMENTS TO THE CONSTITUTION.



To vote for or against any amendment separately mark (X) to the left of "Yes" or "No."

1	YES	ARTICLE I, SECTION 5. Reform in Civil Jury System.
	NO	
2	YES	ARTICLE I, SECTION 9. Abolition of Capital Punishment.
	NO	
3	YES	ARTICLE I, SECTION 10. Depositions by State and Comment on Failure of Accused to testify in Criminal Cases.
	NO	
4	YES	ARTICLE I, SECTION 16. Suits against the State.
	NO	
5	YES	ARTICLE I, SECTION 19a. Damage for Wrongful Death.
	NO	
6	YES	ARTICLE II, SECTIONS 1 TO 1g. Initiative and Referendum.
	NO	

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7	YES	ARTICLE II, SECTION 8. Investigations by each House of General Assembly.
	NO	
8	YES	ARTICLE II, SECTION 16. Limiting Veto Power of Governor.
	NO	
9	YES	ARTICLE II, SECTION 33. Mechanics' and Builders' Liens.
	NO	
10	YES	ARTICLE II, SECTION 34. Welfare of Employes.
	NO	
11	YES	ARTICLE II, SECTION 35. Workmen's Compensation.
	NO	
12	YES	ARTICLE II, SECTION 36. Conservation of Natural Resources.
	NO	
13	YES	ARTICLE II, SECTION 37. Eight Hour Day on Public Work.
	NO	
14	YES	ARTICLE II, SECTION 38. Removal of Officials.
	NO	
15	YES	ARTICLE II, SECTION 39. Regulating Expert Testimony in Criminal Trials.
	NO	
16	YES	ARTICLE II, SECTION 40. Registering and Warranting Land Titles.
	NO	
17	YES	ARTICLE II, SECTION 41. Abolishing Prison Contract Labor.
	NO	

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18	YES	ARTICLE III, SECTION 8. Limiting Power of General Assembly in Extra Sessions.
	NO	
19	YES	ARTICLE IV, SECTIONS 1, 2 AND 6. Change in Judicial System.
	NO	
20	YES	ARTICLE IV, SECTIONS 1, 3, 12 AND 15. Judge of Court of Common Pleas for each County.
	NO	
21	YES	ARTICLE IV, SECTION 9. Abolition of Justices of the Peace in Certain Cities.
	NO	
22	YES	ARTICLE IV, SECTION 21. Contempt Proceedings and Injunctions.
	NO	
23	YES	ARTICLE V, SECTION 1. Omitting word "White."
	NO	
24	YES	ARTICLE V, SECTION 2. Use of Voting Machines.
	NO	
25	YES	ARTICLE V, SECTION 7. Primary Elections.
	NO	
26	YES	ARTICLE VI, SECTION 3. Organization of Boards of Education.
	NO	
27	YES	ARTICLE VI, SECTION 4. Creating the office of Superintendent of Public Instruction to replace State Commissioner of Common Schools.
	NO	
28	YES	ARTICLE VIII, SECTION 1. State Bond Limit for Good Roads.
	NO	

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29	YES	ARTICLE VIII, SECTION 6. Regulating Insurance.
	NO	
30	YES	ARTICLE VIII, SECTION 12. Abolishing Board of Public Works.
	NO	
31	YES	ARTICLE X, SECTION 1. Woman's Suffrage.
	NO	
32	YES	ARTICLE XII, SECTIONS 1, 2, 6, 7, 8, 9, AND 10. Taxation of State and Municipal Bonds, Inher- itances, Incomes, Franchises and Pro- duction of Minerals.
	NO	
33	YES	ARTICLE XIII, SECTION 2. Regulation of Corporations and Sale of Personal Property.
	NO	
34	YES	ARTICLE XIII, SECTION 3. Double Liability of Bank Stockholders and Inspection of Private Banks.
	NO	
35	YES	ARTICLE XV, SECTION 2. Regulating State Printing.
	NO	
36	YES	ARTICLE XV, SECTION 4. Eligibility of Women to Certain Offices.
	NO	
37	YES	ARTICLE XV, SECTION 9. License to Traffic in Intoxicating Liquors.
	NO	
38	YES	ARTICLE XV, SECTION 10. Civil Service.
	NO	
39	YES	ARTICLE XV, SECTION 11. Out-Door Advertising.
	NO	

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40	YES	ARTICLE XVI, SECTIONS 1, 2, AND 3. Methods of Submitting Amendments to the Constitution.
	NO	
41	YES	ARTICLE XVIII, SECTIONS 1 AND 13. Municipal Home Rule.
	NO	
42	YES	SCHEDULE NO. 4. Schedule of Amendments.
	NO	

Mr. STEVENS: This amendment does simply this: It places every amendment to this constitution in a straight line from top to bottom on a straight ballot, and it puts them on in the order in which they will be inserted in the old constitution when the whole work is done and the people have voted upon it. There is no other rational way in which to submit the work of the Convention, and anybody who desires to change that order has some motive other than a fair, square vote all around. Now, about the circle at the top of the ballot—

Mr. ULMER: Is the circle square?

Mr. STEVENS: No, a circle is not square. A circle is like a whole lot of people on the other side of the question. They are not square. Now if a person wants to vote for all of the amendment he can simply put a cross in the circle instead of making forty-two. It may be said that that puts a premium upon the work of the Convention. I want to say to you that I am in favor of putting a premium upon the work of this Convention. The state of Ohio has elected one hundred and nineteen delegates and spent \$200,000 in getting out this job, and if that does not create a presumption in favor of the work of this Convention then such presumption cannot be created. If we are not able to do this work we ought not to be here. The people sent us here. We have spent five months of painstaking work, and everything, I think, raises the presumption in favor of our work being adopted, and that circle does it. It is a right of every citizen, humble or otherwise, to have an opportunity of voting for or against any amendment, and for the purpose of extending that right to him I have used these words to the right of the circle:

To vote for or against any amendment separately mark X to the left of "Yes" or "No."

Suppose one of you men wishes to vote; if you want to vote for the whole business, mark X in the circle. Suppose you don't want to vote for all of them but want to vote against some; mark the X in the circle and then mark the X in the "No" square opposite those you wish to vote against. There cannot be a simpler method than that, and it is absolutely fair. If any of you men have friends not sufficiently intelligent to express their wishes on that ballot, I am sorry for your friends.

This plan will make it very much more easy to get these votes in. Ninety-nine per cent of the voters will vote for all of the amendments except three or four,

and the method I submit with the circle is the easiest and quickest and simplest method that can be devised to vote on these matters.

Mr. HALFHILL: I think the report of the committee deserves commendation, but also think that this last amendment that came in here for your consideration, and which is said to be fair, is the most unfair thing that could be presented to this Convention or to the people of Ohio. When the gentleman boasts about the intelligence of this Convention and the presumption in favor of its work, he ought to remember that pride goeth before destruction, and a haughty spirit before a fall, and he should not set himself up as being so exceedingly haughty as to think the Convention has done a thing that everybody in Ohio will agree with.

If we want a campaign of education and intelligence, follow the report of the committee, because I believe that is the surest way to get rid of both the vicious and the ignorant vote. I do not think we ought to adopt this circle at the top of the ballot so that everybody can vote for the whole thing by simply making a cross mark within the circle. I expect to vote for and advocate most of the work of this Convention, but some of it I shall not vote for. But I commend the work of this committee, and in regard to that separate submission that the gentleman from Defiance refers to, I would like that gentleman and everybody else to understand that not everybody in this Convention has signed any pledge. I did not sign any pledge under the Green law or any other law, but ever since I have had enough knowledge of the existing conditions to know what would be right and wrong upon submitting a proposal of this kind, I have known enough to know that it ought to be submitted on a separate ballot and voted for in a separate ballot box.

The gentleman from Defiance in his discourse didn't tell us what he stood for. He said it would defeat the work of this Convention, but he didn't tell us what the voters he described would vote against. After listening to his speech, I do not know now, and I do not believe anybody in the Convention knows; but I do know a whole lot of people in the state of Ohio do not believe in license at all, and they are just as much entitled to vote their sentiments against license and for retaining the existing provisions of the constitution as the men who believe in license have a right to vote for it. It ought

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to be a separate ballot, and I always supposed that a separate submission meant putting it in a separate ballot box.

We all know what defeated the constitution of 1873. Probably that was the best constitution ever submitted to any state in the Union.

Mr. STEVENS: What about this one of ours?

Mr. HALFHILL: This is only a partial constitution. Now another thing: We cannot have the major part of our work carried at the polls unless we have the support of the great newspapers of the state of Ohio. You know that the Cincinnati Enquirer and the Columbus Dispatch beat the constitution of 1873. How many newspapers are there in the state that would support the work if we put a circle at the head of this ballot and allow all electors to vote for each amendment by voting in the circle, and make them vote "No" opposite each proposal if they want to vote against them all? I have heard the Longworth law denounced time and time again in this Convention because by virtue of that and the indorsement of the two political parties a constitutional amendment was carried. I hope whatever we do with these amendments we will observe substantially the report of this committee because it is eminently fair.

Mr. HARRIS, of Hamilton: Did you hear the statement made by the member from Tuscarawas [Mr. STEVENS] that in his judgment ninety-nine per cent of the people who go to the booths will vote for all of the amendments? Are you aware of the fact that not sixty per cent of this Convention voted for all of the amendments?

Mr. HALFHILL: I heard substantially that statement, and I think it was just as wide afield and as far from fact as some of the other statements of the gentleman from Tuscarawas.

Mr. STEVENS: I didn't make any such statement. I did not say that ninety-nine per cent of the voters would vote for all of the propositions. I said that ninety-nine per cent of the voters would vote for all of the propositions except three or four.

Mr. HALFHILL: I move that the amendment of the gentleman from Tuscarawas be laid on the table.

The yeas and nays were regularly demanded.

The yeas and nays were taken, and resulted—yeas 75, nays 33, as follows:

Those who voted in the affirmative are:

Baum,	Fox,	Ludey,
Beatty, Morrow,	Hahn,	Malin,
Beyer,	Halenkamp,	Marriott,
Bowdle,	Halfhill,	Marshall,
Brattain,	Harris, Hamilton,	Matthews,
Brown, Highland,	Harter, Huron,	Miller, Crawford,
Brown, Lucas,	Harter, Stark,	Norris,
Brown, Pike,	Hoffman,	Nye,
Campbell,	Holtz,	Okey,
Collett,	Hoskins,	Partington,
Colton,	Hursh,	Peck,
Cordes,	Johnson, Williams,	Pierce,
Cunningham,	Jones,	Price,
Davio,	Kehoe,	Read,
DeFrees,	Keller,	Redington,
Dunlap,	Kerr,	Riley,
Dwyer,	King,	Rockel,
Earnhart,	Knight,	Roehm,
Eby,	Kunkel,	Rorick,
Fackler,	Lampson,	Shaffer,
Farrell,	Leslie,	Shaw,
Fluke,	Longstreth,	Smith, Geauga,

Smith, Hamilton,	Stamm,	Tallman,
Solether,	Stewart,	Ulmer,
Stalter,	Stokes,	Woods.

Those who voted in the negative are:

Anderson,	Kilpatrick,	Stilwell,
Crosser,	Kramer,	Taggart,
Doty,	Lambert,	Tannehill,
Dunn,	Leete,	Tetlow,
Evans,	McClelland,	Thomas,
Farnsworth,	Miller, Fairfield,	Wagner,
Fess,	Miller, Ottawa,	Walker,
FitzSimons,	Moore,	Watson,
Harbarger,	Peters,	Winn,
Harris, Ashtabula,	Pettit,	Wise,
Johnson, Madison,	Stevens,	Mr. President.

So the motion to table was carried.

Mr. BROWN, of Lucas: I move that the amendment offered by the delegate from Defiance be laid on the table.

The yeas and nays were regularly demanded, taken, and resulted—yeas 68, nays 39, as follows:

Those who voted in the affirmative are:

Beyer,	Halfhill,	Peck,
Bowdle,	Harris, Hamilton,	Pierce,
Brattain,	Harter, Huron,	Price,
Brown, Highland,	Harter, Stark,	Read,
Brown, Lucas,	Hoffman,	Redington,
Brown, Pike,	Hoskins,	Riley,
Cassidy,	Hursh,	Rockel,
Collett,	Johnson, Madison,	Rorick,
Cordes,	Johnson, Williams,	Rorick,
Crosser,	Keller,	Shaffer,
Davio,	Kerr,	Smith, Hamilton,
DeFrees,	King,	Stalter,
Doty,	Kunkel,	Stamm,
Dunlap,	Lampson,	Stilwell,
Dwyer,	Leslie,	Stokes,
Earnhart,	Ludey,	Taggart,
Evans,	Malin,	Tallman,
Fackler,	Marriott,	Tetlow,
Farrell,	Marshall,	Thomas,
FitzSimons,	Matthews,	Ulmer,
Fox,	Moore,	Woods,
Hahn,	Okey,	Mr. President.
Halenkamp,	Partington,	

Those who voted in the negative are:

Anderson,	Harbarger,	Miller, Fairfield,
Antrim,	Harris, Ashtabula,	Miller, Ottawa,
Baum,	Holtz,	Nye,
Beatty, Morrow,	Jones,	Peters,
Campbell,	Kehoe,	Pettit,
Colton,	Kilpatrick,	Stevens,
Crites,	Knight,	Stewart,
Cunningham,	Kramer,	Tannehill,
Dunn,	Lambert,	Wagner,
Eby,	Leete,	Walker,
Farnsworth,	Longstreth,	Watson,
Fess,	McClelland,	Winn,
Fluke,	Miller, Crawford,	Wise.

So to the amendment was tabled.

Mr. DWYER: Now I move the previous question.

The motion was lost.

Mr. ANDERSON: I think it is our duty to provide some way on this ballot that will permit those who have only a short period of time in which to vote to vote intelligently upon this all important question. Take the city of Youngstown. As I remember it, the statutes of Ohio provide that you can compel the big manufacturing establishments to close down for a period of three hours to permit their men to go and vote. Now some of those plants are a number of miles from the voting

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booths. There are from five thousand to seven thousand five hundred men employed there. With those great plants, where they take a billet of metal and send it down through the huge machinery operated by electric power at the other end, if certain men quit all have to quit. Therefore it means that all of those men are relieved at the same time to go to the polls and vote. A great many other men can sit in their office and have their chauffeurs bring their cars around and go at any time and take all the time they please to vote. Now, to be equally fair to all who wish to vote I insist that some means ought to be provided by which a man with two strokes of the pencil can vote for the whole constitution. "Oh," you say, "that is a premium on ignorance." Let us analyze it. The voter is not educated in the booth. The form of ballot does not make him any brighter or smarter. What he has done before he goes into the booth determines whether he has voted intelligently or not. He is not going to make a study of the proposed new constitution after he goes into the booth. What is the result? I am speaking of Youngstown. Those men working for the plants are relieved from work at a certain hour of the day. It takes them a certain time to get to their homes or to the voting booths, and they will be struggling there in long rows waiting to get in. And those in the booths will do what? They will know there are those outside waiting to get in, and do you think the man in the booth will make forty-two marks? Just get your watches out and see how long it will take you to read this ballot. It will take three and one-half minutes to read it, and I want to say to you that it is utterly impossible for those men in Youngstown to vote.

Mr. PECK: If they cannot vote on these amendments how can they vote under the initiative and referendum when we refer so many things to them?

Mr. ANDERSON: We are talking about this now and not discussing the other, but I am just as anxious to provide time for the men to vote under the initiative and referendum as upon this new constitution that it has taken us months and months to make.

Mr. BROWN, of Lucas: I move the previous question.

The motion was lost.

The PRESIDENT: The question is on agreeing to the report of the committee.

The report of the committee was agreed to.

The PRESIDENT: The question now is, "Shall the resolution be adopted?"

The yeas and nays were taken, and resulted—yeas 81, nays 29, as follows:

Those who voted in the affirmative are:

Baum,	DeFrees,	Harris, Hamilton,
Beatty, Morrow,	Doty,	Harter, Huron,
Beyer,	Dunlap,	Harter, Stark.
Bowdle,	Dwyer,	Hoffman,
Brattain,	Earnhart,	Hoskins,
Brown, Highland,	Evans,	Hursh,
Brown, Lucas,	Fackler,	Johnson, Madison,
Brown, Pike,	Farnsworth,	Johnson, Williams,
Cassidy,	Farrell,	Keller,
Cody,	Fess,	Kerr,
Collett,	FitzSimons,	King,
Cordes,	Fluke,	Knight,
Crites,	Fox,	Kunkel,
Crosser,	Hahn,	Lambert,
Cunningham,	Halenkamp,	Lampson,
Davio,	Halfhill,	Leslie,

Ludey,	Peck,	Smith, Geauga,
Malin,	Pierce,	Smith, Hamilton,
Marriott,	Price,	Solether,
Marshall,	Read,	Stalter,
Matthews,	Redington,	Stamm,
McClelland,	Riley,	Stokes,
Miller, Crawford,	Rockel,	Taggart,
Norris,	Roehm,	Tallman,
Nye,	Rorick,	Ulmer,
Okey,	Shaffer,	Walker,
Partington,	Shaw,	Woods.

Those who voted in the negative are:

Antrim,	Leete,	Stilwell,
Colton,	Longstreth,	Tannehill,
Dunn,	Mauck,	Tetlow,
Harbarger,	Miller, Fairfield,	Thomas,
Harris, Ashtabula,	Miller, Ottawa,	Wagner,
Holtz,	Moore,	Watson,
Jones,	Peters,	Winn,
Kehoe,	Pettit,	Wise,
Kilpatrick,	Stevens,	Mr. President.
Lambert,	Stewart,	

So the resolution was adopted.

Mr. SMITH, of Hamilton: The special committee to which was referred Judge Taggart's report, submits the following report which was unanimously agreed to:

The select committee to which was referred Proposal No. 340—Mr. Taggart, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

Strike out the last sentence of the proposal and all pending amendments and insert the following:

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

The report was adopted.

The PRESIDENT: The question is upon the passage of the proposal, and the secretary will call the roll.

The yeas and nays were taken, and resulted—yeas 97, nays none, as follows:

Those who voted in the affirmative are:

Anderson,	Fox,	Mauck,
Antrim,	Halenkamp,	McClelland,
Baum,	Halfhill,	Miller, Crawford,
Beatty, Morrow,	Harbarger,	Miller, Ottawa,
Beyer,	Harter, Huron,	Moore,
Bowdle,	Harter, Stark,	Norris,
Brattain,	Hoffman,	Nye,
Brown, Highland,	Holtz,	Okey,
Brown, Lucas,	Hursh,	Peck,
Brown, Pike,	Johnson, Madison,	Peters,
Campbell,	Johnson, Williams,	Pettit,
Cassidy,	Jones,	Pierce,
Collett,	Keller,	Price,
Crites,	Kilpatrick,	Read,
Crosser,	Knight,	Redington,
Cunningham,	Kramer,	Riley,
Davio,	Kunkel,	Rockel,
DeFrees,	Lambert,	Roehm,
Doty,	Lampson,	Rorick,
Dunlap,	Leete,	Shaffer,
Earnhart,	Leslie,	Shaw,
Ebv,	Longstreth,	Smith, Geauga,
Evans,	Ludey,	Smith, Hamilton,
Fackler,	Malin,	Solether,
Farnsworth,	Marriott,	Stalter,
FitzSimons,	Marshall,	Stamm,
Fluke,	Matthews,	Stevens,

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Stewart,
Stilwell,
Stokes,
Taggart,
Tallman,
Tannehill,

Tetlow,
Thomas,
Ulmer,
Wagner,
Walker,

Watson,
Winn,
Wise,
Woods,
Mr. President.

So the proposal finally passed.
Mr. THOMAS: I offer a report.
The report was read as follows:

The committee on Submission and Address to the People, having had under consideration plans for publishing information concerning the amendments to be submitted to the electors in the state, recommends the following:

First, that a pamphlet be prepared by the committee on Submission and Address to the People, containing a notice of election, a facsimile of the form of ballot to be used, a copy of each amendment, and a brief statement explaining each amendment, said statement in the case of each amendment to be drafted by the author and the chairman of the committee which had the amendment under consideration, and edited and approved by the committee on Submission and Address to the People, and then when thus approved said pamphlet shall be printed by the secretary of state and mailed as far as practicable to all the electors of the state, cost of the same to be paid by the state.

Second, that the committee on Submission and Address to the People be authorized and instructed to prepare statements concerning the amendments, to be sent free in plate form to such Ohio publishers as agree to use the same, and that this plate matter be distributed under the direction of the committee on Submission and Address to the People, provided, however, that an appropriation of the Convention's funds be and is hereby made for this purpose, not to exceed the amount of \$1600.

Third, that the date and nature of the election to ratify the amendments, be advertised in at least two papers of opposite politics in each county of the state, provided such advertisements are accepted by each paper at a rate not to exceed the usual quoted rates for unofficial advertising, and that the committee on Submission and Address to the People furnish the copy and determine the number of insertions of such advertisements, and the papers in which they are to be placed, and report to the secretary of state a complete itemized statement of the cost of the same, which cost shall be borne by the state.

Fourth, That the members of the committee on Submission and Address to the People shall receive the usual mileage for meetings which they deem it advisable to call, and that requisitions shall be made in the usual manner by the president and secretary for necessary postage and materials required for the work of the committee.

The report was adopted.

Mr. DWYER: I offer an amendment that in any county of the state where there is a German newspaper published it shall be published in one German newspaper.

The PRESIDENT: That is not in order at this time.
Mr. CASSIDY: I offer a resolution, and as the resolution is in my handwriting, I will have to read it.

The resolution was read as follows:
Resolution No. 141:

Resolved, First, that a pamphlet be prepared by the committee on Submission and Address to the People, containing a notice of election, a facsimile of the form of ballot to be used, a copy of each amendment, and a brief statement explaining each amendment, said statement in the case of each amendment to be drafted by the author and the chairman of the committee which had the amendment under consideration, and edited and approved by the committee on Submission and Address to the People, and that when thus approved said pamphlet shall be printed by the secretary of state and mailed as far as practicable to all the electors of the state, cost of the same to be paid by the state.

Second, that the committee on Submission and Address to the People be authorized and instructed to prepare statements concerning the amendments, to be sent free in plate form to such Ohio publishers as agree to use the same, and that this plate matter be distributed under the direction of the committee on Submission and Address to the People, provided, however, that an appropriation of the Convention's funds be and is hereby made for this purpose not to exceed the amount of sixteen hundred dollars.

Third, that the date and nature of the election to ratify the amendments, be advertised in at least two papers of opposite politics in each county of the state, provided such advertisements are accepted by each paper at a rate not to exceed the usual quoted rates for unofficial advertising, and that the committee on Submission and Address to the People furnish the copy and determine the number of insertions of such advertisements, and the papers in which they are to be placed, and report to the secretary of state a complete itemized statement of the cost of the same which cost shall be borne by the state.

Fourth, that the members of the committee on Submission and Address to the People shall receive the usual mileage for meetings which they deem it advisable, to call, and that requisitions shall be made in the usual manner by the president and secretary for necessary postage and materials required for the work of the committee.

Mr. CASSIDY: This resolution is to bring before the Convention a form so that it can be referred to a committee. This follows, word for word, the submission and address. If it is desired, I can give a statement of our financial condition up to tomorrow:

Out of the appropriation of \$200,000 made by the legislature for the expenses, up to tomorrow there will be expended \$178,398.70, as near as we can estimate it. This does not include the allowances made to the reporter for night sessions nor does it include the bill for printing and publishing the debates, the contract for which was \$5,000, nor does it include any item for printing the journal,

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which it is customary to do. Outside of those last-named items, we have \$21,000 in the treasury out of the appropriation made by the general assembly.

Mr. MAUCK: You propose to print pamphlets at the expense of the state and distribute them. Have you determined any way by which you can buy postage stamps on tick?

Mr. CASSIDY: Personally, I have never been able to do it.

Mr. MAUCK: Is it not the business of the committee to provide for that, for some method of publicity?

Mr. CASSIDY: The secretary informs me that the secretary of state has authority to make that distribution.

The PRESIDENT: The amendment of the gentleman from Montgomery to publish in one German paper in any county that has a German paper is the matter before the Convention.

Mr. CASSIDY: That matter was considered in the committee, and we decided that the selection of the newspapers had better be left to a committee. I would oppose that amendment.

Mr. KNIGHT: It seems to me that any matter that is sent out to the people of the state of Ohio officially in the name of this Convention ought to be something that is read to this Convention and adopted by the Convention. I am absolutely opposed, and I know there are a great many others with me, to any blanket resolution conferring upon any number of members of this Convention, after this body has adjourned, the right to describe in their own terms and in such fashion as they please the contents of the various amendments submitted to the people. If they are to go out to the people, they should go out over the official name and with the official authority of the Convention.

I do not believe it is the business of this Convention to do any advertising of its work except in a legal form, by paying for the necessary advertising required by law. I am quite opposed to the body of the resolution in that regard, and I hope it will be defeated or so amended as to remove this feature.

Mr. HARRIS, of Ashtabula: What authority has this Convention to provide that the secretary of state shall do this or that, involving an expenditure of money?

The delegate from Ashtabula [Mr. LAMPSON] here took the chair as president pro tem.

Mr. BIGELOW: Gentlemen of the Convention: The attitude of some of the members of the Convention seems to be that we should maintain a dignified indifference as to what the public does with our amendments, now that we have adopted them. That is not my attitude. To me it seems that our work is not yet finished, and that we have a duty to perform to the people of this state after we adjourn tomorrow, if we do adjourn tomorrow, and that duty is to go out as missionaries, if you please, to talk to the people about the work we have done, to explain these amendments, and to use our best endeavors to secure the ratification of our work at the polls. Now, if that is to be done, of course all of that campaigning must be done at individual expense, and as our voluntary contribution to the good of the commonwealth. But there is much that can be done by the Convention and by the state in disseminating information concerning what has been done. It is hardly conceivable to me that this Convention would hesitate to do any reason-

able thing to carry the intelligence to all of the voters of the state of what has been done here, because it is just as important that the people next September should vote with full information as to what has been done as that we should have done our work well. In fact, it is more important, because if they are not informed about it, no matter how good our work has been, it fails.

Now, it is a very proper function of the state to convey intelligence as to state matters. The usual way is to advertise amendments in such form that nobody reads them, and in a very expensive way. In 1908 we submitted the taxation amendment to the vote of the people, and the advertising bill for the submission of that one little amendment was \$41,000. I have had a computation made that if we pay at the same rates for the amount of matter we have to advertise, we will have to pay \$1,800,000. Of course, that is preposterous, and yet, because that would be out of the question, are we going to not advertise it at all? Surely, it is our duty, it is the duty of the state, to see that the people who are to pass upon the work of this Fourth Constitutional Convention shall have available the information to permit them to pass intelligently upon that work.

Now, what is the plan outlined? Instead of spending \$41,000 to print at the official rate in the newspapers of the state in a form that nobody reads one amendment, we have planned here that at an expense of not exceeding \$50,000 all of this work can be much better presented to the people of the state. The first plan is that a pamphlet be prepared. You have provided in the initiative and referendum proposal, which you have adopted, that whenever questions in the future are to be submitted under that proposal such a pamphlet shall be distributed that this information may be conveyed to the voters. How is this pamphlet to be prepared? The amendments are to be printed on a facsimile ballot with an explanation. The resolution says that this explanation shall be prepared jointly by the author of the proposal and the chairman of the committee that had the proposal under consideration, and when those two men have submitted the draft of the explanation it is to go to the committee on Submission and Address to the People in order that it may be properly arranged to go with similar statements from the authors and chairmen of the other committees that are to be incorporated in this pamphlet.

I can quite understand the resasonableness of the suggestion of the member from Franklin [Mr. KNIGHT] that it would be desirable, if it were possible, to have such pamphlet ready and acted upon by the Convention. There is a way by which it can be done. This Convention can adjourn and come back in two or three weeks, or any time you fix, when the work of the sub-committee can be reported, and the pamphlet can be ready and passed upon. But, if that is not desired, are we to forego the opportunity we have of conveying this intelligence to the voters without unreasonable cost? Not only is this statement to be prepared this way by the author of the proposal and the chairman of the committee, but the whole matter shall be acted upon by the committee on Submission and Address to the People.

I should think we have been here long enough to trust one another, and not imagine that an advantage would be taken. Here is a committee of eighteen people. The president and the vice president are on the committee,

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as are Mr. Brown, of Highland, Mr. Brown, of Lucas, Mr. Fackler, Judge Dwyer, Mr. Weybrecht, Mr. Beatty, of Wood, Mr. Thomas, Mr. Hahn, Mr. Evans, Mr. Woods, Mr. Crosser, Mr. Stevens, Mr. Johnson, of Madison, Mr. Bowdle, Mr. Doty and Mr. Lampson, while Mr. Cassidy was put on today. It might be desirable to make additions to this committee, so that it would be fully representative of every class of people here and of this that or the other interest. The other method suggested is that these statements or similar statements prepared in the same way be sent out with reference to each proposal in plate matter free to the country press that will use the same. This could be done at a cost of \$1,600 and the funds will be available from the Convention funds for doing this. Of course, it is out of the question that the newspapers of the state expect us to advertise our work, bulky as it is, at official rates. Yet it is reasonable that we should do some advertising, and the committee's plan is that there be inserted once or twice or three times preceding the election a display advertisement, or facsimile of the ballot, and the attention of the public called to the importance of the approaching election when the work of the Convention is to be finally passed upon. I should be glad to have this amended if this does not seem reasonable. I will leave it to the Convention to examine it and do with it as they desire. But if you do not do this, you should do something else equally as good or better. We certainly should not maintain an attitude of indifference as to what the public does with our work. Then indeed we should feel a very keen responsibility, at least to the extent of doing everything reasonable to convey to the public full intelligence as to what we have done, in order that their verdict at the polls may be intelligent.*

Mr. WOODS: I offer an amendment.

The amendment was read as follows:

Strike out all advertising except the pamphlet, which pamphlet shall only contain copies of all amendments certified to by the secretary of this Convention.

Mr. WOODS: I do not agree with the president on a good many things pertaining to our work. I think when our work is done the people should be informed as to what we have done. I do not think it is up to us to analyze our work for them. We came here as their servants, not as their masters. We have done certain work and we should inform the people just what we have done. If we print a pamphlet with a certified copy of every amendment and mail it to every voter, they can find out what we have done and they can make up their minds whether to adopt the work or vote against it.

Mr. BIGELOW: Is it the purpose of your amendment to print a pamphlet with the text of the amendments?

Mr. WOODS: Yes.

Mr. BIGELOW: Do you think it would be possible for an average voter—indeed, do you think it would be possible for the average member of this Convention had he not been paid to spend five months here—to take such a pamphlet as you propose and get any ray of intelligence out of it as to what this Convention has done?

Mr. WOODS: I think if the people of Ohio are capable of making their own laws and voting for and against

every law, that they are capable of voting for or against these amendments.

Mr. HARRIS, of Hamilton: Will the gentleman yield for a question?

Mr. WOODS: Not now. Not only that, gentlemen of the Convention, but I say to you that it is not fair that the author of each proposal and the chairman of the committee which had that proposal under consideration only should make an argument for the respective amendments and print these in the pamphlet and send it to the voters. If you are going to have an argument for it, then in all fairness you should have an argument against it to go along with it to the voters.

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

Mr. WOODS: Not now. Not only that, I am a member of this committee on Submission and Address to the People, and I have been notified of just two meetings of that committee. That is all. However, I have attended the meetings of the committee that I have had notice of with one exception when I could not be there. I don't want to reflect on that committee. There are some good men on it, but I say to you in my judgment you might just as well leave this matter of exploiting alone to the president of the Convention as to leave it to that committee. The members of that committee cannot spend their summer down here advertising. If this Convention see fit to prepare some advertising matter for the newspapers that is fair and proper advertising matter, I shall be for it, but I am absolutely opposed to doing something here that is going to allow somebody to advertise in all of the newspapers of this state something that this committee on Submission and Address to the People or this Convention may have to stand for. I am opposed to it. It looks to me as though this state house for the next three or four months and the state treasury and all that is in it and a good big bunch that is not in it are to be used for the purpose of getting the people of this state to adopt our work. For the life of me, I cannot understand how it becomes a part of our duty to get the people to vote for something they may not want. I am willing to go out in my county and explain what we have done down here, but I am not going to stump for votes. I shall try to explain these amendments, but I shall get them to vote against some things done here if I can. I am going to be fair about these matters. I don't think the people of the state expect us to go out and tell them what a great work we have done. I don't think that we are expected to do that or that we can afford to do it, and if this Convention passes this resolution and then passes the next resolution the people of Ohio are going to get the real cold truth from me, and that is the reason I object to it.

Mr. WATSON: Take the question of taxation. The chairman of that committee is not in sympathy with the work of this Convention and neither is the man whose name the said proposal bears. The report was made from the other side of the question. Would it be fair to let two hostile people make the explanation on that proposal?

Mr. WOODS: That is one of the reasons I do not think the proposals adopted by this Convention will come anywhere near getting the square deal in the advertising matter. I think the advertising matter will be used

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against some proposals that this Convention has adopted, and this Convention will have no way of stopping or preventing that advertising being done.

Mr. ANDERSON: Take Proposal No. 151. I was not on the committee at all, although the proposal bears my name. Do you think Mr. Bowdle, the chairman of that committee and I could agree on anything in that regard?

Mr. DOTY: I am willing to resign all my right and title as a member of the committee on Taxation to the member from Guernsey. He seems to know very much more about taxation than I ever did, and I now request him to prepare something that we cannot shoot holes through to put in that address.

Mr. JONES: It is just as important to have the people understand what work has been done here as the work itself is, and the only practical way of getting the people to understand this work is to put it before them. Now, it is absolute folly to talk about the average citizen taking these amendments and reading them over and getting any intelligent idea of the purpose and object of them. How can he tell whether that proposed amendment is better than what is already in the constitution unless the defect in the present constitution is pointed out to him and the thing sought to be accomplished by the amendment is also shown him? Take that proposal about bill boards. What conclusion will the average voter come to on that? How can he tell whether there was any necessity for it? Take that one about registering land titles. How will the average voter determine whether there is any necessity or need at all for that sort of an amendment? You could go through the list, twelve or fifteen or twenty that have been passed for the purpose of remedying some existing defect in the present constitution, and the average man, unless he should be a lawyer who has given attention especially and knows something about them, would absolutely be unable to make up any judgment as to whether these amendments should receive his vote or not.

The only practical way to bring it to the attention of the voters is to submit right in connection with the proposed amendment some statement as to the object and reason and purpose of it. I realize the force of the objection made by some that that statement should not be prejudiced or unfair. It should be a fairly reasonable statement of the real object and purpose sought to be accomplished by the amendment. It may be that there might be some advantage taken of this, but the great probabilities are that no member of this Convention or of the committee to whom this matter will be assigned will to any great extent abuse the privilege and confidence reposed in him in submitting this. But if it is thought there is any danger of that, then certainly the next thing that should be done is to have this Convention come back, in a short time after this report for publication is prepared with the statements, and then examine and pass upon each one of them, because, as I say again, it is absolutely useless to submit these proposals to the average voter without conveying to him some information in reference to their purpose. How is the average voter going to get that intelligence? Is he going to go to a lawyer and ask him what the old constitution is or what the old one was and what the purpose is of the new one? The average voter cannot do that. Will he talk

to the neighbors? Will he get the information from them? They will know as little as he does and there is no way for the voter to inform himself. Now if this statement is fair and reliable and correct and is prepared and submitted right along with the amendment, the average voter can tell as well as he can by any means, probably, what the purpose and object sought to be accomplished by the proposed amendment are and whether such amendment meets with his approval. I do think you would do more than in any other way to nullify the work of this Convention by a failure to submit with it a correct, definite and clear explanatory statement.

Mr. HARRIS, of Hamilton: I trust that at this late hour, the closing hour of our work, we shall not be influenced by prejudice or overrefinement of technicality. I say to you frankly from my point of view what has been proposed by the committee never occurred to me. But it is so sound and business-like that it is only fair that the Convention should acknowledge that it is under an obligation to that committee, and I believe that sense of obligation if expressed by this Convention will be expressed by the people of the state of Ohio who will find that there is placed in their hands a pamphlet giving them a resume of all we have done in the five months, so clear and so concise that they will be able to understand it without regard to what the position of the daily paper of their community may be relative to our work.

Now let us see what the province of the state of Ohio on this proposition is; and before I proceed further I call your attention to the fact, which every member of the Convention did not know and does not know now, that the initiative and referendum proposal which we have adopted provides that a pamphlet shall be sent to every voter in the state on every statute and that in that pamphlet there is provision made that a brief shall be filed of not more than three hundred words by the proponents and opponents of the measure. Now, we have voted that great expense upon the state of Ohio for the consideration of a simple statute that by the succeeding legislature may be rescinded. You may argue since we have made provision in the initiative and referendum for the proponents and opponents of the measure to be heard, why not in the proposed pamphlet? Let us consider why not. Because fundamentally there is no reason to do so, because it would be abhorrent to every reason that we could use and under which we have been acting for five months to give a negative point of view on any proposed amendment. We were called together to do an affirmative thing, amend the constitution. Therefore, every amendment which we make should bear the reason for that amendment before the people. That is all that is asked of this Convention; not why those who failed to defeat the measure should be heard. The public is not interested, in so far as this Convention is concerned, with the reasons that govern those who were unable to impress their reasons and the soundness of their argument upon this Convention. Our action is all affirmative.

Now, as has been well said by the gentleman from Fayette [Mr. JONES], it is beneath our dignity for one moment to consider that the chairman of the committee and the author of the proposal or the committee on Submission and Address to the People would take any unfair advantage. They are interested only in giving the rea-

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sons for the proposal in question, and if a member of that committee, the chairman or the author, were opposed to the proposal as adopted by this Convention, in making up this pamphlet he acts as trustee for the Convention with a positive mandate and with a great moral obligation to give the reasons for the adoption of that proposal.

Mr. WOODS: Will you kindly inform the members of the Convention who under that resolution, would prepare the statement for the uniform rule for taxation?

Mr. HARRIS, of Hamilton: If it were I, I would give the best argument I knew.

Mr. WOODS: But under that rule who would be the one to do it?

Mr. HARRIS, of Hamilton: The author of the proposal and the chairman of the committee. The author of the proposal is Judge Worthington, and do you dare to stand here and challenge his sense of duty?

Mr. WOODS: Is he not absolutely against it?

Mr. HARRIS, of Hamilton: Yes, but nevertheless, as trustee for the Convention, he would do justice as he has always done on the floor, and he would state the correct point of view although he did not agree with it.

Mr. JONES: The gentleman from Medina [Mr. Woods] assumes that there will be an argument in favor of each proposal. Is it the purpose to make any argument or is it not rather the purpose to make a fair statement of the purposes and object sought to be accomplished, without any argument either for or against the propriety of the accomplishment?

Mr. HARRIS, of Hamilton: You have stated the question with absolute accuracy. I do not want to cut off debate, and therefore I will refrain from moving the previous question.

Mr. TANNEHILL: Before any previous question is moved I want to make a suggestion which I believe is sensible. I would suggest limiting the statement on each proposal. Let the author write that and sign his name to it. I do not want any committee monkeying with what I write. Then in addition let this committee write what it wants and send its report and let them sign their report.

Mr. MILLER, of Crawford: I do not quite understand the resolution. Does it provide for an argument or just for a statement?

Mr. CASSIDY: The long resolution provides for a brief statement explaining each amendment.

Mr. MILLER, of Crawford: I have no objection to that, but I was afraid that we were trying to submit a discussion and argument. Will this statement set forth clearly just what we are attempting to do?

The PRESIDENT: The purpose of the suggestion was that along with the tax amendment there should go such an explanation as to the occasion for making it and the reason of the Convention in making it that when the voter read the amendment he would understand it.

Mr. HARRIS, of Hamilton: Am I to understand that this suggestion has been accepted by the committee, that there shall be a brief statement of explanation limited to three hundred words to be signed by the chairman of the committee and the reputed author of the proposal?

Mr. CASSIDY: I will accept that. It is as fair here as it would be in the initiative and referendum.

Mr. DOTY: I suggest that these amendments be put in writing.

Mr. TANNEHILL: I said that as we have a few proposals, like the one on taxation, where the author is not in favor of what we have done the president prepare a list and submit it to us as to who shall write each one and let us adopt it.

Mr. BROWN, of Lucas: As to the amendment of the member from Medina [Mr. Woods] striking out the advertisements, I have had a little experience in publicity in connection with elections extending over a period of years. I have tried pamphlets, circulars, postcards, billboards and newspapers, and in my judgment the most effective publicity for election purposes is newspaper publicity. I believe we shall be very unwise if we make it impossible by this resolution to use the newspapers for publication and make it impossible for us to have their good will.

Mr. HOSKINS: Did I understand the amendment is accepted?

The PRESIDENT: The gentleman from Logan accepted it.

Mr. CASSIDY: Yes, but I want it in writing.

Mr. THOMAS: I move that that amendment be laid on the table.

The PRESIDENT: The chair will recognize the gentleman from Defiance [Mr. WINN] first, and then the gentleman from Cuyahoga [Mr. THOMAS].

Mr. WINN: With this amendment it would be absolutely meaningless. At any rate, it would be so nearly meaningless that I do not think we should encumber our records with it, and I move to lay it on the table.

The motion to table was carried.

Mr. ANDERSON: I am very much in favor of Mr. Tannehill's suggestion. There are two proposals that bear my name. I can prepare the statement or explanation as to the liquor proposal in half an hour, and I can prepare the other in fifteen minutes. There is no trouble about it. We can prepare all we have to prepare by tomorrow and be ready for the pamphlet, and that will remove all difficulties.

Mr. NYE: It seems to me this is a very unusual thing for the Convention to continue its work after we adjourn tomorrow. I do not know of any constitutional convention that has undertaken to continue its work after it has completed the main body of its work. I had supposed if there was any adjournment to be had, it would be for some formal matter. I think we have completed our work and that it can be understood by the people. We would be blamed if we kept up a bureau of instruction after this Convention adjourns, and I think it would tend to make the people dissatisfied with our work. I think they would object to it. If we publish the work it will speak for itself. There is a member of this Convention in every county in the state, and in some counties there are more than one, and if the people of the state desire to learn something about these amendments they can easily find it out by consulting the members and have it explained. I do not think this resolution ought to pass.

Mr. TANNEHILL: I offer an amendment.

The amendment was read as follows:

At the end of the first paragraph insert:

"The explanation of every amendment shall be limited to three hundred (300) words and shall be signed by the chairman of the committee and the

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author of the proposal unless the Convention shall name some other member or members to so act."

Mr. DOTY: I will tell you right now you can name somebody else for me.

Mr. BOWDLE: I approve very heartily of the position taken by the distinguished delegate from Lorain [Mr. NYE], and I find myself in opposition to the president of the Convention for the first time in the history of the Convention. It is assumed here in all that has been said that the electors of the state need to be put through a kind of primer class at the expense of the state. The assumption is not correct. We were summoned here in response to a spirit of American restlessness and progressiveness that is now rampant from Maine to California. Men and women have assumed that they do know and did know a great deal about what was wanted in the way of a reform in the constitution. That progressive spirit does not need the pamphleteering that is now attempted to be expensively provided for. Another thing: We today in this world do not get our intelligence, especially in political matters, from pamphlets. We get what we get from the stump, and the men of this Convention have to go on the stump at every crossroad in this state and give such explanation of our work as the electors may care to ask for or to listen to. I do not believe you will accomplish anything by a large number of pamphlets sent out as proposed, and I do not believe that that progressive spirit requires the kind of instruction you are now providing to give. I do not agree with my distinguished colleague, Mr. Harris, in assuming that somehow or other a man can regard himself as a trustee in writing three or four or five hundred words. It is not conceivable that Mr. Kilpatrick, as fine a man as I know him to be, can sit down and write a fair statement of the suffrage question without making what some of us might regard as an argument in favor of his side of the question, and all at the expense of the people of the state. I am quite sure I could not write out the wet side of the Anderson proposal, for it is just as wet as anything that was introduced here. I could not write out anything that Brother Watson, of Guernsey, could agree to, and it is not fair that that should be sent out at the expense of the electors of the state.

I am, therefore, opposed to doing more than letting the people of this state know what the constitution is, and trusting to their intelligence to comprehend it.

Mr. FESS: Gentlemen: I have not been able to quite understand the attitude of a good number of the members of the Convention in regard to favoring the work we have done here. I have heard upon every side that our duty is to submit our work so as to give it absolutely no favor, but to make it just as easy to reject as to adopt it. I now hear it said that we ought not to undertake to impress the public with the importance of our work and that we ought not to use any effort to induce the voters to favor what we have done, but we ought to submit it and allow them to use their own judgment and that we would be going afield of our duty if we tried to persuade anybody to vote for it. I cannot quite understand why we would be regarded as going beyond our authority if we tried to convince the people that the work that has been done here ought to be adopted. I do not see any lack of ethics in that. I do not understand why one hundred and nineteen men—and they represent a ma-

jority of the voters of the state, or they would not be here—would not be doing right if they should try to persuade the voters of the state that what we have done ought to be made a part of the organic law, and that we are justified in so doing. Just a mere writing or printing of the amendments will not do that, for all sorts of speculations are rife as to what we have done in this Convention. What will the average voter know about judicial reform by merely looking at the amendment? I say it would be a great help if a brief, concise and clear statement of what the amendment is were furnished to the voters. It will enable the voters to comprehend much more easily. Of course, you are going to have all of the amendments published, but there ought to be some explanation. Frequently what would not be intelligible at all can be made thoroughly so by a few lines of explanation. I think we are justified in using every influence we can to have our work ratified, and I am going to say a thing that is personal to me, and it is a repetition of what I said in the beginning, the greatest honor that has been conferred upon me has been the privilege of sitting with these one hundred and eighteen men. It has been the pride of my life. I want this work accepted. I do not want it rejected. I want my children to have a pride that their father had something to do with an instrument adopted, and not one rejected.

Mr. KNIGHT: Section 4 of the act calling this Convention describes what we have authority to do, and it does not seem to authorize us to spend the state's money for the purpose in this resolution.

Most of us are not gifted with oratory, but I think most of us will do what we can in explaining our work to the people. Now, because we wish to do this, does that make it right for us to do something we have no authority to do?

Mr. DWYER: Section 4 says that we may have the debates published in durable form and secure a copyright on same for the state and fix and describe the time and form and manner of submitting any proposed revision, alterations, or amendments of the constitution to the electors of the state; also the notice to be given of such submission.

Mr. NYE: May I ask a question?

Mr. FESS: I want to answer the suggestion of Professor Knight. I do not understand that the Convention is undertaking to do anything except what we started out to do, namely, to put the work before the people.

Mr. NYE: Do you know of any constitutional convention that ever met in the state of Ohio that did not adjourn sine die when it got through with its main work?

Mr. FESS: If any other convention adjourned as quickly as their work was done, it has done a very foolish thing, because we do not want to kill this Convention; we want to keep it alive in order that if anything needs to be done we are in shape to do it.

Mr. NYE: I am not asking about that, but do you know of any constitutional convention in any state that has continued after its work was done?

Mr. FESS: I am not advised as to that.

Mr. NYE: Would we not be criticised if we maintained an organization for the purpose of publicity?

Mr. FESS: That is not the purpose. There may be other things that we want to do.

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Mr. NYE: I am not objecting to the other part at all.

Mr. WOODS: It has been said that there is nothing in the law that created this body that prevents us from spending money to advertise our work, but have we authority to do anything that that statute does not expressly give us authority to do? It is not a question of whether the statute says we cannot do it, but whether this law says we may do it.

Mr. FESS: Where the end is specified, the means of doing it need not be specified, but may be implied.

Mr. HALFHILL: I do not believe we have any authority but if we stretch the authority and assume we have, then what is the situation? Every lawyer knows when he starts to writing a brief that it is almost impossible to make a statement of the facts without getting in some argument. It is one of the hardest things in the world, to state your facts without any argument. Now what situation am I in on this taxation question? Do you think I will vote for the taxation amendment? I certainly shall not. I propose to denounce it on every occasion and in every place that I can. I think it is both wrong and unwise, and when I find myself in that situation I propose to fight it and I don't want any argument sent out by the Convention, and I will not be bound by any. But, gentlemen, I have as much pride as anybody in hoping to see the main work of the Convention prevail, because I believe it is good for the commonwealth, and I have a reasonable amount of pride in hoping that our work will be adopted. But that does not change me in the relation I shall occupy to some of the work done here.

It was well stated by the gentleman from Hamilton [Mr. HARRIS] that forty per cent of the members of the Convention were opposed to all of the work of the members of the Convention. That takes us all in.

Now, it is the newspapers of the state and the state journals of the state that are really going to carry the information by which the people will become informed, coupled with the work on the stump. Why, if you had permitted me to press the amendment today which you turned down, I have a sheaf of newspaper editorials here from the leading journals of the state—I cannot name them all, but there were the Cleveland Leader and the News and the Toledo Blade and the Dayton Journal and the Columbus Dispatch and the Ohio State Journal and others, all of them denouncing the work of this Convention as being unfair in failing to submit the alternative proposal for which I contended. Now what is the situation when you put out your pamphlets?

Mr. CUNNINGHAM: About those editorials, everyone of them is simply boiler plate.

Mr. HALFHILL: I submit they are not, they are able editorials. They may be boiler plate or gun metal, but they are giving facts and argument, and we are going to put ourselves in a very peculiar situation.

Now these proposals are not, in a good many instances, the work of the man whose name they bear. They went to a committee and they were amended there and they were discussed on the floor of this Convention and they were amended here. I don't see how it is possible for the putative authors of some of these proposals to even write a fair statement about them. I believe in a certain amount of publicity, but I do not want it sent

out by this Convention, and I do not want it to bear the stamp of this Convention, to meet me on the stump and confuse me in the campaign, though I do not think I shall be in any campaign on any thing that I may be personally confused over. I mean any defect in the work of the Convention.

Mr. DWYER: Well, give us the way you think we ought to do it.

Mr. HALFHILL: I think it is our duty to submit this work and await the verdict. If the people of the state of Ohio knew enough to call this Convention into existence they ought to know enough to take the work and pass upon it and render a verdict with the aid of the newspaper agencies and the views that come from the stump. I do not believe it is right for the Convention to pose as the advocate of all its work, because it is not, and that is what I object to.

Mr. JONES: You made a statement that it would put you in a bad position to go out on the stump with your ideas with reference to the question of taxation. If a fair and correct statement is made of that proposition, what would it contain more than you would state if you went on the stump to discuss it?

Mr. HALFHILL: I would denounce it.

Mr. JONES: But would you not first make a fair clear statement of what the proposition was?

Mr. HALFHILL: Yes, and I would show it up just as much as I could and impress my particular view on the people all I could.

Mr. JONES: You would not attempt to do anything unfair?

Mr. HALFHILL: No; I would attempt to convince the people and I would attempt to make them see the light, and unless they have a case of arrested mental development they will see the light.

Mr. MARSHALL: I move the previous question.

The motion was lost.

Mr. MARRIOTT: I move that the Convention adjourn until 10 o'clock tomorrow.

Mr. ANDERSON: I move to amend by making it nine o'clock.

Mr. MARRIOTT: I will make it nine o'clock.

The PRESIDENT: I think it is quite proper for any member to convey information if it is true, and I want to say that the action tonight is going to prevent our getting away tomorrow.

Mr. WOODS: I make a point of order that the motion to adjourn is not debatable.

The PRESIDENT: It is open to a limited amount of debate.

The motion to adjourn was lost.

Mr. NYE: I offer an amendment.

The amendment was read as follows:

Strike out the first paragraph of the resolution and substitute the following:

First, That a pamphlet be prepared by the committee on Submission and Address to the People containing a facsimile of the form of ballot to be used, and a copy of each amendment, and that when thus prepared it shall be printed by the secretary of state and mailed as far as practicable to all the electors of the state, cost of same to be paid by the state.

Form of Ballot Submitting Amendments to the People.

Mr. THOMAS: I move that the amendment be laid upon the table.

The motion to table was carried.

Mr. DOTY: If we can get this out of the way it won't take ten minutes after that to finish what we have to do tonight. I therefore move the previous question.

The main question was ordered.

The PRESIDENT: The question is on the adoption of the Tannehill amendment.

The amendment was agreed to.

The PRESIDENT: The question is now on the adoption of the resolution as amended and the yeas and nays have been demanded. The secretary will call the roll.

The yeas and nays were taken, and resulted—yeas 51, nays 54, as follows:

Those who voted in the affirmative are:

Anderson,	Harris, Hamilton,	Read,
Beyer,	Harter, Stark,	Roehm,
Brown, Lucas,	Hoffman,	Shaffer,
Cassidy,	Hoskins,	Shaw,
Crosser,	Hursh,	Smith, Hamilton,
Davio,	Jones,	Stamm,
DeFrees,	Kilpatrick,	Stevens,
Doty,	King,	Stilwell,
Dwyer,	Lampson,	Stokes,
Earnhart,	Leete,	Taggart,
Fackler,	Leslie,	Tallman,
Farrell,	Longstreth,	Tannehill,
Fess,	Ludey,	Tetlow,
FitzSimons,	Malin,	Thomas,
Fox,	Miller, Crawford,	Ulmer,
Hahn,	Peck,	Winn,
Halenkamp,	Pierce,	Mr. President.

Those who voted in the negative are:

Antrim,	Harris, Ashtabula,	Nye,
Baum,	Holtz,	Okey,
Beatty, Morrow,	Johnson, Williams,	Partington,
Bowdle,	Kehoe,	Peters,
Brattain,	Keller,	Pettit,
Brown, Pike,	Kerr,	Price,
Cody,	Knight,	Riley,
Collett,	Kramer,	Rockel,
Colton,	Kunkel,	Rorick,
Cordes,	Lambert,	Smith, Geauga,
Cunningham,	Marriott,	Solether,
Dunlap,	Marshall,	Stalter,
Dunn,	Matthews,	Stewart,
Eby,	McClelland,	Wagner,
Farnsworth,	Miller, Fairfield,	Walker,
Fluke,	Miller, Ottawa,	Watson,
Halfhill,	Moore,	Wise,
Harbarger,	Norris,	Woods.

So the resolution was lost.

Mr. DOTY: I now call up Resolution No. 133, which was a special order for eight o'clock. We tried to have this correctly printed, but there are several errors. There is one on page 5 and a word has been dropped out in the second line. I have an amendment I desire to offer at this time and I will state that this amendment does two things. First, it adds to this section headed "schedule" what we adopted tonight in the amendment to the Taggart proposal. I have had that carefully drawn in the secretary's office. The second is the resolution that we adopted on the method of submission, and that has a copy of the ballot just as we adopted it tonight, taken from the records of the journal. This copy was made at the time that the original was made.

The amendment was read as follows:

Amend Resolution No. 133 by adding at the end of resolution and without a paragraph, the following:

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

METHOD OF SUBMISSION.

The several proposals duly passed by this Convention shall be submitted to the electors as separate amendments to the constitution at a special election to be held on the third day of September, 1912. The several amendments shall be designated on the ballot by their proper article and section numbers and also by their approved descriptive titles and shall be printed on said ballot and consecutively numbered in the manner and form hereinafter set forth. The adoption of any amendment by its title shall have the effect of adopting the amendment in full as finally passed by the Convention. Said special election shall be held pursuant to all provisions of law applicable thereto including special registration. Ballots shall be marked in accordance with instructions printed thereon. Challengers and witnesses shall be admitted to all polling places under such regulations as may be prescribed by the secretary of state. Within ten days after said election the boards of deputy state supervisors of elections of the several counties shall forward by mail in duplicate sealed certified abstracts of the votes cast on the several amendments, one to the secretary of state and one to the auditor of state at Columbus. Within five days thereafter such abstracts shall be opened and canvassed by the said secretary of state and auditor of state in the presence of the governor who shall forthwith, by proclamation, declare the results of said election. Each amendment on which the number of affirmative votes shall exceed the number of negative votes shall become a part of the constitution.

Form of Ballot Submitting Amendments to the People.

Form of Ballot.

OFFICIAL BALLOT.

See inside near cover for ballot

SPECIAL ELECTION, TUESDAY, SEPTEMBER 3, 1912.

AMENDMENTS TO THE CONSTITUTION.

(First Column)

To vote FOR any amendment place a cross mark in the blank space to the left of the word "Yes" opposite the title of such amendment.

To vote AGAINST any amendment place a cross mark in the blank space to the left of the word "No" opposite the title of such amendment.

1	YES	ARTICLE I, SECTION 5. Reform in Civil Jury System.
	NO	
2	YES	ARTICLE I, SECTION 9. Abolition of Capital Punishment.
	NO	
3	YES	ARTICLE I, SECTION 10. Depositions by State and Comment on Failure of Accused to testify in Criminal Cases.
	NO	
4	YES	ARTICLE I, SECTION 16. Suits against the State.
	NO	
5	YES	ARTICLE I, SECTION 19a. Damage for Wrongful Death.
	NO	
6	YES	ARTICLE II, SECTIONS 1 TO 1g. Initiative and Referendum.
	NO	
7	YES	ARTICLE II, SECTION 8. Investigations by each House of General Assembly.
	NO	
8	YES	ARTICLE II, SECTION 16. Limiting Veto Power of Governor.
	NO	

Form of Ballot Submitting Amendments to the People.

9	YES	ARTICLE II, SECTION 33. Mechanics' and Builders' Liens.
	NO	
10	YES	ARTICLE II, SECTION 34. Welfare of Employees.
	NO	
11	YES	ARTICLE II, SECTION 35. Workmen's Compensation.
	NO	
12	YES	ARTICLE II, SECTION 36. Conservation of Natural Resources.
	NO	
13	YES	ARTICLE II, SECTION 37. Eight Hour Day on Public Work.
	NO	
14	YES	ARTICLE II, SECTION 38. Removal of Officials.
	NO	
15	YES	ARTICLE II, SECTION 39. Regulating Expert Testimony in Criminal Trials.
	NO	
16	YES	ARTICLE II, SECTION 40. Registering and Warranting Land Titles.
	NO	
17	YES	ARTICLE II, SECTION 41. Abolishing Prison Contract Labor.
	NO	
18	YES	ARTICLE III, SECTION 8. Limiting Power of General Assembly in Extra Sessions.
	NO	
19	YES	ARTICLE IV, SECTIONS 1, 2 AND 6. Change in Judicial System.
	NO	

Form of Ballot Submitting Amendments to the People.

20	YES	ARTICLE IV, SECTIONS 3, 7, 12 AND 15. Judge of Court of Common Pleas for each County.
	NO	
21	YES	ARTICLE IV, SECTION 9. Abolition of Justices of the Peace in Certain Cities.
	NO	
22	YES	ARTICLE IV, SECTION 21. Contempt Proceedings and Injunctions.
	NO	
23	YES	ARTICLE V, SECTION 1. Woman's Suffrage.
	NO	
24	YES	ARTICLE V, SECTION 1. Omitting Word "White."
	NO	
25	YES	ARTICLE V, SECTION 2. Use of Voting Machines.
	NO	
26	YES	ARTICLE V, SECTION 7. Primary Elections.
	NO	
27	YES	ARTICLE VI, SECTION 3. Organization of Boards of Education.
	NO	
28	YES	ARTICLE VI, SECTION 4. Creating the office of Superintendent of Public Instruction to Replace State Commissioner of Common Schools.
	NO	
29	YES	ARTICLE VIII, SECTION 1. To Extend State Bond Limit to Fifty Million Dollars for Inter-County Wagon Roads.
	NO	
30	YES	ARTICLE VIII, SECTION 6. Regulating Insurance.
	NO	

Form of Ballot Submitting Amendments to the People.

31	YES	ARTICLE VIII, SECTION 12. Abolishing Board of Public Works.
	NO	
32	YES	ARTICLE XII, SECTIONS 1, 2, 6, 7, 8, 9, 10 AND 11. Taxation of State and Municipal Bonds, Inheritances, Incomes, Franchises and Production of Minerals.
	NO	
33	YES	ARTICLE XIII, SECTION 2. Regulation of Corporations and Sale of Personal Property.
	NO	
34	YES	ARTICLE XIII, SECTION 3. Double Liability of Bank Stockholders and Inspection of Private Banks.
	NO	
35	YES	ARTICLE XV, SECTION 2. Regulating State Printing.
	NO	
36	YES	ARTICLE XV, SECTION 4. Eligibility of Women to Certain Offices.
	NO	
37	YES	ARTICLE XV, SECTION 10. Civil Service.
	NO	
38	YES	ARTICLE XV, SECTION 11. Out-Door Advertising.
	NO	
39	YES	ARTICLE XVI, SECTIONS 1, 2, AND 3. Methods of Submitting Amendments to the Constitution.
	NO	
40	YES	ARTICLE XVIII, SECTIONS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 AND 14. Municipal Home Rule.
	NO	
41	YES	Schedule of Amendments.
	NO	

Submission of Amendments to the People.

(Second Column)

INTOXICATING LIQUORS.

To vote FOR license to traffic in intoxicating liquors place a cross-mark in the blank space to the left opposite the words: "For license to traffic in intoxicating liquors." To vote AGAINST license to traffic in intoxicating liquors place a cross-mark in the blank space to the left opposite the words: "Against license to traffic in intoxicating liquors."

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

Mr. NYE: Is it intended to have Resolution No. 133 printed in the order in which it is here?

Mr. DOTY: In the order in which it is here, and this is the numerical order of the proposals.

Mr. NYE: Would it not be more intelligent to have all the amendments on article I printed first?

Mr. DOTY: The only object in printing the thing at all is to print the thing we sign and because we are printing that we print a lot of others. We simply printed the proposals in numerical order so that the members could follow them through their books and compare them if they wanted to.

Mr. NYE: Does it not seem to you that this ought to be filed in the secretary of state's office in some systematic way so that all the amendments to article I should appear first?

Mr. DOTY: That can be done without preventing our doing this. It makes no difference what the order is. If it can be done I will have it done that way if it does not delay us.

The amendment was agreed to.

Mr. DOTY: I call up the further consideration of Resolution No. 134 and I move to postpone further consideration until 9:30 a. m. tomorrow.

The PRESIDENT: The question is first on the adoption of this resolution and the secretary will call the roll.

The yeas and nays were taken, and resulted—yeas 91, nays 1, as follows:

Those who voted in the affirmative are:

Anderson,	Brown, Pike,	Cuningham,
Antrim,	Cassidy,	DeFrees,
Baum,	Cody,	Doty,
Beatty, Morrow,	Collett,	Dunn,
Beyer,	Colton,	Dwyer,
Bowdle,	Cordes,	Earnhart,
Brown, Lucas,	Crosser,	Eby,

Farnsworth,	Kunkel,	Roehm,
Farrell,	Lambert,	Rorick,
Fess,	Lampson,	Shaffer,
FitzSimons,	Leete,	Shaw,
Fluke,	Leslie,	Smith, Hamilton,
Fox,	Longstreth,	Stamm,
Hahn,	Ludey,	Stevens,
Halenkamp,	Mahn,	Stewart,
Halfhill,	Matthews,	Stilwell,
Harbarger,	McClelland,	Stokes,
Harris, Ashtabula,	Miller, Fairfield,	Taggart,
Harris, Hamilton,	Miller, Ottawa,	Tallman,
Harter, Huron,	Moore,	Tannehill,
Hoffman,	Nye,	Tetlow,
Hoskins,	Okey,	Thomas,
Hursh,	Partington,	Ulmer,
Johnson, Williams,	Peck,	Wagner,
Jones,	Peters,	Walker,
Kehoe,	Shaffer,	Watson,
Keller,	Pettit,	Winn,
Kerr,	Pierce,	Wise,
King,	Price,	Woods,
Knight,	Read,	Mr. President.
Kramer,	Rockel,	

Mr. Riley voted in the negative.

The resolution was adopted.

Mr. Doty moved that three thousand five hundred copies of Resolution No. 133 be printed and that twenty-five copies be sent to each delegate.

The motion was carried.

The PRESIDENT: The question is now on the motion of Mr. Doty to postpone the consideration of Resolution No. 134 until 9:30 tomorrow.

The motion was carried.

Mr. DOTY: It will take about a half an hour tomorrow morning to read the journal and it is not necessary to have everybody here by nine o'clock tomorrow and I move to adjourn until nine o'clock. We will have the journal out of the way by 9:30.

The motion was carried.