

THIRD DAY

AFTERNOON SESSION.

TUESDAY, January 16, 1912.

The Convention met pursuant to adjournment and was called to order by the president at 1 o'clock p. m. The journal of January 9 was read.

Mr. THOMAS, of Cuyahoga: I desire to note that on page 17 Thomas is not credited with voting for his own nominee for sergeant-at-arms, while on the next page his candidate is reported as voting for him.

The SECRETARY: That is a mistake of the printer. The PRESIDENT: The printed journal will show the corrections made.

The journal of January 10 was then read.

Mr. LAMPSON: I wish the members of the Convention to know that at the conclusion of the reading of the resolution offered by Mr. Hoskins of Auglaize, I raised a question of consideration which was not put and which raised a considerable discussion. I am not at all anxious myself to have that appear in the journal unless the members desire it, and I shall not move the correction of the journal on that account, under the circumstances.

Mr. ROEHM: On page 5 of the printed record, Wednesday, January 10, Resolution No. 9—Mr. Roehm, should be Resolution No. 7, and should precede the resolution of Mr. Evans, and No. 8 should be No. 9.

The PRESIDENT: The corrections will be made. If no further corrections the journal will stand as read.

Mr. LAMPSON: I submit the report of the committee on Rules and ask for its consideration at this time.

The PRESIDENT: The secretary will read the report.

The secretary read the report as follows:

The standing committee on Rules, to which was referred Resolution No. 12—Mr. Leslie, having had the same under consideration, reports it back with the following amendments, and recommends its adoption when so amended:

In line 2 after the word "president," insert "a vice president".

In line 6 strike out all after "place,".

In line 16 strike out all after "day" and change the comma to a period.

In line 51 after the word "president" insert "and vice president,".

In line 53 strike out all after "recess" to and including the numeral "3".

In line 56 strike out all after the second word "president" to and including the numeral "3" in line 57.

After line 58 insert:

DUTIES OF THE VICE PRESIDENT.

RULE 12. In the absence or disability of the president, the vice president shall have all the powers and perform all the duties of the president, except as limited by Rule 10.

In line 63 after the word "day" strike out the remainder of said line and all of lines 64 and 65.

In line 71 after the word "printed" strike out "in bill form,".

In line 76 strike out the word "bills," and insert in lieu thereof the word "proposals,".

In line 80 after the word "reading" insert a comma.

In line 88 strike out the word "propositions" and insert in lieu thereof "items of business".

In line 165 after "convention" insert a semicolon.

In line 166 strike out the word "divides".

In line 183 after the word "name," strike out the remainder of said line and all of lines 184 and 185 to the period.

After line 190 insert:

1. Reading and approval of journal.

And change the numbers preceding each order of business to correspond.

In line 189 change "21" to "28."

In line 202 after the letters "tion" strike out the words "as to substance".

In line 206 change "21" to "28."

After line 207 insert:

1. Reading and approval of journal.

And change the numerical order of the order of business to correspond.

In line 235 strike out the word "triplicate" and insert the word "duplicate".

In line 241 after "convention," strike out remainder of said line and all of line 242 and line 243 to and including the word "phraseology".

In line 247 strike out all after the word "action" down to and including the word "action" in line 248.

In line 257 change the numeral "5" to "7."

In line 258 change "1:30 p. m." to "10:30 a. m."

In line 259 after "days" insert "and" and strike out the words "and Fridays".

In line 260 after "on" insert "Fridays and".

In line 334 strike out "in bill form".

In line 343 strike out "if he desires".

In line 346 strike out the period and insert a comma and add: "except that there may be pending an additional amendment by way of a substitute amendment."

In line 369 strike out "five" and insert "ten."

In line 370 after the word "vote," insert the words "of those present".

In line 442 strike out "it" and insert "the committee".

In line 479 strike out "one week" and insert "two weeks".

In line 498 strike out the words "in the form" and insert the words "and shall be designated".

In line 501 strike out the words "upon as to substance after" and insert the word "on".

In line 503 strike out "upon as to form after" and insert "on its".

Adoption of Rules.

In line 509 strike out "in bill form".
 In line 513 strike out the words "as to substance".
 In line 519 strike out the words "as to form".
 In line 533 strike out the word "bill" and insert "proposal".
 In line 566 capitalize the word "Proposal."
 In line 579 after "revision" insert the words "of the constitution".
 In line 626 strike out the words "or within the smoking room thereof".
 After line 627 insert:
 "2. Governor of this State."
 And change the numerals "2" and "3" to "3" and "4."
 In line 643 strike out "is" and insert "in".
 In line 642 strike out "all".
 In line 643 strike out "he or she" and insert "said person".
 In line 644 strike out all after the word "appears" down to and including the word "mail" in line 648.
 In line 694 change the "108" to "103."
 In line 697 strike out "Cushing's Law and Practice of Legislative Assemblies" and insert "Robert's Rules of Order".
 In line 521 change "triplicate" to "duplicate".
 In line 524 change period to semi-colon and insert "to read as follows:"
 Fourth Constitutional
 Convention. Proposal No.....
 To submit an Amendment to Art.....,
 Sec..... of the constitution.
 Mr.

TITLE.

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

- Article
- Sec.
- Strike out lines 456 and 457 and insert in lieu thereof the following:
- Agriculture, 17.
- Arrangement and Phraseology, 9.
- Banks and Banking, 17.
- Claims against the Convention, 17.
- Corporation other than Municipal, 17.
- County and Township Organization, 17.
- Education, 17.
- Employes, 5.
- Equal Suffrage and Elective Franchise, 21.
- Good Roads, 21.
- Initiative and Referendum, 21.
- Judiciary and Bill of Rights, 21.
- Labor, 17.
- Legislative and Executive Departments, 17.
- Liquor Traffic, 21.
- Method of Amending the Constitution, 17.
- Miscellaneous Subjects, 17.
- Municipal Government, 17.
- Printing and Publication, 17.
- Public Works, 17.

- Rules, 7.
- Schedule, 17.
- Short Ballot, 17.
- Submission and Address to the People, 17.
- Taxation, 21.

Seven members shall constitute a quorum for hearings in all committees consisting of seventeen or more members.

HERBERT S. BIGELOW,
 E. L. LAMPSON,
 FRED G. LEETE,
 JOHN W. WINN,
 S. A. HOSKINS,
 E. W. DOTY,
 STANLEY SHAFFER.

Mr. LAMPSON: Allow me to say that there is an unanimous report of the committee on Rules and perhaps we can expedite matters if the member from Cuyahoga [Mr. DOTY] will explain the changes which we have made in the original resolution as offered by Mr. Leslie and answer such questions as the members of the Convention may desire to ask, without the formal reading at this time.

The PRESIDENT: With the consent of the Convention the member from Cuyahoga [Mr DOTY] has the floor.

Mr. DOTY: If the members of the Convention will take the journal of the second day and turn to page 6, and get their pencils ready I will enumerate the changes from the printed copy. I will just now announce what the changes are that the committee has agreed to without giving reasons, which we will take up afterwards. So you who may desire may get upon your desks what will be the rules of this Convention if the report of the committee is adopted just as it is. I will enumerate the changes by the rule number that you find in your book, so that the renumbering of some of the sections will be eliminated, as I understand that will be done after I get through.

In Rule 1, after the word "president," in the second line or thereabouts, we have inserted the word "vice president", making four officers instead of three. Put in the word "vice president" after "president".

Near the end of that same rule you will find these words "after two days' notice of such intention and". Draw a pencil mark through those words.

In Rule 3, put a period after the word "day" and strike out the rest of the section—the words "except by leave of the Convention".

In Rule 11, after the word "recess" strike out the words "except in the case mentioned in Rule 3".

In the same rule, down there where you see the third word "president", after the words "until the president", after that word "president or person designated to act under the provision of Rule 3". Draw a line through those words. I don't know whether you will want to copy this. It is a rule put in after Rule 11, a paragraph giving the duties of the vice president.

In the absence or disability of the president, the vice president shall have all the powers and perform all the duties of the president, except as limited by Rule 10.

Adoption of Rules.

Duties of vice president. Rule 12. This will necessitate the renumbering of subsequent sections. We will still stick to the numbering you have for the purpose of this work now.

Rule 12. Strike out the last sentence in Rule 12, which reads "The same shall be considered the approved journal of the Convention, unless otherwise ordered thereby." That is stricken out.

Now going to Rule 13. After the word "printed" in the third sentence, put a comma, and strike out the words "in bill form."

In the next sentence, the last word is "bills". It should be "proposals".

In Rule 14, in the second sentence which starts "He shall make up the calendar under the general rules of the Convention and shall schedule all" you will find the word "propositions". Strike out the word "propositions" and insert the words "items of business."

The next change is in Rule 29. In Rule 29 put a semi-colon after the word "Convention", and strike out the word "divides".

Mr. HARRIS, of Ashtabula: I should like to inquire if that means the yeas and nays may be demanded at any stage?

Mr. DOTY: Yes, sir. In Rule 31 "all such papers shall be called proposals, and shall be presented under the order of business set apart therefor". It was unnecessary there as it occurs in other places. Strike out the last sentence of Rule 31.

In Rule 33, change "21" to "28". Have the order of business run until the 28th, instead of the 21st—two full weeks—that is provided here.

At the head of that order of business, we have inserted a new order of business called "reading and approval of journal", that is No. 1. The other orders are renumbered to correspond.

In the same section, about the middle, we have changed that "21" to "28," make the same change, putting the reading and approval of the journal No. 1, and renumbering the other numbers to correspond, the same change as above, and it is easily understood.

In Rule 38, strike out the second sentence, which reads "This consideration shall be final as to substance, but not necessarily as to arrangement, or phraseology". That is struck out and nothing put in its place.

At the end of the same rule put a period after the word "action" and strike out the words "of the convention as to form only."

Rule 40. In the second line we have changed 5 o'clock to 7 o'clock. That is, Monday p. m. meeting begins 7 o'clock instead of 5.

We have changed 1:30 p. m. to 10:30 a. m. on Tuesdays, Wednesdays and Thursdays. Put the word "and" before the word "Thursdays" and strike out "and Fridays". Put a period after Thursdays". Unless otherwise ordered no sessions shall be held on Fridays and Saturdays.

Rule 54. In the second line strike out the words "in bill form". Nothing put in their place.

In Rule 55, in the second sentence, which begins "The member may have the secretary read the amendment," put a period after the word amendment and strike out "if he desires".

At the end of the Rule No. 55, you will find the last

word is "time" with a period. Strike out the period and insert a comma and add "except that there may be pending an additional amendment by way of a substitute amendment". That comes at the end of Rule 55, after the word "time".

Rule 62. In about the third line, at the end of the second line in your printed copy, strike out the word "five" and insert the word "ten".

In Rule 75, the last word of your second line is the word "it". Strike out "it" and insert the words "the committee."

I will omit just now the corrections in Rule 76 and I will take that up at the end.

In Rule 82, in the first line, strike out "one" and insert "two" and change "week" to "weeks", making it two weeks instead of one week.

In Rule 83, at the end of your line 2, you will find the words "in the form". Strike out the words "in the form" and insert the words "and shall be designated".

Down a little farther in the same rule, the second sentence starts out "any proposal passed;" strike out the words "upon as to substance after", and put in the word "on", making it read "any proposal passed on its second reading."

A little later on in the same sentence, it starts out "any proposal shall be passed;" strike out the words "upon as to form after", and insert in lieu thereof "on its," making it read "any proposal that shall be passed on its third reading shall be printed," etc.

In Rule 84, item No. 2, put a period after the word "secretary" and strike out the words "in bill form".

In item 6, under the same heading, where it says "second reading and consideration," strike out the words "as to substance", making it read "second reading and consideration by the Convention.

In item 9, strike out the words "as to form", making it read "third reading and consideration by Convention".

In Rule 87, near the end, you will find the word "bill books". It should be "proposal books".

In Rule 93, the word "proposal" should have a capital "P" instead of a lower case "p".

A MEMBER: It is capitalized here.

In Rule 95, down about the middle you will find the words "and complete revision". Before the comma insert "of the constitution".

In Rule 103, strike out these words "or within the smoking room thereof", making the rule read "during the sessions of the Convention no person shall be admitted within the hall of the Convention except:

1. Members of the Convention.

After item 1 we have inserted a new item, No. 2, reading "the governor of this state," and changed the numbering of the items. The purport of this is to rule everybody out of this hall except members of the Convention, the governor of this state, officers, clerks and employes of the Convention and accredited newspaper reporters.

Rule 105. Now, about half way you will find these words "together with all information". Strike out the word "all", making it read "together with information".

After the word "which" you will find three words "he or she". Strike out "he or she" and insert "said persons." Put a period after the word "appears" and strike out all the rest of the sentence, leaving the last

Adoption of Rules.

sentence stand as it is. Strike out beginning with the words "amount of compensation" down to the word "mail". Two sentences go out.

Mr. LAMPSON: I think the word "proposition" ought to be changed to proposal.

Mr. DOTY: What I had in mind was there might be a hearing on a petition which might not be a proposal. I used the word proposition to include all things that might come before the Convention. I suppose most of it will be proposals.

In Rule 113, where it says Rule 108, it should have been 102, but instead of 102, it really should have been 103. If you look back to Rule 102 it is about extra compensation provided that Rule 103, etc.

In Rule 114 we changed "Cushing's Law and Practice of Legislative Assemblies" to "Robert's Rules of Order."

Now we have one or two that are not in the regular order.

In Rule 85, in the first line you will see the word "triplicate" changed to "duplicate", requiring that proposals shall be introduced in duplicate instead of triplicate. Duplicate answers the purpose for all the things we have here.

At the end of the same rule we have added a rule providing for the form of our proposals. It is headed "Fourth Constitutional Convention, Proposal No. ", leaving a space for the secretary to insert the number as the proposal comes in.

"To submit an Amendment to Art. . . . , Sec. . . . of the Constitution.

Mr."

Then a place for the title; then the proposal starts out this way:

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:

It is provided so that we may have a uniform system of making our proposals.

That is to be added to that rule—Rule 85.

I will read the committees which go in Rule 76. The committees are as follows, with the number of members proposed to make up each committee:

Agriculture, 17.
Arrangement and Phraseology, 9.
Banks and Banking, 17.
Claims against the Convention, 17.
Corporations other than Municipal, 17.
County and Township Organization, 17.
Education, 17.
Employes, 5.
Equal Suffrage and Elective Franchise, 21.
Good Roads, 21.
Initiative and Referendum, 21.
Judiciary and Bill of Rights, 21.
Labor, 17.
Legislative and Executive Departments, 17.
Liquor Traffic, 21.
Method of Amending the Constitution, 17.
Miscellaneous Subjects, 17.
Municipal Government, 17.
Printing and Publication, 17.

Public Works, 17.

Rules, 7.

Schedule, 17.

Short Ballot, 17.

Submission and Address to the People, 17.

Taxation, 21.

Seven members shall constitute a quorum for all committees consisting of seventeen or more members.

I have attempted to make that include the changes that the committee has proposed. I do not know what explanation you may want. I am willing, if you care to have me, to go over the changes as you have them on your desks, and explain why the committee recommended the changes, but perhaps they are so apparent that such explanation is not necessary.

Mr. WORTHINGTON: I would like to ask why you make a motion to strike out and insert?

Mr. DOTY: It is necessary that we have a rule on that question because there are some authorities one way and some another, and you will find in actual experience that the question is practicably indivisible. If you make a motion to strike out and insert, the insertion is necessary to make sense, if you strike out the particular thing you have in view. If you make a motion to strike out and it is not necessary to include what you have to put in (where you make a motion to strike out and insert), it is found in practice that it is always one thing, and unless you have a rule to make it indivisible there may be trouble. It is simply a matter of making it definite and certain.

Mr. WINN: Is the question on the adoption of the report?

The PRESIDENT: The question is now on the adoption of the amendments to the report offered by the committee, on the resolution by Mr. Leslie.

Mr. WINN: I suspect that the committee, in making some corrections in Rule 105, overlooked some things to which I think we should direct our attention. I will read that rule down to the particular part to which I desire to direct your attention:

Any person who desires to appear before any of the standing or select committees of this Convention for the purpose of presenting arguments for or against any proposition committed to the consideration of any committee of the Convention, or pending before the committee itself—

Now these are the words to which I find some fault: or who desires to present arguments to any member or group of members of this Convention at any time or place, shall first register his or her name.

That would preclude my wife arguing the question with me about her right to vote when I get home, and it might interfere with my neighbor who takes lunch with me each noon discussing the propositions. I do not think it was intended that it should be that broad, and so I move to strike out the words: "or who desires to prevent arguments to any member or group of members of this Convention at any time or place."

Mr. DOTY: I second the motion. It was our intention to strike this out.

The motion was carried.

Adoption of Rules.

Mr. HARRIS, of Hamilton: I offer an amendment to Rule 105, which reads as follows:

After the words "All records of the secretary provided for under this rule shall be open to the public", add "the chairman of any committee may ask and require any person appearing before any committee to state all information as to the capacity in which said person so appears, amount of compensation, if any, received for such service, and by whom such compensation shall be paid."

What I ask to insert is that the chairman of any committee, may, if he sees proper, ask any person appearing before his said committee to give the information, which you have eliminated from that rule. In other words, I wish to restore that which appears in the original.

The PRESIDENT: The member will reduce the amendment to writing and send it to the desk to be read by the clerk.

Mr. HARRIS, of Hamilton: My amendment practically restores that part of Rule 105 which was eliminated, requiring any person appearing before a committee to state the compensation, and by whom the compensation is paid. My amendment practically restores that.

Mr. EVANS: I move to strike out the whole of Rule 105.

Mr. DOTY: On that I demand the yeas and nays.

Mr. LAMPSON: Has the amendment of the member from Hamilton [Mr. HARRIS] been reduced to writing and sent to the clerk's desk? I desire to speak in opposition to that amendment. The reason why the committee reported to strike out the compensation clause was that it is absolutely unenforceable. We have no power to enforce such a provision as that. It is merely a bluff, and I do not believe the Convention ought to be engaged in that sort of business.

Mr. FESS: I would like to ask whether in the procedure that we are now taking we can keep any track whatever of the number of amendments that are being offered? It seems to me that the regular method here would be to proceed rule by rule and call for amendments; otherwise, how many amendments are we going to have and where are we going to stop?

The PRESIDENT: There are no amendments before the house save those that are reduced to writing and read by the secretary. The amendment that is being reduced to writing by Mr. HARRIS will be read when ready.

Mr. LAMPSON: Mr. President: Perhaps an orderly way of procedure would be this: If the members desire a separate vote upon any of the amendments which have been reported by the committee, they can ask for the separate vote, designating the amendment they desire a separate vote upon and then the president of the Convention can put the question upon all the other amendments in gross, and in that way we would soon dispose perhaps of the most of them and avoid confusion. I suggest this. Are there any requests for separate consideration other than those applicable to Rule 105?

Mr. MILLER, of Ottawa: I desire a separate vote on Rule 40.

Mr. HALFHILL: I want a separate vote on Rule 105.

Mr. PECK: May I inquire whether the motion of the member from Scioto to strike out Rule 105 has been acted upon?

The PRESIDENT: The motion of the member from Scioto is not in order. It must be reduced to writing.

Mr. PECK: I want to second that motion.

Mr. LAMPSON: As I understand it, separate consideration has been asked for Rules 40 and 105, and I suggest that the president put the question on all the other rules.

Mr. THOMAS: I would ask a separate vote taken on Rule 103, where the committee has amended it by striking out the words "or within the smoking room".

Mr. PETTIT: While I am not up on parliamentary rules, it seems to me that this Convention as a whole has not had time to consider these rules, and this ought to be deferred until tomorrow, giving us a chance to examine more thoroughly the rules submitted here today. Therefore I move that the adoption of these rules be deferred until tomorrow at 10 o'clock, for the purpose, and only for the purpose, of giving the members a better chance to examine them more thoroughly and pass upon them more intelligently.

The PRESIDENT: The question is on deferring this subject until tomorrow at 10 o'clock.

Mr. DOTY: Of course there can be no objection to a very careful consideration of these rules, but what else have we to do this afternoon, that we can do, except to consider these rules, and this is just as good a place as in the secrecy of our rooms in the hotel; this is as good a place to consider these rules. If we should put in three or four hours this afternoon and then want to postpone, we can do so. But, I declare, we have only been here an hour and a quarter, and I would like to see these rules out of the way. I am opposed to taking any vacation at the beginning of the day.

Mr. BROWN, of Highland: I think it is rather bad for this Convention to get into the habit of adjourning on the slightest provocation. I think we are here to work and should work.

Mr. LAMPSON: I suggest that the president order that we take the rules up, beginning at the beginning and consider each paragraph by itself, with the amendments that have been suggested by the committee, and pass first upon the amendments in order.

The PRESIDENT: The motion before the house is to postpone until tomorrow at ten o'clock. Those in favor of this motion will say aye.

The motion was lost.

Mr. LAMPSON: I suggest that the president direct the secretary to read the first rule. I suggest that the secretary read the rule by number only unless some member of the Convention desires the rule read in full and desires to discuss it.

The PRESIDENT: The secretary will so read.

Mr. DOTY: We are going to stick to the old numbers. The secretary will use the numbers in the printed copy for the purpose of this vote.

Mr. HALFHILL: I understood the member from Ashtabula to make a motion that we consider them rule by rule. If we are to consider them intelligently, I ask the secretary to read each rule. If you read it by number we don't get the rule.

Adoption of Rules.

Mr. LAMPSON: I have no objection. I suggest that the secretary read the rule.

The PRESIDENT: The secretary will read with the amendments that the committee offered.

Mr. DOTY: If there are no objections, I think I can do it easier, as the notes are in my handwriting.

The PRESIDENT: If there is no objection the member from Cuyahoga will read the rules.

Rule 1 as amended by the committee was read as follows:

Rule 1. The officers of the Convention shall be a president, a vice president, a secretary and a sergeant-at-arms. These officers shall be elected by a majority vote of all the members elected to the Convention. Any officer of this Convention may be recalled and another elected in his place, upon a majority vote of all those elected to the Convention.

Mr. WINN: I move you that Rule 1 as read by the secretary be adopted by the Convention.

The motion was carried.

Rule 2 as amended by the committee was read as follows:

Rule 2. The president shall take the chair every day precisely at the hour to which the Convention shall have adjourned or taken a recess, and shall immediately call the members to order.

Mr. THOMAS: I would suggest that if there is no objection raised to any of these rules, the chair declare them adopted and save time.

The PRESIDENT: We will leave the vote until all are read unless there is objection.

Rule 3 was read as follows:

RULE 3. He may substitute any member to perform the duties of the chair, but not for a longer time than one day.

Rule 4 was read as follows:

RULE 4. He shall have general direction of the hall, and shall preserve order and decorum in the proceedings of the Convention; and in case of any disturbance or disorderly conduct in the galleries or lobby, the president, or chairman of the committee of the Whole, may cause the same to be cleared.

Rule 5 was read as follows:

RULE 5. He shall appoint all committees, unless it shall be otherwise ordered by the Convention, in which case the committees shall be appointed by a vote of the Convention.

Rule 6 was read as follows:

RULE 6. He shall preserve order and decorum; may speak to points of order in preference to other members; and shall decide questions of order, subject to appeal to the Convention, on which appeal no member shall speak more than once, except by leave of the Convention.

Mr. WORTHINGTON: Again here are duplication of some words in Rule 4 requiring the president to preserve order. I move to strike out the words, "shall preserve order and decorum".

The PRESIDENT: The member from Hamilton will please reduce to writing his amendment. The question is on the adoption of the amendment to Rule 6.

The motion was reduced to writing and was carried.

Rule 7 was read as follows:

RULE 7. When the Convention shall have decided to go into a committee of the Whole, he shall name the chairman to preside therein.

Rule 8 was read as follows:

RULE 8. He shall vote on all elections and on all questions taken by yeas and nays, except on appeals from his decision.

Mr. FESS. Suppose on an appeal there is a tie vote, doesn't the chair have a right to vote?

Mr. DOTY: The appeal is lost and the chair is sustained whether it is in here or not. It amounts to the same thing.

Mr. HALFHILL: Is the word "shall" in "he shall vote", compulsory to the president and each one of the members? Why not the word "may"?

The PRESIDENT: It is the idea of the committee that he should exercise his duty.

Mr. WORTHINGTON: Rule 7 seems to be a duplication of Rule 71.

Mr. DOTY: I think there is a duplication. It crept in in both places so it could be found easily. I do not know of any other reason.

Rule 9 was read as follows:

RULE 9. All rules applying to appeals and votes thereon shall affect any member occupying the chair as if he were president of the Convention, but only for the time of such occupancy or upon questions arising during his occupancy of the chair.

Rule 10 was read as follows:

RULE 10. The president shall sign all orders for the payment of salaries, mileage or other expenses in connection with the holding of the Convention and may prescribe such rules for incurring expenses as he shall deem wise, subject to modification by the Convention, which modification shall be by resolution and upon a majority vote.

Mr. DOTY: When it says "majority" it means of those present unless it says "majority of those elected". Where there is an expression of this kind, it is a majority of those present.

Mr. FESS: May I ask if there is a provision for a quorum?

Mr. DOTY. It is always assumed that a majority of those elected is a quorum. There is no specific rule on it.

Rule 11 was read as follows:

RULE 11. When the president and vice president are absent at the hour to which the Convention shall have adjourned, or taken a recess, the secretary shall call the Convention to order and the Convention shall proceed to choose some member to act as such president until the president shall be present.

Mr. DOTY: I will change our report to do what we intended to do.

When the president and vice president are absent at the hour to which the Convention shall have adjourned or taken a recess, except in the

Adoption of Rules.

case mentioned in Rule 3, the secretary shall call the Convention to order and the Convention shall proceed to choose some member to act as such president until the president or vice president shall be present.

A DELEGATE: Why not put "in the absence of the vice president" in Rule 3?

Mr. DOTY: It is a custom in the house when neither the speaker nor speaker pro tem wishes to be in the chair that they have the privilege of calling on some one else. That is a freedom that is allowed the chair.

The duties of the vice president go in there, which will be Rule 12 when they are renumbered.

The duty of the vice president was read:

RULE 12. In the absence or disability of the president, the vice president shall have all the powers and perform all the duties of the president except as limited by Rule 10.

Now comes what will be Rule 13. We will call it Rule 12.

Rule 12 was read as follows:

RULE 12. The secretary shall keep a journal of the proceedings of the Convention and shall daily place upon the desk of each member a printed copy of the proceedings of the previous day.

Rule 13 was read as follows:

RULE 13. The secretary shall give to every proposal when introduced a number and the numbers shall be in numerical order and announced by the secretary at the time of introduction. He shall read such proposals by title. He shall cause all proposals immediately after introduction, to be printed and shall place a copy thereof upon the desk of each member at the earliest possible moment. Each proposal after being printed shall be engrossed by the secretary, so that the line numbers of the engrossed copy shall correspond with the line numbers in the printed proposals. The secretary shall preserve such engrossed copies and shall certify a true copy of such proposal, if favorably acted upon by the Convention on its second reading to the committee on Arrangement and Phraseology.

There should be a comma after the word "reading".

Rule 14 was read as follows:

RULE 14. He shall prepare and cause to be printed daily the Convention calendar upon which shall be set forth all of the business scheduled; he shall cause a copy of said calendar to be placed upon the desk of each member daily before the time of meeting. He shall make up the calendar under the general rules of the Convention, and shall schedule all items of business under any one head in the order of their introduction or report to the Convention. Special orders for the day shall be scheduled separately and at the head of the calendar, showing the exact time for their consideration, the title if any, and the proposal number. Special orders for future days shall be similarly scheduled but at the end of the regular order for the next day. Announcements affecting the business of the Convention only may be in-

cluded in the calendar at the discretion of the president and secretary.

Rule 15 was read as follows:

RULE 15. The secretary shall prepare all orders for the payment of salaries, mileage and other expenses, ready for the consideration and signature of the president.

Mr. MILLER, of Fairfield: I think I have discovered an error in Rule 1. I would very much like to place in Rule 1 a chaplain.

The PRESIDENT: The member from Fairfield [Mr. MILLER] will present his amendment in writing.

Mr. FESS. I was going to raise the question whether it would not be better not to go back until we have gone over the whole, and then go back over it as a whole.

The PRESIDENT: The chair will so hold and proceed to the consideration of Rule 16.

Rule 16 was read as follows:

RULE 16. The sergeant-at-arms shall have general charge of hall, galleries and smoking room of the Convention under the direction of the president and of the committee rooms under the direction of the secretary. He shall cause all such halls and rooms to be properly cleaned and ventilated. He shall enforce the rules as to admission to the hall and smoking room of the Convention. He shall sign all requisitions for supplies for the use of the Convention and its members. He shall perform such other duties as the president or Convention shall from time to time determine upon.

Rule 17 was read as follows:

RULE 17. Whenever a member is about to speak he shall rise from his seat and respectfully address himself to "Mr. President" and the president shall announce the member from the county he represents; and if there be more than one member from such county, then by adding the name of the member.

Rule 18 was read as follows:

RULE 18. In all cases the member who shall first rise and address the chair, shall speak first; but when two or more members shall rise at once, the president shall name the member who is to speak.

Rule 19 was read as follows:

RULE 19. A member may speak either from his seat, or from the seat of any other member, tendered him for that purpose, or from the secretary's stand.

A DELEGATE: I would like to ask if in Rule 18 it would not be necessary that the president shall name the member who shall speak?

Mr. DOTY. The president may not see the member. I have seen such things happen.

Rule 20 was read as follows:

RULE 20. No member shall speak more than twice on the same question unless by leave of the Convention, and he shall confine himself to the question under debate. This rule shall not apply to proceedings in committee of the Whole. He shall avoid personality.

Adoption of Rules.

Rule 21 was read as follows:

RULE 21. Any member, while discussing a question, may read from books, papers or documents, any matter pertinent to the subject under consideration, without asking leave.

Rule 22 was read as follows:

RULE 22. Any member may call for a statement of the question.

Rule 23 was read as follows:

RULE 23. Any member may call for a division of the question, and the decision of the president, as to its divisibility, shall be subject to appeal, as in questions of order.

Rule 24 was read as follows:

RULE 24. Every member present when the question is put shall vote, unless the Convention excuse him.

Rule 25 was read as follows:

RULE 25. A request to be excused from voting, or an explanation of a vote shall not be in order, unless made before the Convention divides, or before the call of the yeas and nays is commenced. The member making such request, may make a brief oral statement of the reason for making such request, and the question of excusing such member shall then be taken without further debate.

Rule 26 was read as follows:

RULE 26. While the president or chairman is putting any question or addressing the Convention, no one shall walk across the hall.

Rule 27 was read as follows:

RULE 27. When a member is speaking no one shall pass between him and the chair.

Rule 28 was read as follows:

RULE 28. No member or other person shall remain at the secretary's table while the yeas and nays are being called or ballots counted, except the secretary and clerks.

Rule 29 was read as follows:

RULE 29. Any two members may demand the yeas and nays upon any question before the Convention; and, upon the call for the yeas and nays, the secretary shall call the names of members alphabetically.

Rule 30 was read as follows:

RULE 30. Any three members may demand a call of the Convention, and when such call has been so demanded, the sergeant-at-arms shall permit no member to leave the hall of the Convention. The roll of the members shall be called forthwith and the names of all absentees shall be noted upon the journal. The sergeant-at-arms shall be despatched for all absentees and shall have power to take such absentees into custody wherever found, and bring them before the bar of the Convention.

Mr. PECK: It strikes me that rule opens the door for a considerable quantity of trouble. When any three men may demand a call of the house. I think the num-

ber ought to be increased. Any three persons may delay proceedings for half a day. I move that it be put in "ten".

Mr. LAMPSON: I second the motion.

The PRESIDENT: The member from Hamilton [Mr. PECK] will present in writing his amendment.

Mr. BROWN, of Highland: I would suggest that we consider that question now. If we wait for these resolutions to be presented for replacement of rules, all the way from the beginning to the end, it will involve another going over just as we are now, and that is an amendment which I think will pass without any further consideration, because it is rational, and I would suggest that it be disposed of.

The motion was carried.

Rule 31 was read as follows:

RULE 31. Every member presenting a paper proposing matter to be considered in connection with the new constitution, shall endorse the same with a title which shall briefly set forth the subject matter or contents, adding his name.

Rule 32 was read as follows:

RULE 32. All roll calls of members shall be made in alphabetical order, except the president's name shall be called last.

Rule 33 was read as follows:

RULE 33. Until January 28, 1912, and on Mondays thereafter, the order of business shall be as follows:

1. Reading and approval of journal.
2. Presentation of petitions and memorials.
3. Motions and introduction of resolutions.
4. Introduction of proposals—counties to be called in alphabetical order, said order to be reversed each alternate time.
5. Reference to committees of proposals introduced on the preceding days.
6. Reports of standing committees in their order.
7. Reports of select committees.
8. Resolutions laid over.
9. Proposals for their second reading and consideration by the Convention.
10. Report of standing committee on Arrangement and Phraseology.
11. Proposals for their third reading.

After January 28, 1912, except on Mondays, the order of business shall be as follows:

1. Reading and approval of journal.
2. Proposals for their third reading.
3. Report of standing committee on Arrangement and Phraseology.
4. Proposals for their second reading and consideration by the Convention.
5. Resolutions laid over.
6. Reports of standing committees, in their order.
7. Reports of select committees.
8. Reference to committees of proposals introduced on the preceding day.
9. Introduction of proposals—counties to be called in alphabetical order, said order to be reversed each alternate day.

Adoption of Rules.

10. Motions and introduction of resolutions.
11. Presentation of petitions and memorials.

In Rule 33, item 8, "as to substance wants to go out".
Mr. DUNN: I propose that No. 1 in the order of business be prayer.

Mr. DOTY: Whether we have prayer or don't have prayer, it is not an order of business. The motion in my judgment won't accomplish the purpose.

The member from Clermont withdrew his amendment.

Mr. PECK: Section 4 seems to me to be unnecessarily elaborate about the introduction of proposals—the counties to be called in alphabetical order. It seems to me that the call of counties in that way every morning would be an unnecessary waste of time. I move that be stricken out.

Mr. DOTY: I would state that after the first two weeks when the grind really begins, you have one chance to introduce proposals and that is on Friday. You will never reach that in all probability.

Mr. PECK: I am only speaking of the thing on its face.

Mr. DOTY: The order of business must provide for all things in their complete order.

The PRESIDENT: The member from Hamilton [Mr. PECK] moves to amend by striking out all after the words "introduction of proposals,". The secretary will please reduce that to writing.

Mr. DOTY: I see what the judge means, and there is some force in what he says. If we are going to make an order of business we must have an order of business that is complete. That we may not reach some of this order of business is altogether likely. We get down half way and the next day we begin there, and so after the committees have made their reports we shall never reach the introduction of proposals except on Monday evenings when we begin the order of business the other way up. What the judge is trying to avoid, will be avoided, in a way, without a change in our rules. I quite appreciate what the member from Hamilton [Mr. PECK] says; but it will take care of itself, I am sure.

Mr. PECK: If it doesn't make any trouble I don't object. But if it does, why not let the members rise and offer their proposals just as they have them.

Mr. DOTY: If he means that the counties should not be called, then my statement does not apply. I would state, as a matter of doing business easily, a regular way is so much easier than a confused way. If you have a dozen members from all parts of the state, as you will have the first time we have to introduce proposals, it would be very confusing.

Mr. PECK: The president can regulate that, can't he?

Mr. DOTY: It is not easy to regulate everybody.

Mr. JONES: I think that rule should stand as it is. As has been suggested, if it is left just to be a matter of scramble when it comes to making proposals, there will be all sorts of confusion. The orderly way certainly would be to call the roll alphabetically and give the representative from each county the chance to introduce his proposal, without throwing on the president the delicate task of recognizing a dozen or so at a time.

Mr. PECK: I don't think the members are loaded down with proposals. I don't think any member here will have more than one or two. Proposals or amend-

ments to the constitution are matters requiring considerable thought and care in the preparation. They are not coming here to fall as the leaves are said to fall in Valambrosas. I don't think there will be any such rush as you speak of, and I think a simple call for proposals will bring out all in a few moments.

The motion was lost.

Mr. KNIGHT: I want to ask a question for information pertaining to one item in No. 9, and also No. 10, in Rule 33.—Standing committee on Arrangement and Phraseology.—After the various amendments does the order of business contemplate that the whole mass, the whole constitution, if we shall have a constitution, shall then come before the body as a whole and pass through the hands of the committee on Arrangement and Phraseology?

Mr. DOTY: Yes, sir; and reported to the Convention and voted on again.

Rule 34 was read as follows:

RULE 34. The order of business shall not be changed, unless by unanimous consent or a suspension of Rule 34.

Rule 35 was read as follows:

RULE 35. Any matter may be made a special order for a particular hour of the day, by a majority of the members present.

Rule 36 was read as follows:

RULE 36. Not earlier than one day after introduction all proposals may be committed to a standing committee or to a select committee appointed for that purpose.

Mr. ELSON: May I ask a word about Rule 35? "Any matter may be made a special order for a particular hour of the day." Suppose some chairman of a committee felt he ought to report on a certain day in the future. Would it be proper for him to designate the hour of a certain day that he would make his report, or must this order be made only at the beginning of the day?

Mr. DOTY: The usual way is to make the report as a part of the regular order and then make its consideration a special order for a certain day. I suppose if the Convention saw fit, it could receive the special report at any time it chooses, as it can do anything. After he has made the report the Convention may then defer the consideration to some future day, simply giving notice of consideration.

Mr. WINN: Not under this rule, Mr. Doty. What the member wants to know is whether under this rule the Convention may make some matter a special order for a particular hour of a day in the future.

Mr. DOTY: It all resolves itself as to a certain day. I would consider it as any day in the life of the Convention.

Mr. BROWN, of Highland: That would be cared for in Robert's Rules of Order. They could stand in that case then, could they not? The Convention could control that under the Rules of Order.

Mr. HARRIS, of Ashtabula: I am not quite clear as to the subsequent order, whether it will succeed as to following or succeeding days.

Adoption of Rules.

Mr. DOTY: I do not think there is any question about it.

Mr. LAMPSON: I think quite the natural way would be, if a member making a report wants it considered at some future day, when he makes the report he would move it be made a special order for eleven o'clock a. m. on Tuesday, or a motion like that. It would be entirely in the province of the Convention to do so, and is provided for by this rule.

Mr. FESS: Could we not clarify that a little by saying any matter may be made a special order by a majority of the members present. The language is a little ambiguous here.

Mr. DOTY: Of course, what this rule means and all it can mean is that a special order may be made for a particular hour of the day to which the thing is postponed, or it may be today or some other day. That is what it means and exactly what it does and it doesn't do anything else. It has nothing to do with postponement.

Mr. FESS: The confusion was what I was trying to cut out. Mr. Brown raised the question if there was not anything else Robert's Rules would fix it. But it seems to me we have a little confusion the way it is here. If you will permit, I would like to make an amendment. I move that we strike out the word "the", and let it read: "Any matter may be made a special order for a particular hour of any day by the majority of the members present." Strike out the word "the" and insert the word "any".

The motion was seconded.

Mr. DOTY: You have not provided any assistance and the service here is all voluntary, and if you desire to have your amendments put in the journal and be sure they are right, I would suggest that for your own protection you reduce them to writing. We are just limping along up here.

The motion was carried

Rule 37 was read as follows:

RULE 37. All proposals shall be introduced in duplicate, one copy of which shall be for the use of the newspaper reporters of the Convention. Immediately after the introduction the secretary shall cause said proposals to be printed.

Rule 38 was read as follows:

RULE 38. 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 39 was read as follows:

RULE 39. The interim between any two sessions of the Convention, on the same day, or between two or more calendar days, when the Convention shall so order, shall be termed a recess; and, upon re-assembling at the appointed hour, any question pending at the time of taking a recess, shall be resumed without any motion to that effect.

Rule 40 was read as follows:

RULE 40. The hour to which the Convention shall stand adjourned from day to day, shall be 7 o'clock p. m. on Mondays, 10:30 a. m. on Tuesdays, Wednesdays, and Thursdays. Unless otherwise ordered no session shall be held on Fridays and Saturdays.

Mr. MILLER, of Ottawa: I move to amend by restoring the word "Fridays", as in the original. "The hour to which the Convention shall stand adjourned shall be 4 o'clock on Mondays, and one o'clock p. m. on Tuesdays, Wednesdays and Thursdays and ten o'clock a. m. on Fridays. Unless otherwise ordered no session shall be held on Saturdays."

Mr. BROWN, of Highland: Supporting the motion of the member from Ottawa [Mr. MILLER], I wish to give my reasons. I realize that we are men of affairs. We have left important work at home and come down to do this work as thoroughly, effectively and expeditiously as can be done and done well. Our constituents are looking for us to hurry this along rapidly. I realize there are others who have had much larger experience in legislative work. I believe we ought to spend one more day than is provided for in the rules. I wish to speak for the amendment.

Mr. HARRIS, of Ashtabula: I move that the hour be changed from four o'clock to seven on Monday. There is quite a contingent that will find it very difficult to reach here at four o'clock on Monday unless we leave home on Sunday, and that will cut short our devotions on Sunday. If it is thought wise to hold a session on Fridays I do not know that I would seriously object.

Mr. MILLER, of Ottawa: If it is desired, we will change that, by common consent to seven p. m. on Monday.

Seven o'clock was agreed to.

Mr. MILLER, of Crawford: I move that it be amended by restoring the word "Fridays", as in the original.

Mr. DOTY: One o'clock on Tuesdays, Wednesdays and Thursdays, and ten o'clock on Fridays, and seven o'clock on Monday evenings?

Mr. JONES: I think if this Convention meets four days out of the week it will do all that it is possible to do, meeting as a body. As has been said here, the larger part of this work will be done in committees, and I can not see what can be gained by having daily sessions every day in the week of the Convention. I think if the matter is left to stand as originally provided after striking out the word Friday, as recommended by the committee, it would meet the convenience of the larger membership of this Convention and will aid in facilitating the work rather than hinder. I am, therefore, opposed to this amendment.

Mr. LAMPSON: The assumption that the work of this Convention is all to be done, or largely to be done, in open convention is a mistake. The members of this Convention who come here and work in open convention Tuesdays, Wednesdays and Thursdays, three days, and do the best work, will do the best work in their rooms and offices, and some of them will put in more than nine hours or ten hours. We will frame up all the propositions to be submitted to this Convention, and the looking up of authorities, etc., will require really

Adoption of Rules.

the most severe work on the part of the individual members. I think the rule should be adopted as it stands.

Mr. PETTIT: I am in favor of the amendment as including Friday as to our assembling here and deliberating in Convention. While the members of this Convention do not doubt the possibility that the committees will do most of the work, and do as much in three days as they will in six, the matter remains that if we adjourn here on Thursday, the large majority will go home and not be looking after the duties of the Convention at all, but will be looking after their private affairs. The people do not understand why we should meet here at seven o'clock, and only occupy Tuesday, Wednesday and Thursday, and go home on Friday. We certainly ought to include Fridays in our labors.

Mr. THOMAS: There are two questions involved in that amendment, one of changing the hours to 10:30 a. m. and the other on the days of the week. I ask that we vote on these two questions separately.

Mr. EVANS: I am opposed to having any meetings on Mondays or Fridays. I think if we give to the state of Ohio Tuesdays, Wednesdays and Thursdays, and spend the remainder of our time with our constituents we shall be doing our whole duty. I shall vote to stand by the report of the committee and I hope the amendment will be lost.

The PRESIDENT: The member from Cuyahoga [Mr. THOMAS] asked for a division of the question. I wish you would state the division.

Mr. THOMAS: The question as contained in the amendment of the member from Ottawa [Mr. MILLER] changed the hours from 10:30 a. m. to 1 p. m., and the other changes the working days to four instead of three.

Mr. EBY: May I inquire whether they anticipate to do any work at that seven o'clock session, or whether it is simply to call them together?

Mr. LAMPSON: The only purpose is to be sure we have a quorum. We expect to have a roll call on Monday evenings and we expect to be ready to work on Tuesday. Of course, we can do other business if we have any occasion to do it. Proposals can be made on Monday evening, but probably no votes taken.

Mr. HARRIS, of Hamilton: I rise to oppose the amendment. I agree with the remarks made by the member from Ashtabula that by far the greatest work will be done in the committee rooms. I would much rather have one or two days' active work in the Convention. The incident of adjournment does not mean loafing, it means opportunity for hard work, the best work that can possibly be done, and those hours should not be curtailed under any circumstances. The work on the floor of the Convention, as we all know, will not be for the edification of the delegates, but possibly for our constituents. I think we can safely cut out as much as possible of the edification of our constituency and confine our real labors to that for which we were sent.

Mr. OKEY: I think it is very clear to all of us if we adjourn on Thursday we will have no committee meetings on Friday. If we want to miss another day, let's miss Wednesday or Thursday and hold a meeting on Friday; but if we adjourn on Thursday we will have no committee meetings on Friday.

Mr. PECK: I am in hopes the amendment will not

prevail, but that the original report of the committee will be permitted to stand. I don't see how the taxpayers are affected if we go home on Thursdays or Fridays. We are not paid by the day. I do not see how the taxpayers are interested at all. It seems to me we shall be doing our full duty if we work all day Tuesdays, Wednesdays and Thursdays, and the other days in committees so much as is convenient and proper.

The PRESIDENT: The question is on the adoption of the amendment proposed by the member from Ottawa [Mr. MILLER], upon which a division of the question has been asked. The changing of the hour on Tuesdays, Wednesdays and Thursdays from 10:30 a. m. until 1 o'clock p. m., is one question. The other question involved is the addition of Friday of each week as a working day.

Mr. BROWN, of Highland: I wish to ask what the mover of that amendment means in asking that the session be changed in time from in the morning at ten thirty o'clock to one? It was not my understanding that that was in the original motion as amended.

Mr. MILLER, of Ottawa: My purpose in changing that from 10:30 a. m. to 1 p. m. was to give opportunity for the committees to meet in the morning. I realize that a large part of the work will be done in committee meeting; but I think these committees ought to be required to meet on Friday morning by having the Convention meet on Friday afternoon. Those who remember back to the last constitutional convention will remember one of the reasons that was presented for its refusal was that it was drawn out for 180 days, and people were tired of that convention. Let's get down to business and get through with this work in sixty days, if we can.

Mr. HALFHILL: Now, then, Mr. President, I am heartily in favor of the rule as reported by the committee, and I trust these various amendments that have been offered will be voted down. It was stated that one reason why the convention of 1873 did a work that was unpopular was because it was in session so long. I doubt that. Of course the newspaper public may have gotten tired of that convention, but they did their work well. They discussed the questions before that convention in a very able manner. I do not know how it strikes the gentlemen who are urging four days a week and hurry up about it, but to me this work is the most tremendous job that I ever undertook, and there will be propositions here for our consideration that will require the patient and careful investigation of every man in the quiet of his own office and his own library, and I do not believe that we can do any better than to stay by this report. I imagine when the stress of this Convention comes on it will so absorb our time here and we will so carry this work home with us that even our ordinary private affairs will not be welcome to intrude upon us; because we will have to meet these questions and will have to be informed. Now, I hope this report of the committee as made will prevail and these amendments will not prevail, and I think it will be for the best interest of all of us.

Mr. HARRIS, of Hamilton: I wish to call attention to the mover of this amendment to the fact that the convention of 1873 was in session 188 working days. I call the attention to the fact that the convention of 1873 recessed from July until the following December.

Adoption of Rules.

So great as was the work done by that convention, although not ratified by the people, it was done in less time than the gentleman seems to think.

Mr. DOTY: I have been more or less an observer of legislative bodies for some years, sometimes close at hand and sometimes at a distance. I have noticed that in every one of these bodies this same question has come up, and sometimes they will start to have a five-day week, and they are very brave when they start; but so far as I have been able to see, and so far as I can remember, I have never seen any legislative body of the size of this work more than three days in any one week, and you can pass all the rules, and you can pass the amendment of the member from Ottawa, and you can do anything you want to, but there will be no work done by this Convention on Friday. The rules wont make you and me sit here when we have got to go some place else, until the time when the work accumulates and there is plenty of work to finish up, and then perhaps the last week we may be in session. Outside of that you will have no work done in this Convention, assuming that it is made up of human beings such as the legislative bodies are, and I assume it is. And you will find that whatever you do in your rules, there will be no meetings of any consequence, nothing done worth the time and trouble for a few of us to sit here and do. I have seen it tried for twenty years before and it never worked yet, but it may work at this time.

Mr. DUNN: If I work hard in this Convention for three days my mind will certainly need some food. I shall need Friday and Saturday for hard study to be ready for the work of the next week. I propose to stand faithfully by my constituents and by the people of Ohio; but I propose, if this Convention adjourns on Thursday, to study all the way home and to study on Friday and Saturday and to study all the way back to Columbus and try to be ready for the work of that week.

The PRESIDENT: Does the member from Cuyahoga still insist on the division.

Mr. THOMAS: I do.

The PRESIDENT: The first division of the question contemplates the changing of the hour of meeting, on Tuesdays, Wednesdays and Thursdays from 10:30 a. m. until 1 o'clock.

The motion was lost.

The PRESIDENT: The second division of the question contemplates a meeting of the Convention on Friday, including Friday as a working day.

The motion was lost.

The PRESIDENT: There being no further objections the rule will stand as amended by the committee.

Rule 41 was read as follows:

RULE 41. Every motion shall be reduced to writing, if the president or any member shall desire it.

Rule 42 was read as follows:

RULE 42. When a motion is made, it shall be stated by the president or, being in writing, it shall be read audibly to the Convention by the president or secretary, before debate.

Rule 43 was read as follows:

RULE 43. After a motion is stated by the president or read by the secretary, it shall be in

possession of the Convention, but may be withdrawn, by leave of the Convention at any time before a decision or amendment.

Rule 44 was read as follows:

RULE 44. All questions, whether in committee or Convention, except privileged questions, shall be put in the order in which they are made, except in filling blanks, the largest sum or number and longest time shall be put first.

Rule 45 was read as follows:

RULE 45. Questions shall be distinctly put in this form: "Those who are of the opinion (as the case may be) say aye," and after the affirmative vote is expressed, "Those of a contrary opinion say no." If the president doubt, or a division be called for, the Convention shall divide; those in the affirmative vote of the question first rising from their seats and afterwards those in the negative and the president shall determine by count announcing the number.

Rule 46 was read as follows:

RULE 46. When a question is under consideration, no motion shall be in order except the following, which motions shall have precedence in the order named:

1. To adjourn.
2. To take a recess.
3. To proceed to the orders of the day.
4. To lie on the table.
5. For the previous question.
6. To postpone to a day certain.
7. To commit.
8. To amend.
9. To postpone indefinitely.

Rule 47 was read as follows:

RULE 47. After the secretary has commenced to call the yeas and nays on any question, no motion or debate shall be in order until a decision has been announced by the chair.

Rule 48 was read as follows:

RULE 48. When a motion is made to commit, if more than one committee is suggested, the motion shall be put upon the committees suggested, in the order in which they are named; but a motion to refer to the committee of the Whole, to a standing committee, or to a select committee, shall have precedence in the order here named. A motion to commit may not be reconsidered.

Rule 49 was read as follows:

RULE 49. A motion to postpone to a day certain, or indefinitely, being decided in the negative, shall not be again allowed at the same stage of the proposition.

Rule 50 was read as follows:

RULE 50. A motion to adjourn being decided in the negative, shall not be again entertained, until some motion, call, order, or debate shall have taken place.

Rule 51 was read as follows:

RULE 51. The following questions shall be decided without debate:

1. To adjourn.
2. To take a recess.

Adoption of Rules.

3. To lie on the table.
4. The previous question.
5. To take from the table.
6. To go into the committee of the Whole.
7. All questions relating to the priority of business.

Rule 52 was read as follows:

RULE 52. No motion or proposition upon the subject differing from that under consideration shall be admitted under color of amendment.

Rule 53 was read as follows:

RULE 53. A motion to strike out and insert shall be deemed indivisible.

Rule 54 was read as follows:

RULE 54. Substitutes for, and amendments to, proposals, may be printed as original proposals, but shall carry the number of the original proposals.

Rule 55 was read as follows:

RULE 55. Amendments to proposals shall be made only in writing, and the form shall be, "I move to amend, Proposal No. —, as follows:" after which follows the words of the proposed amendment, which shall set forth specifically wherein it is proposed to amend the pending proposal. The member may have the secretary read the amendment. The vote shall be directly upon the amendment. But one amendment to an amendment shall be allowed to pend at one time, except that there may be pending an additional amendment by way of a substitute amendment.

Mr. FESS: I am not quite clear upon that, Mr. DOTY. In just that last part "except that there may be pending an additional amendment by way of a substitute amendment".

Mr. DOTY: That means three amendments under certain conditions and two under all other conditions.

Mr. FESS: Suppose the first is made in the form of a substitute, will the second substitute be allowed?

Mr. DOTY: I should hold it would. A substitute is but an amendment. This rule would allow under certain conditions three amendments to be pending, and under all others but two.

Mr. FESS: This would be three. Now in case the first amendment is a substitute, would the second be in order?

Mr. DOTY: It would. It would be an amendment; just what it truly is.

Mr. LAMPSON: The object of the substitute amendment is that after discussion—after the whole matter has been threshed out—the members may agree upon an amendment which will cover the whole proposition. There may be two sides. One side takes one view of the proposition and the other side takes the other view of the proposition, and the opposing side, by offering a substitute covering the whole proposition, can put squarely before the Convention its views. So there is in proper form before the Convention the two distinct propositions. The amendments, the first amendments, simply amend by striking out a word and inserting a word, correcting the phraseology or something of that kind, and really do not go to the merits of the proposition, and if you were to allow only the two you

might shut out the substitute proposition which would reflect the opinions of a large number of the Convention, and perhaps all of the Convention. The idea is, after threshing the whole matter out, to be able to offer a substitute covering the original proposition together with pending amendments, and let that settle the whole matter.

Mr. DWYER: The substitute is all right. The amendment as a substitute is out of place. It should be a substitute for the whole question, not a substitute amendment. I think the word amendment is not used properly.

Mr. LAMPSON: In essence the member from Montgomery is correct, but technically, from a parliamentary standpoint, we will have to call it an amendment, for it is not the original proposition; therefore we call it a substitute amendment.

Mr. ANDERSON: I would like to ask this question. You say the original motion is before the house. Of course that assumes the amendment and all the amendments of the amendment. At that time can you have a substitute?

The PRESIDENT: The substitute covering both the other amendments?

Mr. ANDERSON: Yes, sir. Then if you have a substitute can you have two amendments to the substitute?

Mr. DOTY: No, in that case none.

Mr. FESS: There might be a confusion of two amendments, but this substitute clears the whole matter perfectly now.

Mr. LAMPSON: The two amendments might be simply verbal, not going to the essence of the proposition at all; but other members might wish to cover the whole ground with a little different proposition, and under the substitute proposition they can offer their amendments.

Mr. PRICE: In a substitute amendment is it required to cover both the amendment and the original? And may the substitute take the place of both?

The PRESIDENT: The substitute takes the place of both the original amendment and the amendment to the amendment.

Mr. PRICE: The substitute must carry with it everything that precedes it?

The PRESIDENT: Yes.

Mr. FESS: There is really one other very delicate question, and that is the putting of the vote. Suppose you had an amendment and then an amendment to the amendment, then the substitute, and you put the vote on the substitute, and it carries, where are we?

The PRESIDENT: On the question as amended by the substitute.

Mr. LAMPSON: If you put it that way the substitute would prevail and take the place of the amendment. The equitable way would be to allow the proponent of the original proposition to perfect it with his simple amendments, and when perfected then allow the proponent of the substitute to offer and have a vote taken upon it. That would be really the most equitable move. The practice of the house of representatives of Ohio has not been in that way. It has been to vote upon the various amendments, including the substitute, in the reverse order from which they were offered. I

Adoption of Rules.

should be willing myself to have a rule providing that the original proposition may be perfected before the substitute is voted upon.

Mr. ANDERSON: Assuming that you have an original motion before the house and then a substitute is offered at that time, then can the substitute be amended?

Mr. LAMPSON: Certainly it could be, if you offer it in that way. It would simply be one amendment, **parliamentarily speaking.**

Rule 56 was read as follows:

RULE 56. The laying of an amendment upon the table, or its indefinite postponement, does not carry to the table the proposition sought to be amended.

Rule 57 was read as follows:

RULE 57. A motion to reconsider a vote must be made by a member voting with the prevailing side, and such motion, to be in order, must be made within the next two calendar days of actual session of the Convention, after such vote was taken, and the same shall take precedence of all other questions, except a motion to adjourn.

Mr. FESS: "It must be taken within the next two calendar days." Suppose the motion is made on Friday?

Mr. DOTY: Monday and Tuesday would be the next two calendar days under these rules, of course.

Rule 58 was read as follows:

RULE 58. The vote on any question may be reconsidered by a majority of the members present.

Rule 59 was read as follows:

RULE 59. When a proposal is lost, and the vote is reconsidered, it shall not thereafter be committed to any other than a standing committee.

Rule 60 was read as follows:

RULE 60. A motion to reconsider may not be reconsidered.

Rule 61 was read as follows:

RULE 61. If a motion to reconsider be laid on the table it does not carry to the table the proposal.

Mr. ANDERSON: I have an objection to 61. Say, for instance, we have an original motion and then an amendment and then an amendment to the amendment, and then a motion to table the amendment to the amendment carries. Under these rules it would carry the whole proposition to the table.

Mr. DOTY: It would if it were not for this rule; that is the reason for this rule. You are right as to what would happen if you didn't have this rule.

Mr. FESS: If the motion to reconsider be laid on the table, it doesn't carry to the table the proposal. The proposal is not before the house if the motion to reconsider is granted. A motion must be acted upon one way or another before it is a subject for reconsideration.

Mr. LAMPSON: Allow me to say I think the criticism of the member from Greene [Mr. FESS] is correct. The motion to reconsider is the thing to which the motion to lay on the table is applied. It does not go to the proposal. My attention has not been especially

directed to this rule before. The rule is simply superfluous. If a motion to reconsider be laid on the table it does not carry it all to the table. It would not carry it to the table any way. Very often the way of clinching a proposition is to move that the vote by which the proposition was passed be reconsidered. The thing you lay on the table is the motion to reconsider, but your proposal or bill goes right along or is clinched.

Mr. BROWN, of Highland: That rule being superfluous, I move that it be expunged from the record.

Mr. FESS: May I raise a question here? Suppose we have a matter that is being considered, and we want to make it an order to be considered the latter part of next week. Can I make a motion to reconsider and have that laid on the table and then bring it up the latter part of the week? I don't think we want to lose that opportunity. However, if we strike out this and adopt Robert's Rules of Order, that will settle it.

The motion was carried.

Mr. ELSON: I want to ask a question about Rule 58, on the vote. If the vote can be reconsidered by whom can this be brought up?

Mr. DOTY: Rule 57 covers who has the right to make the motion. That takes care of who does it.

Mr. BROWN, of Highland: "The vote on any question may be reconsidered by a majority of the members present." Suppose that we would pass by a majority an important thing and we did pass it and it became a part of this Convention's work. There might be a clash in interests that would induce a majority to stay in session to the very last minute of the session of this body, and when many had dropped out then the majority, which is the minority of the whole body, may under this rule reconsider and change the whole matter. I believe that is a dangerous rule. The vote on any question may be reconsidered by a majority of the members present. I move that we change that to read as follows: "The vote on any question may be reconsidered by the majority of the members elected to the Convention."

Mr. BROWN, of Highland: I do that for this reason. I have seen tricks played. I do not know who wants to play them, but I think we had better prevent the possibility of such by changing that rule now. It is an easy matter sometimes to have a minority present and still have a quorum, and then the majority of this minority may run through anything they please in the way of consideration and I think it ought to be the other way.

Mr. DOTY: Of course either way this rule is placed is just as fair to one as to another. I want to call attention to the theory upon which this whole procedure is placed—it looks towards the life of a measure. It is the reversal of the theory upon which congressional procedure is based. They have so large a membership and so much business they must turn the other way around and look towards the death of most measures. The theory that we have proceeded on in Ohio and which this set of rules is based upon, looks towards the life of a measure. If you adopt the amendment of the member from Highland [Mr. BROWN], you are to that extent reversing that theory of practice. It is so difficult to get a measure that has been lost reconsidered, that many of them would fall by the wayside by the Con-

Adoption of Rules.

vention not being able to get a majority of the whole membership. You must remember that when you reconsider a motion or proposal or bill that has been lost the mere reconsideration of that only brings it back to where it was before, and I call your attention to the fact that our own rules provide that it still cannot pass until it gets a majority of the members of this Convention. You give it a chance; you are looking towards its life. That is the basis of the procedure in our assemblies in Ohio. It is the basis on which these rules are built. Personally I do not care one way or the other. I want to say to the member from Highland [Mr. BROWN] that under the rule there can be no more tricks played than the other way, assuming that some of us are going to do that sort of thing. You are simply building something that will induce some nice tricks and which will always look towards the death of the measure instead of the life.

Mr. JOHNSON, of Williams: I was going to suggest an amendment to Rule 58 showing that both propositions are wrong. If a proposal is passed by a majority of the Convention it ought not to be considered by a less number than a majority. But if some did not require a majority of all the members to pass it, then to say it could not be reconsidered without a majority would be wrong. Therefore, I think the amendment ought to be, if amended at all, that there should be required as many voters to reconsider it as it took to pass it in the first instance. I think I have made myself clear. I was going to keep my seat because I knew the able members that framed these rules, and I am sure the more we tinker with them the worse they are. I believe I would rather have it stand, as much as I object to it, in the form it was presented than to have it amended as suggested by the member from Highland. But I would rather have an amendment I have been thinking about, but I am not prepared to offer it.

The motion was lost.

Rule 62 was read as follows:

RULE 62. The previous question shall be in this form: "Shall the debate now close?" It shall be permitted when demanded by ten or more members, and must be sustained by a majority vote, and, until decided, shall preclude further debate and all amendments and motions, except one motion to adjourn and one motion to lie on the table.

Mr. HALFHILL: I would like to ask for information whether there is any rule which attempts to limit debates either in Convention or in a committee of the Whole.

Mr. DOTY: This is a rule which provides a method for stopping debate.

Mr. HALFHILL: I am fearful of this rule. The previous question is a powerful parliamentary instrument, and if a bare majority of this Convention gets itself headed in a particular line, and believes, for instance, that some particular thing or things demand the attention of this Convention, then the power of the majority is absolutely so controlling that those things that some of the minority want cannot even be presented. Now, in the absence of a rule which gives any right to any member to debate either in committee of the Whole or Convention, I think this ought to be amended so that it would at least

require twenty-five per cent of the membership of this Convention to demand the putting of the previous question. I move this word "ten" be increased to, I should say, "twenty-five".

The motion was lost.

Mr. COLTON: In this Rule 62 we have the expression "majority" and Rule 58 we have "majority of the members present." If these two expressions mean the same thing they ought to be the same.

Mr. DOTY: They do mean the same thing.

Mr. WINN: Some member of this Convention, and perhaps more than one, appeared before the committee and asked that this rule be amended so as to require a two-thirds majority of all the members elected to a seat on the floor of this Convention to close a debate on any proposition, and if that were not done that the number who may demand the previous question be increased. It requires, of course, a majority to do business, but I could not subscribe to the notion that less than a majority of the one hundred and nineteen should cut off debate at any time. I believe the words employed in this rule are better than the words employed in 58. That goes to a different question altogether. This goes to the question of closing debates. It may be at the very outset of the consideration of a proposition. Now if there are no more than a few more than a majority of the members on the floor, and somebody offers a proposition and moves the previous question and can have nine to support him, he can shut off debate. That ought to be made just as difficult as possible. Indeed, the committee discussed the advisability of bringing in any rule that would allow a certain limit to debate after the previous question had been ordered. But to make it any easier than is proposed by this rule, as brought in by the committee, I think would be wrong. I think we had better leave it this way—that it will be permitted when demanded by ten or more members, and must be sustained by a majority vote of the one hundred and nineteen members entitled to a seat on this floor.

Mr. JOHNSON, of Williams: I am opposed to that suggestion. I presume that I voted fewer times for the previous question than any other gentleman who has served as long as I have in a legislative capacity, although that is not very long. I am opposed to that rule, but I would like this rule that the previous question, if only five members demanded, because it would have to be sustained by a majority of the members present, not, as the gentleman says, a majority of the members elected to this Convention. Suppose there would be a quorum of seventy members or seventy-five or sixty-one, it is proposed that a filibuster here on the floor of this Convention could throttle them. I am opposed to it. I think the majority everywhere ought to rule. We ought to take the responsibility of our own acts. I would like the amendment as first proposed, with only five members. I am willing to take my chances in this Convention with the rest, and do my duty here to the state of Ohio, and I don't believe there is anybody in this assembly that would try to throttle me in debate anywhere. I remember as a boy hearing able men in the old school say sometimes it would be better for the judge to take to limiting the lawyers in his client's interest; and sometimes it would be better for this Convention by a majority to limit discussion.

Adoption of Rules.

I said the other day in the organization of this Convention that I dislike to move the previous question. It might have been well to have choked off the acrimonious debate. Suppose it had been done. I believe that a majority present in a convention ought to run that convention or this Convention, if you will allow me to use the word "run," except where the constitution says it must require a majority of all those elected. It does seem we ought to stand by this rule as proposed by the committee on Rules. I believe they were well acquainted with the facts and know what this Convention needed; therefore I am objecting to any suggestion to the amendment of this rule. You might strike out ten and put in five.

Mr. WINN: I agree with the member that the rule ought to be adopted as brought in by the committee. It was the proposition to change that I objected to.

Mr. FESS: I appeared before that committee this morning and I asked that this majority be again increased. I don't want this vote to go without being recorded as standing against shutting off debate upon any question in this Convention unless a majority of the members shut it off. The previous question is not allowed in some bodies at all. It perhaps ought to be allowed in the senate, but it is not allowed there. It is allowed in the house of representatives, but it is not usually abused, and all parliamentary procedure, including Robert's Rules of Order and Cushing's Manual, requires a two-thirds vote to shut off debate. Parliamentary law does not stand for the majority. Parliamentary law stands for the rights of the minority. A majority at any time can become tired and fatigued, as you are now, and wish debate to stop, and anybody could jump up and stop it and defeat deliberation. As a member of this body I insist before debate shall be shut off on any question there shall be a pronounced majority to say that debate must stop, because, as I said, this is always for the consideration of the minority in any deliberative body. For that reason it seems to me rather than to make it a mere majority we ought to have increased it. And, gentlemen of the Convention, if you make it as you now propose to do I give this announcement now, that all I shall need will be for ten men to stand and I will stop debate on any question before the argument is begun. That is the weapon you are putting into the hands of ten men. On any question I can move the previous question, if ten men will stand with me, and I can stop debate. It ought not to be allowed. That is the reason I appeared before the committee and said it ought to be made as difficult as possible.

Mr. KRAMER: This Convention, as I take the inventory of the same, is made up of one-third tried men and true and the other two-thirds green ones, and I am not going to publicly classify them except as to myself, and I am one of the green ones. What is the tendency of all the work done so far? The working days of the Convention have been fixed at three, and we are told that the larger part of the work is done in the committees. The committees come before the Convention and make their reports and I am compelled to vote with the majority report, and when I go back to Richland county they will ask "Why did you vote so and so?" Because the committee told me so and so. What is the tendency of this previous question? I will say the whole ten-

dency is to shorten debate. What I come before this Convention for is to hear the debates. What do I care what you do in the committee rooms? I am not caring at what conclusions you arrive. What I want to know is how you arrive at your conclusions. I would like to hear the premises from which you draw your conclusions. Hence, I don't like to have the debate shut off unless made very difficult. Take the great question of taxation. Twenty-one of your men go out into the committee room and consider the question of taxation. You come out and move the previous question, and here is a member in seat 106 who has not arrived at a conclusion as to how he shall vote. And how shall he arrive at the conclusion as to how he shall vote when the debate takes place in the committee rooms, and the previous question is moved here in the hall, and all debate is cut off by a majority who may be desirous to push this through? And, gentlemen, you two-thirds who belong to the same class to which I belong—namely, those who are not tried men and true—let us vote upon this proposition in such a way that we shall have ample and full debate upon the floor of this Convention, so that when we go back to our county we can say we voted so and so upon full debate upon the floor.

The motion was lost.

Mr. ELSON: I wish to offer an amendment.

The amendment was read as follows:

Amend Rule 62 by striking out the word "majority" and inserting in lieu thereof the word "two-thirds."

The PRESIDENT: The member from Athens [Mr. ELSON] moves to strike out the word "majority" and insert the word "two-thirds" in Rule 62.

Mr. WINN: Mr. Dory, if I understood him, said that it was the intention of the committee that reported these rules to have the words "members present," the same as they occur in Rule 58, after the word "majority," "by the majority vote of members present." It was to that I objected, giving it as my opinion that with those words omitted it would require a majority of the whole one hundred and nineteen. I think that would be so construed, in view of the fact in Rule 58 the words "members present" are used. In Rule 62 it would be construed as having a different meaning.

I want to call your attention to how debate is throttled, unless some change is made in this rule.

Sixty members are a majority, sixty members a quorum; sixty members may be here some Monday evening, as our rules provide for adjournment until Monday evening. There may be sixty members present, which is a quorum. A bare majority of this sixty, thirty-one members, may make a report of some sort and move the previous question, and it would be put to vote without debate, and while one hundred and nineteen are entitled to debate, thirty-one may throttle the whole one hundred and nineteen.

Mr. DOTY: I would like to ask a question under the illustration. Suppose that were done, and the thing would come to a vote, it would require a unanimous vote, would it not?

Mr. WINN. It might not; it might be something passed by a majority of a quorum. A great many measures may be passed by a majority of a quorum, and if

Adoption of Rules.

a member wants to bring in the previous question he can do it by a majority of those present.

Mr. DOTY: I do not care how hard you make it to cut off debate; I do not think the question ought to be based on any part of the membership of this Convention who are present. I, for one, think it would be very irksome for me to know that a member from Hamilton being at this moment in Cincinnati should have the same effect upon what we are doing here as if he were present. I do not think this would be popular. If you are going to make this a two-thirds vote it ought to be of those who are here.

Mr. WINN. It ought to be either a majority of the whole membership, sixty-one, or two-thirds of those present.

Mr. DOTY: If that is the way, I agree to that. The amendment was carried.

Rule 63 was read as follows:

RULE 63. All incidental questions, or questions of order, arising after a motion is made for the previous question, and pending such motion, shall be decided without debate, and shall not be subject to appeal.

Rule 64 was read as follows:

RULE 64. On a motion for the previous question, and prior to voting on the same, a call of the Convention shall be in order; but after the demand for the previous question shall have been sustained, no call shall be in order; and the Convention shall be brought to an immediate vote—first upon the pending amendments in the inverse order of their age, and then upon the main question.

Rule 65 was read as follows:

RULE 65. If a motion for the previous question be not sustained, the subject under consideration shall be proceeded with the same as if the motion had not been made.

Rule 66 was read as follows:

RULE 66. If any member, in speaking or otherwise, transgress the rules of the Convention, the president shall, or any member may, call him to order, and the member called to order, shall take his seat if required to do so by the president until the question of order is decided.

Rule 67 was read as follows:

RULE 67. All questions of order shall be decided by the president without debate; but such decisions shall be subject to an appeal to the Convention by any two members; on which appeal no member shall speak more than once unless by leave of the Convention, except the member appealing who may speak twice; and the president may speak in preference to any other member.

Rule 68 was read as follows:

RULE 68. If the decision be in favor of the member called to order, he shall be at liberty to proceed. If otherwise, he shall not be permitted to proceed without leave of a majority of the Convention.

Rule 69 was read as follows:

RULE 69. If a member call another to order

for words spoken in debate, he shall (if required by the president or the member called to order) reduce to writing the language used by the member which he deemed out of order.

Rule 70 was read as follows:

RULE 70. When the Convention shall be ready to proceed to any order of the day, a motion to go into committee of the Whole on the orders of the day shall have precedence of all other motions, except to adjourn, to take a recess, and for the previous question.

Rule 71 was read as follows:

RULE 71. In forming the committee of the Whole, the president shall leave the chair, and appoint a chairman, who shall preside and vote as other members.

Rule 72 was read as follows:

RULE 72. In the committee of the Whole, proposals shall be read by the chairman, or secretary, and be considered by sections, unless it shall be otherwise directed by the committee, leaving the preamble to be last considered.

Rule 73 was read as follows:

RULE 73. The body of the proposal shall not be defaced or interlined, but amendments shall be noted by the chairman, or secretary, on a separate piece of paper as the same shall be agreed to by the committee, and so reported to the Convention.

Rule 74 was read as follows:

RULE 74. After being reported, the proposal and amendments of the committee shall be immediately taken up for consideration unless it shall be otherwise ordered by the Convention, and again be subject to discussion or amendment.

Rule 75 was read as follows:

RULE 75. The rules of the Convention shall be observed in committee of the Whole, so far as the same may be applicable, except that the committee may not refer matter to any other committee; it may not adjourn; the previous question may not be enforced; the yeas and nays may not be called; a motion to postpone indefinitely may not be in order; a member may speak more than once. A journal of the proceedings in committee of the Whole shall be kept as in Convention, and all debates shall be reported in the same manner. Such journal shall be printed in the Convention journal, with proper designation.

Rule 76 was read as follows:

RULE 76. The standing committees of the Convention shall be appointed immediately and in the order and with a membership as follows:

Agriculture, 17.

Arrangement and Phraseology, 9.

Banks and Banking, 17.

Claims against the Convention, 17.

Corporations other than Municipal, 17.

County and Township Organization, 17.

Education, 17.

Employes, 5.

Equal Suffrage and Elective Franchise, 21.

Good Roads, 21.

Adoption of Rules.

Initiative and Referendum, 21.
 Judiciary and Bill of Rights, 21.
 Labor, 17.
 Legislative and Executive Departments, 17.
 Liquor Traffic, 21.
 Method of Amending the Constitution, 17.
 Miscellaneous Subjects, 17.
 Municipal Government, 17.
 Printing and Publication, 17.
 Public Works, 17.
 Rules, 7.
 Schedule, 17.
 Short Ballot, 17.
 Submission and Address to the People, 17.
 Taxation, 21.

Seven members shall constitute a quorum for hearings in all committees consisting of seventeen or more members.

Mr. FESS: May I ask whether this rule which says you may not do certain things—is that the authority to do everything in a parliamentary way that you don't forbid?

Mr. DOTY: I should say yes. It is a mere enumeration of the powers that the house does not give to the committee itself.

Mr. PETTIT: I want to move to amend the title of "initiative and referendum" by adding "and recall".

Mr. DOTY: I do not care to take any part as to whether we should have a committee on recall or not, but I do say that it ought not to be attached to any other committee we have there. It ought to have a committee by itself. We all know that the initiative and referendum has nothing to do with the recall. You might just as well have it attached to the committee on Good Roads. If you are going to have a committee on Recall, lets have it by itself.

Mr. LAMPSON: I think the proposition for the recall should be referred to the judiciary or legislative and executive committees.

The PRESIDENT: Does the member from Adams insist upon the amendment?

Mr. PETTIT: Just so we get it in some place, I do not care.

Rule 77 was read as follows:

RULE 77. Any member may decline to serve on any committee, if at the time, he is a member of three other committees.

Rule 78 was read as follows:

RULE 78. The first named member of any committee shall be the chairman, unless the committee, by a majority of their number, choose some other member.

Rule 79 was read as follows:

RULE 79. No committee shall sit during the sessions of the Convention without special leave, nor shall employ a clerk at the public expense, without first obtaining leave of the Convention for that purpose.

Rule 80 was read as follows:

RULE 80. The report of a minority of any committee shall be received, spread upon the journal and treated as an amendment or substitute offered to or for the report of the committee.

Rule 81 was read as follows:

RULE 81. All reports of committees shall be in writing and shall be signed by at least a majority of the members of the committee. Such reports when made shall be spread upon the journal forthwith. All reports of committees upon proposals shall be accompanied by all the papers in relation thereto that were referred therewith.

Rule 82 was read as follows:

RULE 82. Any time after two weeks from the time when the Convention shall have committed any proposal to any committee, a report thereon in the meantime not having been made by said committee, the author of such proposal may, when no other business is pending and in any order of business, demand that such proposal be reported back to the Convention; and such demand when so made shall be deemed the action of the Convention, and the proposal is at once before the Convention subject to all rules of procedure as before. Provided, however, that this shall not apply to a member whose proposal has passed its second reading and has been referred. The Convention by a majority vote may demand the forthwith report of any proposal that has been committed to any committee.

Mr. WALKER: I wish to ask a question for information about Rule 82. There is a clause reading "this shall not apply to a member whose proposal has passed its second reading and has been referred." Does Rule 82 take care of a bill in the hands of a committee after the second reading?

Mr. DOTY: If you will notice on the next page, in another rule under the procedure, a proposal having been referred to a committee and having come back and been read the second time, there is a yea and nay vote on it. I submit that when that happens the proposal has ceased to be the particular proposition of a particular member, but has at once by that vote become the property and will of the Convention itself, and therefore the member ought not to have a right to bring that back any more than the rest of us.

Mr. WALKER: What provision has been made, in case it has been read a second time and been referred a second time, for taking it out of the hands of the committee?

Mr. DOTY: A majority of the Convention may do that at any time from any committee. When it goes into the hands of the committee on Arrangement and Phraseology, I see the necessity for ample time for arrangement, and it can not be done in two weeks after they get all the work into their hands.

Mr. HARRIS, of Hamilton: There are five committees whose work will probably overshadow that of all other committees of this Convention, to-wit: Equal Suffrage and Elective Franchise, Initiative and Referendum, Judiciary and Bill of Rights, Liquor Traffic and Taxation. It is my opinion that two weeks is too short a time to give these committees to consider the vital propositions that will come before them. It will be most unwise to have a single proposition bearing on these major propositions presented to the committee on proposals and then within two weeks take it from them, because

Adoption of Rules.

these single propositions may be acted upon adversely or affirmatively by the Convention, and yet they would not fit in the whole. So I suggest and offer as an amendment that no proposal can be taken from the five committees which I have named in less than four weeks from the time the committee has taken charge of them.

Mr. DOTY: I think the member's first statement answers the whole question. He says he believes in case of particular committees it would be most unwise for any member to demand a return of the proposal. Now, it being unwise, it strikes me that the member himself would be very foolish to do an unwise thing, because just as soon as he does that, his proposition is killed. He couldn't get it through. He has got to have a good case to make that thing stick. No member of the Convention is ever going to use that rule unless he is forced to use it, and if he is forced to use it he ought to have the power to use it. It is a mere device that will overshadow our committees so that they will not do you and me an injustice. If a committee is having its hearings on a proposal, and everybody knows they are having these hearings, do you suppose I would get up and make an enemy of the members of that committee by demanding a return of that proposal? Why, certainly not; that you can leave to the good sense of the members. You all can see that it is not going to help them in the least. All they need is to prevent the committees from having a chance to bottle things up. It wont be used three times in this Convention, but the effect of it will be felt from the first day until the day we quit. We want the committees to work. We don't want them to report until they are ready unless they are purposely dilatory. If I should have a proposal in the hands of a committee and for any reason demand its return, it is simply out of the hands of the committee, just where it was when it went to the committee in the first place, and the Convention may turn around and return it to the same committee if they please, and if I don't have a good reason that is what they would do. It is devised for our protection and not for our abuse. We don't shoot the burglar because we have a rifle. We never shoot the burglar unless he comes; he doesn't come if he knows we have the rifle. This protection is merely the rifle or the burglar alarm. I do not want to insinuate that these committees are burglars. They will be burglars if they take our propositions and hide them away. It is unwise to give the power to a few of us to legislate for all of us. All are here to legislate, and not part of us to legislate for all of us. It is merely what the power of a committee is and that power is what we give them. And if we give them the power to take our propositions and hide them away so that the other man can not force them out into the open and discuss them as we ought to, then they would just bottle up about half of our propositions. That might not be so harmful for some of us, but it might be for some of the rest. If a proposition is going to be killed it should be killed on the floor of the house.

Rule 83 was read as follows:

RULE 83. All matters intended to become a part of the revised constitution shall be presented by a member of the Convention in the form of a proposal, and shall be in writing and shall be

printed by title, number and author's name in the journal. Any proposal passed upon as to substance after its second reading shall be printed at length in the journal for that day; and any proposal that shall be passed upon as to form after third reading shall be printed at length in the journal for that day.

Rule 84 was read as follows:

RULE 84. The regular order for proposals introduced in the Convention shall be as follows:

1. Introduction and first reading by title.
2. Printed by the secretary in bill form.
3. Reference to committee.
4. Report by committee.
5. Engrossment.
6. Second reading and consideration as to substance by the Convention.
7. Reference to standing committee on Arrangement and Phraseology.
8. Report of standing committee on Arrangement and Phraseology.
9. Third reading and consideration as to form by Convention.

Rule 85 was read as follows:

RULE 85. Proposals shall be introduced in duplicate and shall be placed on the calendar and considered in the order in which they were introduced unless otherwise provided.

Rule 86 was read as follows:

RULE 86. All proposals shall be printed and distributed for the use of the members before the reference thereof, in the order in which they were introduced.

Rule 87 was read as follows:

RULE 87. Before proposals are read the second time, they shall be ordered engrossed. The secretary shall engross all proposals so that the line numbers shall correspond with the line numbers in the printed proposals upon the members' bill books, as nearly as possible.

Rule 88 was read as follows:

RULE 88. If, after any proposal has been read the first time, no motion or order for its commitment shall be made, it shall be committed to the committee of the Whole to be considered in its order, and the Convention shall decide when it shall be considered by the committee.

Rule 89 was read as follows:

RULE 89. When a proposal is ordered to be engrossed, it shall be placed upon the calendar for its second reading for the second day following, unless the Convention by a majority vote otherwise orders, and the calendar for each day shall contain a list of all proposals for third reading on the succeeding day.

Mr. LAMPSON: I move the word "third" be stricken out and "second" inserted in lieu thereof in Rule 89. The motion was carried.

Rule 90 was read as follows:

RULE 90. If a proposal has been amended prior to its second reading, the date and page of the Convention journal containing said amend-

Adoption of Rules.

ments shall be noted on the calendar immediately below the title of the proposal.

Rule 91 was read as follows:

RULE 91. When a question is lost on engrossing a proposal for second reading on a particular day, it shall not preclude a question to engross it for second reading on a different day. If on a division, the question on engrossing a proposal without including the time for its second reading, shall fail, the proposal shall be lost.

Rule 92 was read as follows:

RULE 92. Unless otherwise ordered by a two-thirds vote of the Convention, proposals on the calendar for second or third reading shall be taken up and read in their order without a motion to that effect, and the question shall be "Shall the proposal pass?"

Rule 93 was read as follows:

RULE 93. After the commitment and report thereon to the Convention, or at any time before its passage, a proposal may be recommitted.

Rule 94 was read as follows:

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.

Rule 95 was read as follows:

RULE 95. On the passage of every proposal at its second and third readings, and upon the final passage of every proposal, section, article and complete revision, the vote shall be taken by yeas and nays, and entered upon the journal, and shall be passed only on a majority vote of all members elected to the Convention.

Rule 96 was read as follows:

RULE 96. All resolutions, except such as relate to the business of the day on which they are offered, shall lie over one day before being considered.

Mr. PIERCE: I think Mr. Doty has neglected the form which was to be in after Rule 85.

Mr. DOTY: I did. You are right about that. Go back to Rule 85. After what you have there, put:

"Fourth Constitutional Convention. Proposal No. _____.

To submit an amendment to Article _____, Sec. _____, of the constitution.

Mr. _____.

Title _____.

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

Article _____.

Section _____.

Mr. FESS: May I ask the committee whether there is a provision anywhere in the rules to compel attendance? Suppose we do not have a quorum to do business. I notice in order to pass a proposal on the last or final vote, there must be a majority of the entire body. Suppose they are not here?

Mr. LAMPSON: There may be a call of the Convention.

The PRESIDENT: Is there any objection to Rule 85?

Mr. SMITH, of Hamilton: If there is any objection we can amend that form; we can actually make a new constitution.

Mr. DOTY: This is merely a form.

Mr. CROSSER: It is always understood that we may amend that form.

Mr. SMITH, of Hamilton: Would it not be in order and satisfactory to all of us in the third line of Rule 95 to change the first word "and" to "or"? This rule seems to infer we are going to submit a complete revision of the constitution. I am one of those who may be in the minority but hope we won't submit a whole new constitution, and I submit it will serve the purpose of all concerned if we simply change the word "and" to "or". I shall move an amendment.

The PRESIDENT: If there is no objection it will be so changed.

Mr. LAMPSON: I have no objection, but the rule simply means such revision as this Convention may finally agree upon. It does not necessarily commit us to a re-vamping of the entire constitution.

Rule 97 was read as follows:

RULE 97. Upon the adoption of a resolution involving the expenditure of money, or which determines or involves the right of a member to a seat in the Convention, the yeas and nays shall be taken and entered on the journal.

Rule 98 was read as follows:

RULE 98. No resolution involving the expenditure of money, or which determines or involves the right of a member to a seat in the Convention shall be adopted, unless a majority of all the members elected to the Convention concur therein.

Rule 99 was read as follows:

RULE 99. It shall be the duty of the secretary to keep an index record of all proposals and resolutions introduced in the Convention, showing the number, title and authorship of each measure, and the subject or matter affected thereby. Such index record shall be accessible at all times, when the Convention is in session to the members of the Convention.

Rule 100 was read as follows:

RULE 100. The secretary shall have supervision, subject to the approval of the Convention, of all clerical work, and shall prescribe the duties of the clerks, pages and stenographers and their assignment to labor, and fix the hours of their employment.

Rule 101 was read as follows:

RULE 101. The committee rooms of the Convention shall be under the control of the secretary, and by him, assigned to the various committees for their use.

Adoption of Rules.

Rule 102 was read as follows:

RULE 102. No extra compensation, allowance or perquisite shall be voted to any officer, employe, or appointee of the Convention, and this rule shall not be altered or suspended except on three days' notice, and by a two-thirds vote of all the members elected to the Convention.

Rule 103 was read as follows:

RULE 103. During the session of the Convention no person shall be admitted within the hall of the Convention, except:

1. Members of the Convention.
2. Officers, clerks and employes of the Convention.
3. Accredited newspaper reporters.

Mr. EVANS: I want to submit an amendment.

The amendment was read as follows:

After the words "Members of the Convention", insert "Survivors of the Convention of 1873."

Mr. President and Members of the Convention: Further along in the proceedings of this Convention, I propose to offer a resolution directing the secretary to ascertain how many there are of the survivors of the Convention 1873 and to invite them to attend the Convention and accord them the privileges of the floor. Now I happen to know there are not to exceed twelve and possibly not that many, and I know that they will not trouble us very much, but some may come, and I think that it would be graceful to give them this recognition in advance of the invitation that will be sent to them.

The motion was carried.

Mr. THOMAS: I have an amendment to offer.

The amendment was read as follows:

Insert a comma in lieu of a period after the word "Convention" and add thereafter the words "or within the smoking room."

Mr. THOMAS: Most of us who have been around the legislative halls of Ohio for a time are acquainted with the fact that the smoking room has been one of the most notorious lobbying places that has been known within the legislative halls of Ohio, and it seems to me that if you are going to afford special privileges to the lobbyist to get into that smoking room, it is better to have them here where we can see them and cut off that rule altogether.

The motion was carried.

Rule 104 was read as follows:

RULE 104. No smoking shall be permitted in the hall of the Convention while the Convention or committee of the Whole is in session.

Rule 105 was read as follows:

RULE 105. Any person who desires to appear before any of the standing or select committees of this Convention for the purpose of presenting arguments for or against any proposition committed to the consideration of any committee of the Convention, or pending before the Convention itself, shall first register his or her name and address with the secretary of this Convention, together with information as to the capacity in which said person so appears. All records of the secre-

tary provided for under this rule shall be open to the public.

Mr. HARRIS, of Hamilton: I offer an amendment. The amendment was read as follows:

After the word "appears" insert the following:

"The chairman or any three members of any committee may ask any person appearing before the said committee to state the amount of compensation, if any, received or promised for said service, and by whom said compensation has been or is to be paid or has been promised.

Mr. HARRIS, of Hamilton: In deference to the statement of the member from Ashtabula that this Convention has no power to cause any person appearing before a committee, as an attorney or otherwise, to give the amount of compensation if any, and by whom said compensation is paid, that we cut out the word "require" and leave to the chairman of the committee to ask any person appearing before the committee for this information. Of course, the person may decline, but the record will show that such person has been asked and has declined. Now I wish to state that I believe that every person or any person in the state of Ohio, no matter how large his interests are or how small they are, has a right to appear in person, or by attorney, before any of our committees. In fact, it is a duty of this Convention. We only arrive at wise conclusions by having the benefit of all the information from those best posted to give it, and we wish to do nothing that will prevent any person from appearing before the committee. I do not consider it any crime to be a paid attorney or advocate and appear before the committees. All I ask is that the committees know that such person is a paid advocate or knows what interest that particular person has who is before the committees. There can be no valid objection by any person who is thoroughly honest in his advocacy of any measure in letting the committee know that he is advocating it as an attorney and clearly within his rights and his duty toward his clients.

Mr. LAMPSON: I have no objection to that amendment.

Mr. TAGGART: I desire the insertion of the following as an amendment to the amendment: "Or any three members of the committee" to be inserted after the word "chairman".

Mr. HARRIS, of Hamilton: I accept that.

The PRESIDENT: That will be written into the amendment presented by the member from Hamilton [Mr. HARRIS].

Mr. EVANS: I move to strike out the whole of Rule 105.

The PRESIDENT: The question is on the adoption of the substitute, which is to strike out the whole of 105.

Mr. FESS: I should like to know how the striking out of the whole is a substitute.

Mr. EVANS: I happen to belong to the farmer element of this Convention. I believe there are thirty-one. Now, as one of them, I feel we do not need the protection of this rule. As old-fashioned people from the rural counties we are ready and willing to listen to anyone who may wish to converse with us. Now if the delegation from Cuyahoga county, or delegation from Hamilton county, wishes me to admit they need the protection

Adoption of Rules.

of this rule, I will admit that without proof, but I do not think the farmer element of which I happen to be one needs this protection, and therefore I have made this motion. I think it would make us somewhat ridiculous; it would be misconstrued. I am willing that anybody should come to me, as a member of any committee on which I happen to be, and be heard without any conditions whatever, and I think this rule might be misconstrued by the public. I think it ought to be eliminated.

Mr. BROWN, of Highland: As it is well known that I am a farmer, I really do not wish to be considered as having the same sentiments as the member from Scioto. I think—and I well know it is true in many parts of the state outside of the city—I believe that the most cunning bossism is in the rural districts.

Mr. HALFHILL: I want to support the substitute motion made by the member from Scioto. I would like to know the purpose of this rule. I cannot understand the mental process the committee went through to submit a rule of this kind. I do not understand what the rule is for. It seems to me that the Convention as assembled here ought to give an invitation to everybody to come before any committee or any member of the Convention at any time and present any views they desire to present. I do not know of any reason for putting a dead line around this Convention and requiring everybody to take the sandals off their feet, because they are on holy ground, before they approach here. I would like to know if the committee would inquire of any gentleman who appears before that committee the purpose and object of his appearance there, and if he is there, state the facts. The committee is there and wants the evidence, and if he has announced his employment as an attorney, or has any particular interest that is adverse to the interest of the majority of the people, there ought to be enough smart people on that committee to bombard him with questions why he is there and weigh accordingly the statements he makes. What is the use of it? Is there anybody here who is afraid to talk with any citizen of Ohio, whether he represents an interest he is opposed to or not? I can not see the purpose of the rule, and it looks to me as though it were an arrogation of power and dignity that they haven't any right to assume. I think every member will at least do himself credit for maintaining his own respect, and I think that we can meet with anybody and talk with anybody, and if we have preconceived notions we ought to meet with the other side no matter what our private opinions are. I object to this and I do not believe it is a good thing for this Convention.

Mr. FACKLER: I am willing to tell the gentleman what this is for. He says that we don't need to say to the men who come here that this is holy ground. That is just what we do want to say to them. This is holy ground, if there is such a thing as holy ground in the political world. What do we mean by it? You and I know there are many men in this world to whom we look for advice and counsel and guidance, and when their interest is the public interest we are willing to listen to their advice, but if they are special pleaders you and I know as men that we can not look to them for advice, but must sift in the very finest possible way the facts which they present and the arguments they propose. It is that the committee may know when a man comes before it that he comes as a special pleader, and not place the

confidence and feel secure in reposing that confidence in him that we would otherwise. And it is that we may be informed from whence he came and know he comes here as a special pleader and be placed upon our guard.

Mr. KNIGHT: It seems to me that the member who spoke not long since, mistakes the object and purpose of this rule. At least, as I interpret it, it is not to exclude any one or to shut out any one from an opportunity of bringing to us all the information that he may have. There is not a word as I find it in this rule which makes it any more difficult than it ought to be made for any man or any woman, in any way interested in the work of this Convention, to come before us and make his plea. It does simply undertake to put us, so far as we may be placed or have the ability to be put in that position—it does undertake to put us in a position to know who they are and whence they came and what they represent. It has never been my honor to be a member of the legislative body of Ohio, but it has been my privilege, or otherwise, to live in the city of Columbus for twenty-five years, and as an observer, and a pretty careful observer, I am fully convinced that this rule is a desirable one for the purpose of identifying people. We want simply to know who they are, and anyone who has anything worth while to bring to us has no reason to suffer anything from it. I hope the substitute will be defeated.

Mr. CUNNINGHAM: My objection to this rule is that it nowhere gives the person who makes the application the right to insist on being heard. For example it reads "any person who desires to appear." It ought to read "any person who desires, shall have a right to appear." I will, at the proper time, make the motion to amend and give the party the right to be heard.

The PRESIDENT: The motion is to indefinitely postpone Rule 105, together with all pending amendments.

The motion was lost.

The PRESIDENT: The question is on the amendment introduced by the member from Hamilton [Mr. HARRIS].

Mr. CUNNINGHAM: I offer the following amendment:

The amendment was read as follows:

After the word "desires" in line 1, of Rule 105, insert the words "shall have the right".

Mr. HOSKINS: It seems to me it won't do to insert this last amendment. While this committee wants information, if they put a rule here that the committee must sit and hear every man that wants to come it will take until the first of January, 1914. There ought to be some arrangement for a committee to decide on a hearing.

The PRESIDENT: The question is on the adoption of the amendment.

The amendment was lost.

Rule 106 was read as follows:

RULE 106. The use of the hall of the Convention shall not, at any time, by resolution or otherwise be granted for any other than Convention purposes.

Mr. ELSON: Is it absolutely decided which shall be used for all the sessions of this Convention? The

Adoption of Rules.

good people of Cincinnati and Cleveland have been giving us invitations to meet in their cities, in which case, if such thing may occur, we may meet in a hall over which we have not full control.

Mr. DOTY: This is a copy of the house rules, and it was thought wise some years ago to put this in to prevent the farming out of this hall to other people. Some five or six years ago there was almost constant demand and the house simply had to put a stop to it. In this rule, if we should go to Cincinnati or Cleveland—of course we all want you to come—we will give you a hall over which you will have full control. I do not think this Convention will want to meet in any hall over which they do not have full control.

Mr. PRICE: I move that the rule be expunged from the record.

Mr. WINN: I would like to ask Mr. Doty, if there is any legislation giving the care of this hall, or any control at all, into the hands of this Convention?

Mr. DOTY: Yes; the law under which we are called to order says we shall meet here to start with.

Mr. WATSON: We undoubtedly favor the retention of Rule 106. We surely do not want to meet in any hall over which we do not have full control.

The motion was lost.

Rule 107 was read as follows:

RULE 107. Reporters for newspapers and stenographers wishing to report debates or proceedings, may be admitted within the bar of the Convention by the president, who shall assign such places to them as shall not interfere with the convenience of the Convention, and the names of such persons so admitted, and the newspapers for which they respectively report, shall be announced by the president, and entered on the journal.

Rule 108 was read as follows:

RULE 108. Upon complaint, in writing made by any member of the Convention, addressed to the president, that any reporter or stenographer so admitted, has abused the privileges granted him under the preceding rule, such complaint shall be referred to the standing committee on Rules for investigation, and such committee shall notify the person so charged of the time and place for hearing and if such accusation be sustained, such person or persons upon the report of the committee, shall be debarred from the privileges therein granted.

Rule 109 was read as follows:

RULE 109. Proposals for their second or third reading, and all special orders, shall be placed upon the calendar in the order of priority in which the order is made.

Rule 110 was read as follows:

RULE 110. Proposals for their second or third reading on a particular day, not reached on that day, shall be placed first on the calendar in the order of second or third readings of each succeeding day, until disposed of.

Rule 111 was read as follows:

RULE 111. No proposal upon the calendar

shall be taken up out of its order thereon, except by a two-thirds vote of the Convention.

Rule 112 was read as follows:

RULE 112. These rules shall not be altered except after at least three legislative days' notice of the intended alteration, and by a vote of a majority of all the members elected to the Convention.

Rule 113 was read as follows:

RULE 113. No rule shall be suspended except by at least a two-thirds vote of all the members present; provided that Rule 108 shall not be altered or suspended, except as therein prescribed.

Mr. DOTY: In this rule change 108 to 103; 108 is a mistake.

Rule 114 was read as follows:

RULE 114. Cushing's Law and Practice of Legislative Assemblies shall be received as a rule in all cases not provided for in the foregoing rules.

Mr. COLTON: I find there is no provision for public debt, and as good roads depend pretty largely on whether the new constitution shall concur, it seems to me that provision should be made for it. I move that the committee on taxation be styled "The committee on Taxation and Public Debt".

Mr. DOTY: As I understand it, this question of public debt is more or less involved in the good roads question.

Mr. LAMPSON: I think that is practically the whole of the good roads proposition, is it not? We have already provided for a "Good Roads committee", and that is really the essence of their work.

Mr. COLTON: My reason for suggesting it as belonging to the committee on Taxation, is that it is a subject which is akin to the subject of taxation. But it doesn't belong to the Good Roads committee. I think it should fall under taxation.

Mr. LAMPSON: I think that would precipitate a conflict between the Good Roads committee and the other committee.

The PRESIDENT: Would the member from Portage consent to the committee on Good Roads reading "Good Roads and Public Debt."

Mr. COLTON: No.

The PRESIDENT: The question is on the adoption of the motion of the member from Portage.

Mr. HARRIS, of Ashtabula: I am decidedly of the opinion that the member from Portage has the proper end of this argument. The president will choose men who desire to meet on the committee on Taxation and those who wish to act on the Good Roads committee will go to that committee. I think the connection between taxation and public debt is much closer than good roads and public debt.

Mr. BROWN, of Highland: There is no way for the committee on Good Roads to accomplish good work except by being allowed to exceed \$750,000 indebtedness. If you take away from them that function you take away all their functions, unless they have the power to change the limit of the bonded indebtedness of this state. That matter should be left to the committee on Good Roads by all manner of means.

The amendment was lost.

Adoption of Rules—Supplies for Convention.

Mr. LAMPSON: I ask that the secretary may have leave to correct the sectional numbering, if it needs corrections. We have stricken out one or two sections.

The PRESIDENT: If there is no objection the secretary is granted that leave.

Mr. MILLER, of Fairfield: May I ask for information whether Rule 1 has been acted upon favorably as amended?

The PRESIDENT: The question is on the adoption of the report of the committee as amended, and that report could now be amended.

Mr. EBY: I see no reference in the report of the committee on Rules to leave of absence being granted to members. I am not expecting the members are going to ask leave of absence unless absolutely necessary, but I believe that the committee should report on this. I wish to offer this resolution as an amendment to that part of the rules, and the committee may number it as they shall see fit.

The amendment was read as follows:

RULE 115. Any member may be excused from attendance of sessions of this Convention upon proper leave from the Convention. A request of any member for leave of absence from attendance upon any ensuing session of this Convention may be granted. The member making such request may make a brief oral statement of the reasons for making such request.

Mr. DOTY: I would state for the benefit of the member that there is no way for this Convention to fine anybody for not being here. There is no way of making any one stay here unless his sense of duty compels him.

The amendment was lost.

The PRESIDENT: The question is on the adoption of the report of the committee as corrected.

The report was adopted.

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

The rules were adopted.

Mr. ELSON: I offer a resolution.

The resolution was read as follows:

Resolution No. 14.

Resolved, That supplies available for the use of the Convention from the office of the secretary of state be issued as follows:

The president of the Convention is hereby authorized and directed to issue requisitions for all necessary stationery for his office.

The secretary of the Convention is hereby authorized and directed to issue requisitions for all necessary stationery for his office.

The sergeant-at-arms is hereby authorized and directed to issue requisitions for all necessary stationery for his office.

The president, secretary and sergeant-at-arms are authorized to make purchases for their respective offices for all necessary supplies not available from the office of the secretary of state.

Be it further resolved, That Resolution No. 4, so far as it relates to procuring and printing blanks and stationery is hereby rescinded.

Mr. DOTY: I move that the rules be suspended and the resolution be considered now.

The motion was carried.

The PRESIDENT: The question is on the adoption of the resolution.

The resolution was adopted.

Mr. ANTRIM: I offer a resolution.

The resolution was read as follows:

Resolution No. 15:

Resolved, That the secretary be directed to have published 3,500 copies of the daily journal of the Convention and that twenty-five copies be assigned to each member for his use or at his request to be mailed to addresses by him furnished to the secretary, and that the expense for postage is hereby authorized by the Convention.

The resolution was laid over under the rule.

Mr. READ: I offer a resolution.

The resolution was read as follows:

Resolution No. 16:

Resolved, That the president of the Convention appoint a committee of three who shall determine the mileage of the members and report same to the Convention.

The resolution was laid over under the rule.

Mr. DOTY: I move that we adjourn.

The motion was carried and the Convention adjourned until 10:30 a. m.