

FIRST DAY

MORNING SESSION.

TUESDAY, January 9, 1912.

The members of the Fourth Constitutional Convention of the state of Ohio assembled this day at 10 o'clock a. m. in the hall of the house of representatives, in the city of Columbus, under and by provision of the following act of the general assembly, entitled "An act to provide for the election to, and assembling of, a convention to revise, alter or amend the constitution of the state of Ohio:

WHEREAS, At the general election held in this state, on the first Tuesday after the first Monday in November, in the year one thousand nine hundred and ten, the question, "Shall there be a convention to revise, alter, or amend the constitution?" was submitted to the electors of the state, and a majority of all the electors voting thereat decided in favor of a convention; and

WHEREAS, In such case it is made the duty of the general assembly at its next session, to provide by law for the election of delegates to, and the assembling of such convention; therefore,

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. That the qualified electors of each county in this state shall on the first Tuesday after the first Monday in November, A. D. 1911, assemble at their usual places of voting, and proceed to elect a number of delegates, having the qualifications of an elector, to said convention, equal to the number of representatives which such county or district was entitled to elect to the house of representatives of the seventy-ninth general assembly of Ohio.

SECTION 2. That said election shall be proclaimed by the sheriffs of the several counties, and shall in all respects be conducted, the returns thereof made, and the result thereof certified, as is provided by law in case of the election of representatives to the general assembly; provided, if two or more candidates at such election have each enough votes to elect and each an equal number of votes for delegate, the election shall be determined by lot, as provided by law in case of county officers.

SECTION 3. That the delegates so elected shall assemble in the hall of the house of representatives, in the city of Columbus, on the second Tuesday of January, A. D. 1912, at ten o'clock a. m., with authority to adjourn to any place or places within this state for holding of the convention; and may, for the purpose of a temporary organization, be called to order by the oldest member present. They shall be entitled to the privileges of senators and representatives, named in section 12, article 11, of the constitution.

SECTION 4. Said convention shall have authority to determine its own rules of proceeding, and

to punish its members for disorderly conduct, to elect such officers as it may deem necessary for the proper and convenient transaction of the business of the convention, and to prescribe their duties; to make provisions for the publication of its proceedings, or any part thereof, during its session; to provide for the publication of the debates and proceedings of the convention, in durable form, and for the securing of a copyright thereof for the state; and to fix and prescribe the time and form and manner of submitting any proposed revision, alterations or amendments of the constitution to the electors of the state; also the notice to be given of such submission.

SECTION 5. The election at which said submission shall be made, shall be held and conducted the same as elections for members of the house of representatives, so far as practicable, and the vote cast for and against such proposed revision, alterations, or amendments, and those cast for and against each of the same separately submitted, shall be entered on the tally sheet, counted, certified, transmitted and canvassed, and the result thereof declared in the manner prescribed by law for the counting, certifying, transmitting, and canvassing, of votes cast for the election of members of the house of representatives so far as applicable. And all the provisions of the laws relative to elections shall apply to said election as far as applicable.

SECTION 6. Candidates for members of the constitutional convention shall be nominated by nominating petitions only.

SECTION 7. In any county, any qualified elector of said county may be nominated as a candidate for member of the constitutional convention for said county upon a petition in writing addressed to the county board of deputy state supervisors of elections, signed by not less than two per cent. of the qualified electors of said county, or by such as will be legally qualified electors at the election to be held on the first Tuesday after the first Monday in November, 1911. And the said percentage of two per cent. shall be based on the number of those who voted at the last preceding general election. In no case shall the number of signers to a petition be less than three hundred.

SECTION 8. Signers of said petitions shall insert in them the names and addresses of such persons as they desire to the number of five as a committee who may fill vacancies caused by death or withdrawals. Nominations made by such committees shall not be received by the board of deputy state supervisors of elections unless said nominations as well as the petitions under which they are made are filed with said board on or before the last day for filing petitions as herein provided.

SECTION 9. Such petitions shall contain a provision to the effect that each signer thereto

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thereby pledges himself to support and vote for the candidate or candidates whose nomination is therein requested. Each elector signing a petition shall add to his signature his place of residence in his own handwriting (unless he cannot write and his signature is made by mark), which shall include street and number when there is a street and number. No elector may sign his name to more than one nominating petition for each office to be filled; and where an elector has signed his name to more than one petition, his name shall not be counted on any of the petitions. Nothing herein shall be construed, however, to prevent more than one nominee being nominated by any one petition up to the number of members of the convention to which the said county is entitled.

SECTION 10. Each petition need not necessarily consist of but one paper, but five of the signers to each separate paper shall swear before a notary public, or other officer entitled to administer oaths, that the petition is bona fide in every respect to the best of his knowledge and belief, and the certificate of such oath shall be annexed. If in any case the said paper shall contain less than five signers, then as many shall swear to the validity of the paper as there are signers thereto.

SECTION 11. Besides containing the names of the candidates, all petitions shall specify as to each candidate:

1. That he is a candidate for the office of member of the constitutional convention for the county in which the signatures are obtained.
2. His place of residence, with street and number thereof, if any.
3. A declaration by the candidate that he will qualify if elected.

A petition may also contain a statement to the effect that the candidate to be nominated is in favor of or opposed to the separate submission to the people by the convention of the alternative questions: "Shall the constitution provide for the licensing of the traffic in intoxicating liquors; or shall the constitution prohibit the licensing of the traffic in intoxicating liquors?"

There may be filed with each petition, one of the two following statements signed by the candidate or candidates sought to be nominated; but if neither of said statements is so filed, the board of deputy state supervisors of elections shall not on that account refuse to file the said petition:

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

.....
Signature of nominee for candidate.

Statement No. 2. I hereby state to the people of Ohio, as well as to the people of my county, that I am not in favor of the separate submission to the people, as a separate part of the constitution, of the alternative questions: "Shall the constitution provide for the licensing of the traffic in intoxicating liquors, or shall the constitution prohibit the licensing of the traffic in intoxicating liquors?"

.....
Signature of nominee for candidate.

When either of said statements is signed by the candidate or candidates, and the petition nominating said candidate or candidates is thereafter found by the board of deputy state supervisors of elections to be valid in all respects, then over the name of such candidates as placed upon the ballot as a heading, in case said candidate signed statement No. 1, there shall be printed the words: "Favors separate submission license clause." In case said candidate signed statement No. 2, there shall be printed on the ballot as a heading over the name of said candidate: "Opposes separate submission license clause."

SECTION 12. Nominating petitions shall be filed with the board of deputy state supervisors of elections of each county not less than thirty nor more than sixty days prior to the day of election.

SECTION 13. When so filed, the petitions shall be preserved and be open under proper regulations to public inspection, and if they are in entire conformity with the provisions of this act and all other provisions of law not inconsistent herewith, they shall be deemed to be valid unless objection thereto is duly made in writing within five days after the filing thereof. Such objections or other questions arising in the course of the nominations of said candidates, shall be considered by the board of deputy state supervisors of elections of the county, and its decision shall be final.

SECTION 14. All of the provisions of the law, providing generally for nominations by petition, shall be applicable wherever not inconsistent herewith.

SECTION 15. The names of candidates for members of the constitutional convention, nominated as provided herein, shall be placed on one independent and separate ballot, without any emblem or designation except the statement referring to separate submission of the question as herein provided, and the name or names of the candidates for election and the number to be elected.

SECTION 16. The ballot for members of the constitutional convention shall be prepared and printed as follows: The whole number of ballots to be printed for the county shall be divided by the number of candidates for members of constitutional convention, and the quotient so obtained shall be the number of ballots in each series of ballots to be printed. The names of can-

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didates shall be arranged in alphabetical order and the first series of ballots printed. Then the first name shall be placed last and the next series printed, and the process shall be repeated in the same manner until each name shall have been first. These ballots shall then be combined in tablets with no two of the same order of names together, except where there is but one candidate.

SECTION 17. Any vacancy occurring among the delegates by death, resignation or otherwise, shall be filled in the manner provided by law for filling a vacancy in the office of representative.

SECTION 18. The journal and proceedings of said convention shall be filed and kept in the office of secretary of state. Said secretary of state shall furnish said convention with all needed stationery, and shall do such other things relative to the distribution and publication of matter pertaining to the convention as it may require. He shall forthwith cause such number of copies of this act to be published and transmitted to the electors [of the] several boards in the state as will be sufficient to supply a copy thereof to each board of judges of election in their respective counties, and such election boards shall distribute the same to such boards of judges of election.

SECTION 19. It shall be the duty of every state, county, and municipal officer in the state, to transmit without delay any information at his command which the convention (or general assembly), by resolution or otherwise, may require of him; and if any officer shall fail or refuse to comply with any requirement of this section, he shall forfeit and pay the sum of three hundred dollars for the benefit of common schools, to be recovered in any court of competent jurisdiction, in the name of the state of Ohio, by the prosecuting attorney of the proper county, whose duty it shall be to prosecute all cases of delinquency under this section coming to his knowledge or of which he shall be informed.

SECTION 20. Any elector of the state shall be eligible to membership in such convention and any disqualification now imposed by law upon persons holding any other office under the laws of the state is hereby removed, in so far as the right to be a delegate to such convention is concerned. The delegates of the convention shall be entitled to the same compensation and mileage for their services as is allowed by law to members of the general assembly for one year, and the officers and employees of the convention, as far as practicable, shall be entitled to the same compensation for their services as is allowed by law for similar services to officers and employees of the general assembly; and compensation for all such services shall be paid out of the state treasury on the warrant of the auditor of the state: Provided, an additional allowance may be made to the official reporters of the convention if deemed proper. And no warrant shall issue on the state treasury for such compensation, or for money for uses of the convention, except on the order

of the convention and certificate of the presiding officer thereof.

S. J. VINING,
Speaker of the House of Representatives.
HUGH L. NICHOLS,
President of the Senate.

Passed May 31, 1911.

Approved June 6, 1911.

JUDSON HARMON, *Governor.*

Mr. William W. Stokes, delegate elect of Montgomery county, stepped to the front of the clerk's desk and said:

Mr. STOKES: Fellow Delegates Elect: It is not my privilege to call this Convention to order; that honor has fallen to another, to my neighbor and friend, Judge Dennis Dwyer, one of my colleagues of Montgomery county. The hour, however, has arrived as fixed by law when the gavel should fall. I therefore move that Judge Dennis Dwyer, of Montgomery county, be selected to preside over the temporary organization of this Convention.

The motion was put by Mr. Stokes and was unanimously carried.

Mr. STOKES: I appoint as a committee to escort Judge Dwyer to the chair, Judge Caleb H. Norris, of Marion county, and Mr. Herbert S. Bigelow, of Hamilton county.

Mr. BIGELOW: It is a high privilege to present as an officer of this Convention and its temporary chairman, one whose ripe years and lovable personality commend themselves to the respect and affection of us all.

The TEMPORARY CHAIRMAN: Gentlemen of the Convention: By favor of law and your courtesy, as the oldest member of the Convention, I am honored with the position of president of its temporary organization, for which I tender my thanks.

In connection with the position assigned me, I beg your indulgence for a few moments, to enable me to contrast for you briefly, which I deem of interest, the economical, political, industrial, religious, and other conditions, as they existed in the United States, and in this state, sixty years ago, when the present constitution was adopted, with what they are today, for the purpose of showing what progress, both as a nation and as a state, we have made.

Before doing so, permit me to say, however, that we should feel proud as citizens of Ohio, of the constitution given us by the convention of 1851, for, when adopted, it was in advance of the constitution of any other state of the American Union, and because so became the model for the constitutions of many of the western states. Under the constitution still in force, Ohio has grown to its present importance as one of the greatest agricultural and manufacturing states of the Union. When the constitution was adopted the United States consisted of only thirty-one states, with an outside territorial domain extending from the Missouri river to the Pacific ocean, most of which, on the maps and the school geographies of that day was called, "The Unknown Country," or "The Great American Desert." Today this great domain, thus classified, is organized into prosperous and progressive states, so that instead of thirty-one states the United States today consists of forty-eight organized states, extending from the Atlantic to the Pacific ocean,

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and from the republic of Mexico on the south, to the British possessions on the north, a grand heritage indeed, which should gladden the heart and arouse the patriotism of every American, and is peopled by the greatest of the Celtic and Saxon races. At the time referred to, we had but few railroads. Public travel was mainly by stage coach and water. Today the railroads extend their ramifications into every state of the American Union. The farmer then sowed his grain and gathered his harvests in the primitive manner of his ancestors for thousands of years. Today, by the substitution of labor-saving machinery on the farm, the work of the farmer is so lightened that he enjoys many of the advantages of city life. Then there were no organizations of labor, skilled or unskilled. Every man had to make the best terms he could for his work. Today, labor, skilled and unskilled, is organized in all its departments and able to command good wages and respect. Every true American wishes the laboring man to be paid liberally for his time, and given sanitary surroundings and comforts in his employment.

At that time, gentlemen, the factories were few and small. The hours of the laboring man's day were long and most of his work was done by hand. In mechanical and other industries the use of machinery was then almost unknown. Today great factories are organized and in operation, turning out and using the most ingenious labor-saving machinery, covering every branch of mechanical and industrial work. We had then no national bank currency. All was issued by authority of the states. Much of it was what was known as "wildcat," sent out into the world by its authors in the hope that it would never return. Today we have a currency safe and sane and fully equal to public expectation and requirement.

Public school sessions then, outside of cities, were generally limited, annually, to three months. Today the sessions of the country schools, and their organization and equipment are almost equal to that of schools in cities. Political parties were then very hostile toward each other. At every election there was quarreling and scarcely an election day would pass without a fight or two. Today, though party lines exist, good feeling between the members of each is the rule. They mingle together and feel that they are practically all one. We have gotten rid of much trouble at the polls by the use of the Australian ballot. The different religious denominations then regarded all outside of their respective folds as beyond the pale of redemption. Today Christian charity and brotherly love abound everywhere and all yearn for the brotherhood of man and the fatherhood of God. I could go on an hour showing by contrast conditions then and now, all proving that the world is growing better, but I will not trespass on your time. We have made progress—wonderful progress—not only in this, our own state, but in all of the states of the Union, and it is in the light of this progress and in order to frame a constitution that will continue it that we are assembled here today.

Under these greatly improved and progressive conditions we have come here to frame a constitution for our state, which, it is to be hoped, will be equal to the best to be found anywhere. For Ohio should have the best. Her preeminence in the sisterhood of states should be perpetuated.

At one time Ohio had the president of the United States, the chief justice of the supreme court, the secretary of the treasury, the commanding general of the army, and other prominent officials in the service of the general government. It was then that an Ohio man went to Washington, and wishing to attend the theater, asked the man at the box office for tickets. He was told that there was not a seat left in the house, not even standing room. He then informed the ticket seller he was from Ohio. "I beg your pardon," said the man at the ticket office, "if you are from Ohio, step into the manager's box, sir." We should feel proud of Ohio. We want to keep her in the lead commercially, industrially, intellectually and morally. If we do this, our state will continue to send forth great men equal to any in the nation or the world.

And now, gentlemen, I hope that by unity of purpose and mutual forbearance we shall so perform our work that when submitted to the electors of the state for ratification it will meet with their approval. I trust that our deliberations during the time we are assembled here together will be pleasant. Today we are for the most part strangers, but when we shall have finished our work, we will know each other very well. I trust that our relations may prove so pleasant that in after years we shall always remember and cherish kindly thoughts of our labors here together.

Thanking you, gentlemen, for your attention, this Fourth Constitutional Convention of Ohio will now come to order.

The TEMPORARY CHAIRMAN: Gentlemen, in all bodies of this character we want the aid and assistance of the Creator. We want the influence of the Almighty in our work, so I have selected Mr. McClelland, a minister of the Gospel and a delegate to this Convention, to offer prayer.

Mr. McCLELLAND: Let us pray: Oh Thou, who art the Creator and Ruler of the Universe, Thou givest law unto all Thy creatures, and in keeping Thy law they find their liberty. In Thy providence Thou hast called us together to formulate the fundamental law for this commonwealth. In Thy loving kindness grant us somewhat of Thy wisdom in choosing the good; somewhat of Thy faithfulness in holding fast that which is good. Grant Thy guiding hand in all the deliberations of this Convention that we may be workers together with Thee in the upbuilding of that kingdom of law and righteousness and peace which shall endure throughout all generations. And to the King, immortal, invisible, the only God, be honor and glory forever and ever, Amen.

The TEMPORARY CHAIRMAN: I suppose the next thing in order is the election of a temporary secretary. What is your pleasure?

Mr. THOMAS: I move that we proceed to the election of a temporary secretary.

This motion was seconded and being put to a vote was unanimously carried.

The TEMPORARY CHAIRMAN: We will now proceed to the election of a temporary secretary.

Mr. EBY: I want to facilitate the business of the Convention and I move that E. L. Lampson, of Ashtabula county, be made temporary secretary of this Convention.

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This motion was seconded and being put to a vote was unanimously carried.

The TEMPORARY CHAIRMAN: I believe you will all be willing to have Mr. Fred Blankner to act as temporary sergeant-at-arms, with permission to select such assistants as he may need.

Mr. Charles W. Kempel, clerk of the house of representatives and Mr. Harry Young, assistant clerk of the house of representatives, were requested to act as assistants to the temporary secretary.

The TEMPORARY CHAIRMAN: The secretary will now please call the roll of counties, and as the counties are called the members will please come forward, about fifteen at a time, and present their certificates and the chief justice of the supreme court, who has honored us with his presence, will administer the oath of office.

The following delegates responded to their names:

Name of County.	Name of Member.
Adams	GEO. W. PETTIT.
Allen	JAMES W. HALPHILL.
Ashland	JAMES M. FLUKE.
Ashtabula	{ W. S. HARRIS. ELBERT L. LAMPSON.
Athens	HENRY W. ELSON.
Auglaize	S. A. HOSKINS.
Belmont	JAMES C. TALLMAN.
Brown	{ J. W. KEHOE. DAVID PIERCE.
Butler	{ STANLEY SHAFFER. ELI D. SHAW.
Carroll	ROBERT HENDERSON.
Champaign	WM. M. ROCKEL.
Clark	ALEXANDER DUNN.
Clermont	BERNARD Y. COLLETT.
Clinton	PERCY TETLOW.
Columbiana	ALLEN M. MARSHALL.
Coshocton	G. W. MILLER.
Crawford	{ ROBERT CROSSER. WILLIAM C. DAVIO. EDWARD W. DOTY. JOHN D. FACKLER. THOMAS S. FARRELL. THOMAS G. FITZSIMONS. AARON HAHN. DANIEL E. LESLIE. STEPHEN S. STILWELL. HARRY D. THOMAS. EDWIN T. WAGNER.
Darke	JOHN W. WINN.
Defiance	FRANK M. MARRIOTT.
Delaware	EDMUND B. KING.
Erie	FRANK P. MILLER.
Fairfield	HUMPHREY JONES.
Fayette	{ JAMES W. HARBARGER. GEORGE W. KNIGHT. EDWARD A. PETERS.
Franklin	JOHN C. RORICK.
Fulton	ROSCOE J. MAUCK.
Gallia	HENRY K. SMITH.
Geauga	S. D. FESS.
Greene	HARVEY WATSON.
Guernsey	{ HERBERT S. BIGELOW. HENRY F. CORDES. GEORGE W. HARRIS. JOHN C. HOFFMAN. HIRAM D. PECK. STARBUCK SMITH. WM. WORTHINGTON.
Hamilton	ANDREW J. BEYER.
Hancock	FRANK G. HURSH.
Hardin	DAVID CUNNINGHAM.
Harrison	WM. W. CAMPBELL.
Henry	H. M. BROWN.
Highland	WILMER R. WALKER.
Holmes	OTTO M. HARTER.
Huron	

Name of County.	Name of Member.
Jackson	FRANK P. LAMBERT.
Jefferson	FRANK H. KERR.
Knox	RAYMOND G. McCLELLAND.
Lake	FLETCHER D. MALIN.
Lawrence	FRED G. LEETE.
Licking	HENRY C. KELLER.
Logan	JOHN R. CASSIDY.
Lorain	{ H. G. REDINGTON. DAVID J. NYE WALTER F. BROWN.
Lucas	{ W. W. FARNSWORTH. JOHN ULMER.
Madison	E. W. JOHNSON.
Mahoning	D. F. ANDERSON.
Marion	CALEB H. NORRIS.
Meigs	O. H. STEWART.
Mercer	H. C. FOX.
Miami	JOE DEFREES.
Monroe	{ CHRIS LUDEY. DENNIS DWYER. JOHN ROEHM.
Montgomery	{ WILLIAM W. STOKES. I. W. TANNEHILL. R. A. BEATTY.
Morgan	LAWRENCE P. KUNKEL.
Morrow	{ LLION E. MOORE. J. A. OKEY.
Muskingum	WILLIAM MILLER.
Noble	W. B. BRATTAIN.
Ottawa	THOMAS D. PRICE.
Paulding	H. M. CRITES.
Perry	MADISON A. BROWN.
Pickaway	GEO. H. COLTON.
Pike	HENRY E. EBY.
Portage	N. E. MATTHEWS.
Preble	JOHN F. KRAMER.
Putnam	JOHN L. BAUM.
Richland	MARTIN STAMM.
Ross	NELSON W. EVANS.
Sandusky	CHARLES D. HOLTZ.
Scioto	WILLIAM E. PARTINGTON.
Seneca	ISAAC HARTER.
Shelby	{ B. F. WEYBRECHT. FRANK C. WISE.
Stark	A. ROSS READ.
Summit	W. B. KILPATRICK.
Trumbull	{ A. V. DONAHEY. WM. B. STEVENS.
Tuscarawas	M. T. CODY.
Union	ERNEST I. ANTRIM.
Van Wert	CHARLES O. DUNLAP.
Vinton	J. MILTON EARNHART.
Warren	JOHN H. RILEY.
Washington	FRANK TAGGART.
Wayne	SOLOMON JOHNSON.
Williams	{ R. A. BEATTY. J. C. SOLEATHER.
Wood	FRANKLIN J. STALTER.
Wyandot	

The TEMPORARY CHAIRMAN. The members of the Convention will please rise and the chief justice will administer the oath of office.

The chief justice then administered the following oath to those present:

I do solemnly swear that I will support the constitution of the United States, and the constitution of the state of Ohio, and that I will honestly and faithfully and to the best of my ability perform my duties as a member of the Convention, to alter, revise or amend the constitution of the state of Ohio. So help me God.

Mr. DOTY: I desire to submit the following resolution.

The TEMPORARY CHAIRMAN: The clerk will please read the resolution.

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The temporary secretary read the resolution, as follows:

Resolution No. 1:

Resolved, That the presiding officer of this Convention shall be a president, who will be elected forthwith, upon the vote of a majority of the members elected. Said election shall be by roll call.

The resolution was unanimously adopted.

The TEMPORARY CHAIRMAN: We will now proceed to the election of a permanent president. Nominations are in order, and any delegate who desires to present the name of any one for the office of president can do so.

Mr. FACKLER: Mr. Chairman and Gentlemen of the Convention: The election of the members of this Convention was unique in the history of the state of Ohio. Party lines were obliterated and disregarded. Issues upon which most of the recognized leaders of both political parties were discreetly and significantly silent, were discussed from the platform and in the press.

Most men who are here today, in compliance with the spirit of the times which makes the public official the messenger of the people, issued a declaration of principles upon which the support of the voters was requested. Questions of taxation were discussed; municipal government was considered; the ever-present liquor question was given its customary place; social welfare, with the various methods of lifting from the shoulders of the weak a part of society's great burden, was thoroughly debated. But above all, overshadowing all other questions, and almost to the exclusion of every other issue, the question of this Convention's leaving in the hands of the individual citizen a greater and more direct control over the legislation of the state was paramount in the minds of men. Upon that issue men were elected to this Convention, and I have yet to learn of the election of a single man who opposed the initiative and referendum except in those cases where the progressive vote was divided by numerous candidates.

We have met, gentlemen, as the accredited representatives of five millions of people to formulate the terms of a new social compact. In the years that have passed since our present constitution was framed our country has witnessed the greatest industrial development of the ages. The production of wealth has increased with a rapidity that has amazed the civilized world. Industry has demanded new machinery, finance new facilities, transportation new methods, but our political and social agencies have been practically at a standstill unrealized by our country in its mad rush for wealth. So absorbed have we been as a people in the production of wealth that at times our political discussions would lead a disinterested observer to believe that we thought the province of government was to make men rich rather than to make and to keep men free. Prosperity rather than liberty had almost become the watchword of our politics, and the Golden Calf rather than the Goddess of Liberty our political shrine.

The other day a great leader in the movement for social justice and industrial liberty, Louis D. Brandeis, of Boston, spoke in this city. He stated that in one of the great industries of our country twenty per cent. of

the employees, numbering an army of 30,000 souls, worked twelve hours a day, seven days in a week, for less than \$2 a day, and that during the last nine years that one monopoly employing those men had taken from the American people in profits in excess of a reasonable return upon the capital invested almost two-thirds of a billion of dollars.

How long, I ask gentlemen who are familiar with the history of nations, can such a condition continue before civil liberty will be destroyed along with industrial liberty? We, in common with all other public officials, are face to face today with the gigantic problem of taking governmental action to aid in the just distribution of wealth, the production of which has been fostered with such tender care by our institutions. How can it be done? the people are asking. What is the first step? Everywhere all sincere students of the situation have declared that the first step necessary in the solving of these problems is to strengthen the representative character of our institutions, making the public policy as well as the public official truly representative of the rights of the many rather than the interests of the few.

The tremendous prizes of our industry have paralyzed representative government by extending their almost irresistible power into the control of our political parties, and only by leaving in the hands of the people the weapons of offense and defense known as the initiative, the referendum and the recall, can our institutions hope to cope successfully with the power of organized industry.

Upon the first two of those great political reforms for the strengthening of representative government, the initiative and the referendum, the battle for delegates to this Convention was fought and fought successfully before the people. It remains to be seen whether the voice of the people will be heard in this Convention or not. Every political battle develops naturally its own leaders, and in this respect the recent contest was no exception. Leading the fight for greater popular rights was a man who for many years had given unselfishly and unsparingly of his energy in support of the initiative and referendum not only in our own state but in other states as well. Far be it from me to detract from the character or to malign the motives of the other estimable gentlemen who may aspire to the high honor of the presidency of this Convention. That, however, does not change the fact that if, by the appeal to partisan feelings of some, by the flattery of the personal ambition of others, by an undue emphasis upon questions of political policy upon which the presidency can not have the slightest effect,—if, by all these and other devious and subtle agencies, a division can be created whereby the man who has been the leader in the struggle for popular rights, could be denied the honor of leadership within the Convention after having borne the burden of leadership without, the first great blow at the solidarity of the progressive strength would have been effectively struck. Nay, more! Even though the man who might be elected were as zealously and earnestly committed to these great policies as is Herbert Bigelow, yet if the sinister forces which have been battling in vain against these great reforms were able to encompass his defeat, they would proclaim themselves strong enough to strike down any popular leader who dared to face their opposition.

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Let us emulate the example of the splendid electorate which placed in our hands this great responsibility, by rising above the prejudices of party, by suppressing for the public good our own aspirations and ambitions, by laying aside our differences on questions of taxation and liquor license, by emphasizing our essential harmony on the great question of popular rights, and by electing by the united, harmonious action of the progressive members of this Convention a president whose service has earned the honor—Herbert S. Bigelow, of Cincinnati.

Mr. WINN: Mr. President and Members of the Convention: In choosing from our number some one to preside over our deliberations we should do so with an eye single to the service we have to perform, to the end that when our labors are complete our work will be acceptable to the electors of the state. The personal ambitions of no man should be considered, whether he be entitled to a seat on this platform or otherwise, unless those personal ambitions are prompted only by a desire to further the best interests of the best state in the whole Union. The general assembly in providing legislation that brought into existence this body of men, wisely sought to provide that in the election of delegates but one consideration should be taken into account, the qualifications of those who are to have a seat on this floor. How well that suggestion was acted upon by the electors of the state has already been told you, for in all of the eighty-eight counties of Ohio, except of course the one that sent me here, men were chosen with but one thing in view, their qualifications for a seat in this Convention. I have the pleasure of a personal acquaintance with a great many men who have been elected to this Convention, and from one source and another have come to know them all. Hence, I would not have you understand that I deem it essentially necessary to the success of this Convention that the delegate whose name I shall mention shall be chosen president. Indeed, gentlemen, I do not deem it essentially necessary that any particular person shall be chosen president. With my knowledge of the men who constitute this body I give it as my best judgment that there are 118 men before me, any one of whom is competent to serve as our president. To be sure, some men, because of some advantages—long service and experience or something of that sort—may be better qualified than others for the position, and it is with that thought in mind I ask your attention for just a minute while I name a man whom I believe eminently fitted to preside over our deliberations. Born the very year the present constitution was written and adopted, he is a man ripe in years, ripe in experience and a man of just that sort of temperament to preside over meetings of this kind. With twelve years' experience as judge of the common pleas court, leaving that exalted bench on Saturday night to step one step higher to the circuit bench the following Monday morning, where he served for twelve years more, gives my friend, whom I shall name, an experience of which few men can boast; but it is not the length of his service which I desire to emphasize, but it is quality, my friends. For in all that twenty-four years, almost a quarter of a century, no lawyer who stood in any temple of justice over which he presided had cause to complain of unfair treatment, and

no litigant whose property rights or liberties were at stake ever had just cause to complain of any decision rendered for or against him, because always patient, always fair, every man who had business in the tribunal over which he presided had equal and exact justice meted out to him as God gave him the light to see it. This experience, gentlemen, to some extent specially qualifies my friend to preside over our deliberations. With such a man sitting in yonder chair, no person, be he experienced or otherwise, be he rich or poor, be he high or low, will ever appeal to the president for recognition in vain. It is this consideration, gentlemen of the Convention, that prompts me to place in nomination for this high distinction my old friend, yea, your friend, and the friend of everybody, Hon. C. H. Norris, of Marion county.

Mr. FESS: Mr. Chairman: I rise to present the name of a man that I believe would be an ideal head of this Convention, and in so doing I am not unmindful of the character and nature of this body. As a student of our own history, I always look on a constitutional convention as a rather unique assemblage. I would be pardoned for that because my reading reverts back to the federal convention, in which were many of the members of the second continental congress, of which William Pitt said in the House of Commons, "For solidity of reasoning, force of sagacity and wisdom of conclusion under such a complication of difficult circumstances, no nation or body of men can stand in preference to the general congress at Philadelphia."

Our reading of this convention always makes us think of such talent as Alexander Hamilton, who, at thirty years of age went into that convention; James Madison, the fashioner of the constitution; Benjamin Franklin, the famous philosopher; James Wilson, the jurist, and General Washington, the greatest of them all.

Then a dozen years after that famous convention finished its work, we had our first constitutional convention in Ohio. It was composed, it is true, of but thirty-five members, but it represented the talent of the day. Then in a half century more we had another convention that was not unlike the first one in its ability. Now, sixty years after, we sit here as members of the Fourth Constitutional Convention, and I wonder if we realize what a convention of such a body of men as this means. Personally, my friends, I regard it as the highest tribute that anybody could pay to me in my own county, in asking me to serve with 118 men such as are in this body, charged with the work we are to do. I deem it the proudest moment of my life to have a part in the construction work that we are to do here. It seems to me it is no place for us to cast up accounts; it is no place to recompense any friend; it is no place to pay off any debt; it is no place for us to punish any enemy. We are here but for one thing, and that is to do the business of this state, and if we do it well, we will put this state under tribute to this body of men for the next fifty years, and it is in my judgment the greatest opportunity this body or the state of Ohio has had; and I have but one thought in mind, and that is, not to propagate any particular dogma of any kind, and not to punish any one who desires to. I am very anxious that we shall not stay in a conservative state of mind that makes us afraid to move, and I am just as anxious that

Organization.

we do not get into a progressive line, where we are afraid to stop. We want to both move and stop, and realize that this is not a legislative body, but a body to outline general principles.

It seems to me for such a position, we should take somebody up today who is not too ultra-conservative and not too radically progressive. I am announced as a progressive. I do not know what that means. But I am standing here to vote the sentiments of S. D. Fess for the people of Ohio. I think the man that is to be president of this body should be absolutely unprejudiced, absolutely unbiased and should stand for but one thing, namely, to give a wise constitutional sanction to the legislative body to carry out the will of the people as the people shall express it in their sovereign vote by a majority of the votes; such a man will give to the people of Ohio at once an assurance that our work is to be ratified; such a man will not discredit us before we begin our work. We want someone who can take a safe ground, a student of politics, a brilliant parliamentarian, alive to everything that is modern and yet safe enough that he is not going to run away. Such a man is Dr. Henry W. Elson, of Athens, Ohio, whose name I present for your consideration.

Mr. LAMPSON: I ask the consent of the Convention to present a name for president. Gentlemen of the Convention: I am never quite so happy as when I am engaged in some useful and necessary service for a great body of chosen representatives of the sovereign people.

One day, when Thomas B. Reed was speaker of the national house of representatives, General Martin, a Confederate soldier, who wore low shoes and white stockings, without elastics, got his feet upon his desk, and Speaker Reed, then known as "Czar Reed", sent an assistant sergeant-at-arms to the gentleman, who said: "General, the Czar says that you must pull down those flags of truce."

Now, gentlemen, it sometimes happens that when great contending forces are marshalling their armies in battle array, that he who hoists a flag of truce may save good men and a great cause. So I come with a proposition of peace between these contending forces, and for the sake of harmony and the great cause for which this Convention was instituted, I present to you a candidate in the person of D. F. Anderson, of Mahoning county.

Mr. Anderson is so alive to the many interests of his state and county that he easily out-distanced all competitors in the race for this Convention in that great industrial, commercial and agricultural county of Mahoning. He is a lawyer of large practice and a fine parliamentarian, but above and over all, he is a splendid, broad-minded, typical American citizen. Now, gentlemen my candidate has made no pledges; he is unbound and without chains save to the sovereign people, whom he represents.

In Lincoln Park, in the national capital, there stands a bronze statue of the great emancipator, with his kindly face looking down upon the broken shackles of a slave. It tells the story and speaks the glory of liberty as expressed in Abraham Lincoln, and gentlemen, liberty of intellect, liberty of conscience, freedom to exercise right judgment, when the hour comes, is the paramount glory of manhood everywhere, even in this forum, where every man can be his own liberator. No pledge made in

the stress of the campaign to a few individuals can possibly stand against our obligation, under oath, to the great body of the people of this great commonwealth. We must not allow our generosity to exclude our obligation or overlook our obligation to all of the people whom we represent here. My candidate is free to listen to truth, from whatever source it comes, and to listen to the discussions in this forum, and then exercise the freedom of his judgment in the performance of his duty.

Gentlemen, I present to you as a candidate for president of this Convention, the name of D. F. Anderson, convinced that if he shall be elected, he will serve the very highest and best purpose, promote the public welfare of the great commonwealth of the state of Ohio, and help us give to the people of the state a constitution which will meet with popular approval.

The TEMPORARY CHAIRMAN: If there is any delegate in the hall who has not been sworn in, he will please come forward and the chief justice will administer the oath.

Mr. Longstreth came forward, presented his certificate of election and took the oath of office, as administered to the other members.

The TEMPORARY CHAIRMAN: Gentlemen of the Convention: The names of the gentlemen proposed for president of the Convention are:

Herbert S. Bigelow, of Hamilton county.

Caleb H. Norris, of Marion county.

Henry W. Elson, of Athens county.

D. F. Anderson, of Mahoning county.

The roll being called for the election of president resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Hahn,	Moore,
Beyer,	Harbarger,	Norris,
Brown, Highland,	Harris, Hamilton,	Okey,
Brown, Pike,	Harter, Huron,	Peck,
Cassidy,	Henderson,	Pierce,
Cordes,	Hoffman,	Redington,
Crites,	Hoskins,	Roehm,
Crosser,	Hursh,	Shaffer,
Davio,	Johnson, Madison,	Smith, Hamilton,
DeFrees,	Kehoe,	Solether,
Donahey,	Kilpatrick,	Stamm,
Doty,	Kunkel,	Stilwell,
Earnhart,	Lambert,	Tallman,
Fackler,	Leete,	Tetlow,
Farrell,	Leslie,	Ulmer,
FitzSimons,	Malin,	Watson,
Fluke,	Marshall,	Weybrecht,
Fox,	Miller, Crawford,	Wise,—54.

For Mr. Norris:

Antrim,	Dwyer,	Matthews,
Bigelow,	Halfhill,	Nye,
Brattain,	Harter, Stark,	Price,
Brown, Lucas,	Jones,	Read,
Campbell,	Keller,	Rockel,
Cody,	Kerr,	Rorick,
Collett,	King,	Stalter,
Cunningham,	Ludey,	Taggart,
Dunlap,	Marriott,	Winn,—27.

For Mr. Elson:

Anderson,	Longstreth,	Riley,
Baum,	Mauck,	Stokes,
Fess,	Miller, Fairfield,	Tannehill,
Johnson, Williams,	Miller, Ottawa,	Worthington,—14.
Knight,	Partington,	

Organization.

For Mr. Anderson:

Beatty, Morrow,	Harris, Ashtabula,	Shaw,
Colton,	Holtz,	Smith, Geauga,
Dunn,	Kramer,	Stevens,
Eby,	Lampson,	Stewart,
Elson,	McClelland,	Wagner,
Evans,	Peters,	Walker,—20.
Farnsworth,	Pettit,	

Mr. Thomas voted for Mr. Thomas.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the second ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Hahn,	Norris,
Beyer,	Harbarger,	Okey,
Brown, Highland,	Harris, Hamilton,	Peck,
Brown, Pike,	Harter, Huron,	Pierce,
Cassidy,	Henderson,	Redington,
Cordes,	Hoffman,	Roehm,
Crites,	Hoskins,	Shaffer,
Crosser,	Hursh,	Smith, Hamilton,
Davio,	Johnson, Madison,	Stamm,
DeFrees,	Kehoe,	Stilwell,
Donahay,	Kilpatrick,	Stokes,
Doty,	Kunkel,	Tallman,
Earnhart,	Lambert,	Tetlow,
Fackler,	Leete,	Ulmer,
Farrell,	Leslie,	Watson,
FitzSimons,	Malin,	Weybrecht,
Fluke,	Marshall,	Wise,—53.
Fox,	Moore,	

For Mr. Norris:

Antrim,	Eby,	Miller, Crawford,
Bigelow,	Halfhill,	Nye,
Brattain,	Harter, Stark,	Price,
Brown, Lucas,	Jones,	Read,
Campbell,	Keller,	Riley,
Cody,	Kerr,	Rockel,
Collett,	King,	Rorick,
Cunningham,	Ludey,	Stalter,
Dunlap,	Marriott,	Taggart,
Dwyer,	Matthews,	Winn,—30.

For Mr. Elson:

Anderson,	Knight,	Miller, Ottawa,
Baum,	Longstreth,	Partington,
Fess,	Mauck,	Tannehill,
Johnson, Williams,	Miller, Fairfield,	Worthington,—12.

For Mr. Anderson:

Beatty, Morrow,	Holtz,	Smith, Geauga,
Colton,	Kramer,	Solether,
Dunn,	Lampson,	Stevens,
Elson,	McClelland,	Stewart,
Evans,	Peters,	Wagner,
Farnsworth,	Pettit,	Walker,—20.
Harris, Ashtabula,	Shaw,	

Mr. Thomas voted for Mr. Thomas.

No candidate having received a majority vote of the Convention, the president instructed the secretary to call the roll on the third ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Earnhart,	Hursh,
Beyer,	Fackler,	Johnson, Madison,
Brown, Highland,	Farrell,	Kehoe,
Brown, Pike,	FitzSimons,	Kilpatrick,
Cassidy,	Fluke,	Kunkel,
Cordes,	Hahn,	Lambert,
Crites,	Harbarger,	Leete,
Crosser,	Harris, Hamilton,	Leslie,
Davio,	Harter, Huron,	Malin,
DeFrees,	Henderson,	Marshall,
Donahay,	Hoffman,	Mauck,
Doty,	Hoskins,	Moore,

Norris,	Shaffer,	Tetlow,
Okey,	Smith, Hamilton,	Ulmer,
Peck,	Stalter,	Watson,
Pierce,	Stilwell,	Weybrecht,
Redington,	Stokes,	Wise,—53.
Roehm,	Tallman,	

For Mr. Norris:

Antrim,	Eby,	Marriott,
Bigelow,	Fox,	Matthews,
Brattain,	Halfhill,	Miller, Crawford,
Brown, Lucas,	Harter, Stark,	Nye,
Campbell,	Jones,	Price,
Cody,	Keller,	Read,
Collett,	Kerr,	Riley,
Cunningham,	King,	Rorick,
Dunlap,	Ludey,	Winn,—28.
Dwyer,		

For Mr. Elson:

Anderson,	Knight,	Miller, Ottawa,
Baum,	Longstreth,	Partington,
Fess,	Miller, Fairfield,	Worthington,—10.
Johnson, Williams,		

For Mr. Anderson:

Colton,	Lampson,	Stamm,
Dunn,	McClelland,	Stevens,
Elson,	Peters,	Stewart,
Evans,	Pettit,	Taggart,
Farnsworth,	Rockel,	Tannehill,
Harris, Ashtabula,	Shaw,	Wagner,
Holtz,	Smith, Geauga,	Walker,—23.
Kramer,	Solether,	

Mr. Thomas voted for Mr. Thomas.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the fourth ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Hahn,	Moore,
Beyer,	Harbarger,	Norris,
Brown, Highland,	Harris, Hamilton,	Okey,
Brown, Pike,	Harter, Huron,	Peck,
Cassidy,	Henderson,	Pierce,
Cordes,	Hoffman,	Redington,
Crites,	Hoskins,	Roehm,
Crosser,	Hursh,	Shaffer,
Davio,	Johnson, Madison,	Smith, Hamilton,
DeFrees,	Kehoe,	Stamm,
Donahay,	Kilpatrick,	Stilwell,
Doty,	Kunkel,	Stokes,
Earnhart,	Lambert,	Tallman,
Fackler,	Leete,	Tetlow,
Farrell,	Leslie,	Ulmer,
FitzSimons,	Malin,	Watson,
Fluke,	Mauck,	Weybrecht,
Fox,	Miller, Crawford,	Wise,—54.

For Mr. Norris:

Antrim,	Dwyer,	Marriott,
Bigelow,	Halfhill,	Matthews,
Brattain,	Harter, Stark,	Nye,
Campbell,	Jones,	Price,
Cody,	Keller,	Read,
Collett,	Kerr,	Riley,
Cunningham,	King,	Stalter,
Dunlap,	Ludey,	Winn,—24.

For Mr. Elson:

Anderson,	Knight,	Partington,
Baum,	Longstreth,	Stewart,
Fess,	Marshall,	Worthington,—11.
Johnson, Williams,	Miller, Fairfield,	

For Mr. Anderson:

Beatty, Morrow,	Dunn,	Evans,
Brown, Lucas,	Eby,	Farnsworth,
Colton,	Elson,	Harris, Ashtabula,

Organization.

Holtz, Kramer, Lampson, McClelland, Miller, Ottawa, Peters,	Pettit, Rockel, Rorick, Shaw, Smith, Geauga, Solether,	Stevens, Taggart, Tannehill, Wagner, Walker,—26.
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Mr. Thomas voted for Mr. Thomas.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the fifth ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood, Beyer, Brown, Highland, Brown, Pike, Cassidy, Cordes, Crites, Crosser, Davio, DeFrees, Donahay, Doty, Earnhart, Fackler, Farrell, FitzSimons, Fluke, Fox,	Hahn, Harbarger, Harris, Hamilton, Harter, Huron, Henderson, Hoffman, Hoskins, Hursh, Johnson, Madison, Kilpatrick, Kunkel, Lambert, Leete, Leslie, Malin, Mauck, Miller, Crawford, Moore,	Norris, Okey, Peck, Pierce, Redington, Roehm, Shaffer, Smith, Hamilton, Stamm, Stilwell, Stokes, Tallman, Tetlow, Ulmer, Watson, Weybrecht, Wise,—53.
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For Mr. Norris:

Antrim, Bigelow, Brattain, Campbell, Cody, Collett, Cunningham, Dunlap,	Dwyer, Halfhill, Harter, Stark, Jones, Keller, King, Ludey, Marriott,	Matthews, Nye, Price, Read, Riley, Stalter, Winn,—23.
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For Mr. Anderson:

Brown, Lucas, Colton, Dunn, Eby, Elson, Evans, Farnsworth, Harris, Ashtabula, Holtz,	Kerr, Lampson, McClelland, Miller, Ottawa, Peters, Pettit, Rockel, Rorick,	Shaw, Smith, Geauga, Solether, Stevens, Taggart, Tannehill, Wagner, Walker,—25.
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For Mr. Elson:

Anderson, Baum, Fess, Johnson, Williams,	Knight, Longstreth, Marshall, Miller, Fairfield,	Partington, Stewart, Worthington,—11.
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For Mr. Fess:

Beatty, Morrow, Kehoe,	Kramer,—3.
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Mr. Thomas voted for Mr. Thomas.

Mr. COLTON: I move that we change the method of voting to the method by ballot.

Motion seconded.

Mr. PIERCE: I would like to have a rising vote here.

The TEMPORARY CHAIRMAN: You have heard the motion. We will have a rising vote.

The result of the vote on the motion was 45 in favor of it, and 70 against.

The TEMPORARY CHAIRMAN: The motion is lost, according to the count.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the sixth ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood, Beyer, Brown, Highland, Brown, Pike, Cassidy, Cordes, Crites, Crosser, Davio, DeFrees, Donahay, Doty, Earnhart, Fackler, Farrell, FitzSimons, Fluke, Fox,	Hahn, Harbarger, Harris, Hamilton, Harter, Huron, Henderson, Hoffman, Hoskins, Hursh, Johnson, Madison, Kehoe, Kilpatrick, Kunkel, Lambert, Leete, Leslie, Malin, Mauck, Miller, Crawford,	Moore, Norris, Okey, Peck, Pierce, Redington, Roehm, Shaffer, Smith, Hamilton, Stamm, Stilwell, Stokes, Tallman, Tetlow, Ulmer, Watson, Weybrecht, Wise,—54.
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For Mr. Norris:

Bigelow, Brattain, Campbell, Cody, Collett, Dunlap, Dwyer,	Halfhill, Harter, Stark, Keller, Ludey, Marriott, Matthews, Nye,	Price, Read, Riley, Stalter, Taggart, Winn,—20.
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For Mr. Elson:

Anderson, Baum, Fess,	Johnson, Williams, Longstreth, Miller, Fairfield,	Partington, Stewart, Worthington,—9.
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For Mr. Anderson:

Antrim, Brown, Lucas, Colton, Cunningham, Dunn, Eby, Elson, Evans, Farnsworth, Harris, Ashtabula,	Holtz, Jones, Kerr, King, Knight, Lampson, McClelland, Miller, Ottawa, Peters, Pettit,	Rockel, Rorick, Shaw, Smith, Geauga, Solether, Stevens, Tannehill, Wagner, Walker,—29.
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For Mr. Fess:

Beatty, Morrow, Kramer,	Marshall,—3.
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Mr. Thomas voted for Mr. Thomas.

The president announced that no candidate had received a majority vote of the Convention.

Mr. STEWART: I move we now proceed to a secret ballot.

Motion seconded.

The TEMPORARY CHAIRMAN: There is a motion before the house by Mr. Stewart, which has been seconded, that we rescind our action as to an open ballot, and proceed to a secret ballot. Are you ready for the question?

Mr. HARRIS, of Ashtabula: I think the mover of that proposition ought at least to state the grounds it stands on. After having six or seven ballots, I do not think we ought to allow any man to creep out of his obligations by a secret ballot, where a violation of them would not show.

The motion was lost.

The temporary secretary then called the roll for the seventh ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood, Beyer, Brown, Highland, Brown, Pike,	Cassidy, Cordes, Crites, Crosser,	Davio, DeFrees, Donahay, Doty,
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Organization.

Earnhart,	Johnson, Madison,	Pierce,
Fackler,	Kilpatrick,	Redington,
Farrell,	Kunkel,	Roehm,
FitzSimons,	Lambert,	Shaffer,
Fluke,	Leete,	Smith, Hamilton,
Fox,	Leslie,	Stamm,
Hahn,	Malin,	Stilwell,
Harbarger,	Mauck,	Tallman,
Harris, Hamilton,	Miller, Crawford,	Tetlow,
Harter, Huron,	Moore,	Ulmer,
Henderson,	Norris,	Watson,
Hoffman,	Okey,	Weybrecht,
Hoskins,	Peck,	Wise,—52.
Hursh,		

For Mr. Norris:

Bigelow,	Keller,	Read,
Brattain,	King,	Riley,
Dwver,	Marriott,	Stalter,
Harter, Stark,	Nye,	Winn,—12.

For Mr. Elson:

Anderson,	Fess,	Stokes,
Baum,	Johnson, Williams,	Worthington,—6.

For Mr. Anderson:

Antrim,	Holtz,	Rorick,
Brown, Lucas,	Jones,	Shaw,
Campbell,	Kerr,	Smith, Geauga,
Colton,	Knight,	Solether,
Cunningham,	Lampson,	Stevens,
Dunn,	Matthews,	Stewart,
Elson,	McClelland,	Taggart,
Evans,	Peters,	Tannehill,
Farnsworth,	Pettit,	Wagner,
Halfhill,	Rockel,	Walker,—31.
Harris, Ashtabula,		

Mr. Thomas voted for Mr. Thomas.

Mr. SMITH, of Hamilton: Mr. Halenkamp has just arrived. If he can be sworn in, he can vote.

The TEMPORARY CHAIRMAN holds that he can be sworn in after the seventh ballot is completed.

Mr. Halenkamp presented his certificate before the taking of the eighth ballot, and was duly sworn.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the eighth ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Hahn,	Miller, Crawford,
Beyer,	Halenkamp,	Moore,
Brown, Highland,	Harbarger,	Norris,
Brown, Pike,	Harris, Hamilton,	Okey,
Cassidy,	Harter, Huron,	Peck,
Cordes,	Henderson,	Pierce,
Crites,	Hoffman,	Redington,
Crosser,	Hoskins,	Roehm,
Davio,	Hursh,	Shaffer,
DeFrees,	Johnson, Madison,	Smith, Hamilton,
Donahey,	Kehoe,	Stamm,
Doty,	Kilpatrick,	Stilwell,
Earnhart,	Kunkel,	Tallman,
Fackler,	Lambert,	Tetlow,
Farrell,	Leete,	Ulmer,
FitzSimons,	Leslie,	Watson,
Fluke,	Malin,	Weybrecht,
Fox,	Mauck,	Wise,—54.

For Mr. Norris:

Bigelow,	Harter, Stark,	Stokes,
Brattain,	Keller,	Winn,—7.
Dwyer,		

For Mr. Elson:

Anderson,	Johnson, Williams,	Worthington,—4.
Fess,		

For Mr. Anderson:

Antrim,	Kerr,	Rockel,
Brown, Lucas,	King,	Rorick,
Campbell,	Knight,	Shaw,
Colton,	Lampson,	Smith, Geauga,
Cunningham,	Marriott,	Solether,
Dunn,	Matthews,	Stevens,
Elson,	McClelland,	Stewart,
Evans,	Miller, Ottawa,	Taggart,
Farnsworth,	Nye,	Tannehill,
Halfhill,	Peters,	Wagner,
Harris, Ashtabula,	Pettit,	Walker,—35.
Holtz,	Riley,	

For Mr. Fess:

Baum,	Jones,	Miller, Fairfield,
Beatty, Morrow,	Kramer,	Partington,
Cody,	Longstreth,	Price,
Collett,	Ludey,	Read,
Dunlap,	Marshall,	Stalter,—16.
Eby,		

Mr. Thomas voted for Mr. Thomas.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the ninth ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Halenkamp,	Moore,
Beyer,	Harbarger,	Norris,
Brown, Highland,	Harris, Hamilton,	Okey,
Brown, Pike,	Harter, Huron,	Peck,
Cassidy,	Henderson,	Pierce,
Cordes,	Hoffman,	Redington,
Crites,	Hoskins,	Roehm,
Crosser,	Hursh,	Shaffer,
Davio,	Johnson, Madison,	Smith, Hamilton,
DeFrees,	Kehoe,	Stamm,
Donahey,	Kilpatrick,	Stilwell,
Doty,	Kunkel,	Stokes,
Earnhart,	Lambert,	Tallman,
Fackler,	Leete,	Tetlow,
Farrell,	Leslie,	Ulmer,
FitzSimons,	Malin,	Watson,
Fluke,	Mauck,	Weybrecht,
Fox,	Miller, Crawford,	Wise,—55.
Hahn,		

For Mr. Norris:

Bigelow,	Harter, Stark,	Ludey,—5.
Dwyer,	Keller,	

For Mr. Elson:

Anderson,	Johnson, Williams,	Read,—4.
Fess,		

For Mr. Anderson:

Antrim,	Jones,	Rockel,
Brown, Lucas,	Kerr,	Rorick,
Campbell,	King,	Shaw,
Colton,	Knight,	Smith, Geauga,
Cunningham,	Lampson,	Solether,
Dunn,	Marriott,	Stevens,
Elson,	Matthews,	Stewart,
Evans,	McClelland,	Taggart,
Farnsworth,	Miller, Ottawa,	Tannehill,
Halfhill,	Nye,	Wagner,
Harris, Ashtabula,	Peters,	Walker,
Holtz,	Riley,	Winn,—36.

For Mr. Fess:

Baum,	Eby,	Partington,
Beatty, Morrow,	Kramer,	Pettit,
Brattain,	Longstreth,	Price,
Cody,	Marshall,	Stalter,
Collett,	Miller, Fairfield,	Worthington,—16.
Dunlap,		

Mr. Thomas voted for Mr. Thomas.

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No candidate having received a majority vote of the Convention, the president instructed the secretary to call the roll on the tenth ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Halenkamp,	Miller, Crawford,
Beyer,	Harbarger,	Moore,
Brown, Highland,	Harris, Hamilton,	Norris,
Brown, Pike,	Harter, Huron,	Okey,
Cassidy,	Henderson,	Peck,
Cordes,	Hoffman,	Pierce,
Crites,	Hoskins,	Redington,
Crosser,	Hursh,	Roehm,
Davio,	Johnson, Madison,	Shaffer,
DeFrees,	Kehoe,	Smith, Hamilton,
Donahay,	Keller,	Stamm,
Doty,	Kilpatrick,	Stilwell,
Earnhart,	Kunkel,	Stokes,
Fackler,	Lambert,	Tallman,
Farrell,	Leete,	Tetlow,
FitzSimons,	Leslie,	Ulmer,
Fluke,	Ludey,	Watson,
Fox,	Malin,	Weybrecht,
Hahn,	Mauck,	Wise,—57.

For Mr. Norris:

Bigelow,	Dwyer,	Harter, Stark,—3.
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For Mr. Elson:

Anderson,	Johnson, Williams,	Worthington,—5.
Brattain,	Read,	

For Mr. Anderson:

Antrim,	Jones,	Price,
Brown, Lucas,	Kerr,	Riley,
Campbell,	King,	Rockel,
Collett,	Knight,	Rorick,
Colton,	Kramer,	Shaw,
Cunningham,	Lampson,	Smith, Geauga,
Dunlap,	Longstreth,	Solether,
Dunn,	Marriott,	Stalter,
Elson,	Matthews,	Stevens,
Evans,	McClelland,	Stewart,
Farnsworth,	Miller, Fairfield,	Taggart,
Fess,	Miller, Ottawa,	Tannehill,
Halfhill,	Nye,	Wagner,
Harris, Ashtabula,	Peters,	Walker,
Holtz,	Pettit,	Winn,—45.

For Mr. Fess:

Baum,	Cody,	Marshall,
Beatty, Morrow,	Eby,	Partington,—6.

Mr. Thomas voted for Mr. Thomas.

No candidate having received a majority vote of the Convention, the president instructed the secretary to call the roll on the eleventh ballot, which resulted as follows:

For Mr. Bigelow:

Beatty, Wood,	Harbarger,	Miller, Crawford,
Beyer,	Harris, Hamilton,	Moore,
Brattain,	Harter, Huron,	Norris,
Brown, Highland,	Harter, Stark,	Okey,
Brown, Pike,	Henderson,	Partington,
Cassidy,	Hoffman,	Peck,
Cordes,	Hoskins,	Pierce,
Crites,	Hursh,	Redington,
Crosser,	Johnson, Madison,	Roehm,
Davio,	Johnson, Williams,	Shaffer,
DeFrees,	Kehoe,	Smith, Hamilton,
Donahay,	Keller,	Stamm,
Doty,	Kilpatrick,	Stilwell,
Earnhart,	Kunkel,	Stokes,
Fackler,	Lambert,	Tallman,
Farrell,	Leete,	Tetlow,
FitzSimons,	Leslie,	Ulmer,
Fluke,	Ludey,	Watson,
Fox,	Malin,	Weybrecht,
Hahn,	Marshall,	Wise,—62.
Halenkamp,	Mauck,	

For Mr. Norris:

Bigelow,	Cody,	Dwyer,—3.
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For Mr. Elson:

Anderson,	Read,	Worthington,—3.
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For Mr. Anderson:

Antrim,	Harris, Ashtabula,	Pettit,
Baum,	Holtz,	Price,
Beatty, Morrow,	Jones,	Riley,
Brown, Lucas,	Kerr,	Rockel,
Campbell,	King,	Rorick,
Collett,	Knight,	Shaw,
Colton,	Kramer,	Smith, Geauga,
Cunningham,	Lampson,	Solether,
Dunlap,	Longstreth,	Stalter,
Dunn,	Marriott,	Stevens,
Eby,	Matthews,	Stewart,
Elson,	McClelland,	Taggart,
Evans,	Miller, Fairfield,	Tannehill,
Farnsworth,	Miller, Ottawa,	Wagner,
Fess,	Nye,	Walker,
Halfhill,	Peters,	Winn,—48.

Mr. Thomas voted for Mr. Thomas.

The TEMPORARY CHAIRMAN: Mr. Bigelow, having received a majority of all the votes cast, I declare him elected president of the Convention.

Mr. ANDERSON: I move that the election of Mr. Bigelow be made unanimous.

Mr. NORRIS: I second the motion.

The TEMPORARY CHAIRMAN: It has been moved and seconded that the election of Mr. Bigelow, as president of this Convention, be made unanimous; as many as are in favor say "aye", and the contrary "no".

With the exception of Mr. Thomas, of Cuyahoga, the vote was made unanimous.

A committee composed of Mr. Anderson, Mr. Norris and Mr. Fess was appointed to escort Mr. Bigelow to the chair.

Mr. ANDERSON: Mr. President and Gentlemen of this Convention: I have the pleasure of presenting to you your choice for the exalted position of president of this Convention, elected by the votes of the delegates representing every party, and every industry in this great state. I trust that his services may be such in conducting the business of this Convention, that the instrument we shall submit will meet the expectations and necessities it is designed to meet, and that it will command the approval of the people when submitted to them, and that it will be such as to keep Ohio in the place she should occupy, the foremost state in the foremost nation of the earth.

The TEMPORARY CHAIRMAN: Gentlemen of the Convention: I feel deeply grateful to you for the courtesy you have shown me during the short time I have occupied this position. I have the honor and pleasure to introduce to you Mr. Bigelow, your president.

Mr. BIGELOW: Members of the Convention: In the great kindness of the temporary chairman of this Convention and the courtesy of the candidates who, a moment ago, were in opposition but are no longer so, there is abundant hope that the memory of these days is to deepen in our lives and remain for us all an immortal possession.

No man of serious mind will covet much or long any honors, except as they bring him larger opportunities of service and achievement. Great indeed is the

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honor I have received at your hands. But the task also is great that you have placed upon me. Gratitude for the honor may best be shown by a faithful performance of the task.

There is honor enough for all today, in that we should be here as the members of Ohio's Fourth Constitutional Convention. But there is a higher honor still to which all may aspire. This is to have the seal of popular approval upon the work that we do.

I had hardly dared dream, until a short time ago, that I might ever occupy so exalted a position as to be president of Ohio's Fourth Constitutional Convention. But now that the honor is mine I already aspire to another—which is to be one of the one hundred and nineteen delegates to write what shall become Ohio's third constitution.

Mr. DOTY: I was about to make the motion that we recess, but before I do that I desire to make the motion that we return the thanks of this Convention to the retiring temporary chairman for his very able and impartial presiding over this Convention up to the present time.

Motion seconded and unanimously carried.

Mr. DOTY: I move we recess until 3:30.

Motion seconded and unanimously carried.

AFTERNOON SESSION.

The Convention reconvened after recess at 3:30 p. m.

Mr. Thomas: I offer a resolution.

The resolution was read as follows:

Resolution No. 2:

Resolved, That there shall be a secretary of this Convention, who shall keep the minutes and perform such other duties as may be imposed thereafter; said secretary shall be elected forthwith upon a majority vote of all members elected to the Convention; said election shall be by roll call.

The resolution was adopted.

Mr. STILWELL: Mr. President and Delegates of the Convention: I want, if I can, to do you a signal service this afternoon, and that is by making my remarks brief, and by naming a man for secretary of this Convention who is abundantly able to perform that service. If there is anything in the matter of location, the southern part of the state having been accorded the honor of the presidency, perhaps the northern part of the state should be accorded the next honor, the secretary.

We are, of course, a non-partisan Convention, and to better demonstrate to the people of Ohio that that fact is true I might merely suggest to you that my candidate for the secretaryship of the Convention is of opposite political faith from that of our chairman. For twenty years and more he has been interested, in a private way only, in the questions which shall engross our attention, never having held any political office, except for a short period of time some twenty years ago, when he was assistant clerk of the house of representatives of the state of Wisconsin. To assume the duties of the office of the secretaryship would be like stepping from his own office into an office whose duties are almost similar.

He has under his direction some twenty-five stenographers, and an equal number of clerks, all of whom are engaged in the most complex detail work that could be imagined. It is my pleasure to name for the secretary of this Convention Walter W. Pollock, of Cuyahoga county.

Mr. BROWN, of Highland: Mr. President: Highland county is a farming, rural community, but we have sent out some very excellent men, among them Governor Trimble, one of the first great governors of this state, Senator Trimble, who ended his very short life in the United States Senate, Senator Foraker and that brilliant young statesman, Senator Beveridge. We have furnished to this administration the president of the taxation commission, the president of the utilities commission, and others of note. Last, but not least, we have furnished John D. Archbold, of oil fame.

My Candidate is L. L. Faris, a man whose friends have known for a long time that he possessed qualifications equal to our standard of high-class men. Mr. President, I am to abide here as long as the life of this Convention, and I would not force upon you a man who would not serve you well. I have ambitions. I aspire to your esteem and respect, and, therefore, I would not do that. Mr. Faris is a young man of energy, ability and intergity, with ambition to do things, and if you honor him by employing him as your secretary, he will take hold of the work with an energy, snap and integrity that will be a gratification to all of us as long as we are together doing this work.

The PRESIDENT: The president would like to announce that he would esteem it a privilege if the member from Montgomery, Mr. Dwyer, would come forward and take his seat by the president's side.

Mr. READ: Mr. President and Gentlemen of the Convention: My candidate does not come from my own county, but he comes from the state of Ohio. Like the gentleman who first spoke, I can say that my candidate belongs to the opposite party from that of your honored president. The selection of the man to perform the duties of the secretary of this Convention is of the utmost importance. The man I have in mind is one whose qualifications for this particular work suggested him to me prior to his announcement for the position. His experience in the public service and his familiarity with the sources of information that will be useful to this Convention peculiarly fit him for the place. As state librarian and organizer of the legislative reference department of the state library, his research work and his contributions on current constitutional and social problems, have given him a reputation far beyond the borders of our state. His pamphlets, on the Initiative and Referendum and on the Constitutional Conventions of Ohio, and his knowledge of legislative procedure, obtained from years of contact with our legislative bodies, all bear evidence of his fitness for the office. We are very fortunate in having the opportunity to secure one so well qualified. We shall need the services which he can give. He is a life resident of Ohio, and ever tireless in the study of her institutions; broad-minded and progressive; such are some of the special qualifications of Mr. C. B. Galbreath, whom I name for secretary of our Convention.

The PRESIDENT: If there are no further nomi-

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nations, we will proceed to vote on the names of Messrs. Pollock, Faris and Galbreath.

The members then proceeded to vote for secretary with the following result:

For Mr. Pollock:

Brown, Lucas,	Fluke,	Leslie,
Colton,	Fox,	Malin,
Crosser,	Hahn,	Marshall,
Davio,	Halenkamp,	Mauck,
DeFrees,	Harbarger,	Moore,
Donahey,	Harris, Hamilton,	Redington,
Doty,	Harter, Huron,	Roehm,
Dwyer,	Henderson,	Shaffer,
Earnhart,	Hoffman,	Smith, Geauga,
Fackler,	Keller,	Smith, Hamilton,
Farrell,	Kilpatrick,	Stewart,
FitzSimons,	Kunkel,	Stilwell,—36.

For Mr. Faris:

Beatty, Wood,	Hoskins,	Pettit,
Brattain,	Hursh,	Stalter,
Brown, Highland,	Jones,	Stokes,
Brown, Pike,	Kehoe,	Tannehill,
Cody,	Ludey,	Walker,
Collett,	Miller, Crawford,	Watson,
Dunn,	Okey,	Winn,—21.

For Mr. Galbreath:

Anderson,	Johnson, Madison,	Peters,
Antrim,	Johnson, Williams,	Pierce,
Baum,	Kerr,	Price,
Beatty, Morrow,	King,	Read,
Beyer,	Knight,	Riley,
Campbell,	Kramer,	Rockel,
Cassidy,	Lambert,	Rorick,
Cordes,	Lampson,	Shaw,
Crites,	Leete,	Solether,
Cunningham,	Longstreth,	Stamm,
Dunlap,	Marriott,	Stevens,
Eby,	Matthews,	Taggart,
Elson,	McClelland,	Tallman,
Evans,	Miller, Fairfield,	Tetlow,
Farnsworth,	Miller, Ottawa,	Ulmer,
Fess,	Norris,	Wagner,
Halfhill,	Nye,	Weybrecht,
Harris, Ashtabula,	Partington,	Wise,
Harter, Stark,	Peck,	Worthington,—58.
Holtz,		

Mr. Thomas voted for Mr. Moore.

No candidate having received a majority vote of the Convention the president instructed the secretary to call the roll on the second ballot, which resulted as follows:

For Mr. Pollock:

Colton,	Hahn,	Marshall,
Crosser,	Halenkamp,	Mauck,
Davio,	Harbarger,	Moore,
DeFrees,	Harris, Hamilton,	Okey,
Donahey,	Harter, Huron,	Redington,
Doty,	Henderson,	Roehm,
Dwyer,	Hoffman,	Shaffer,
Fackler,	Kilpatrick,	Smith, Geauga,
Farrell,	Kunkel,	Stilwell,
FitzSimons,	Leslie,	Watson,—32.
Fluke,	Malin,	

For Mr. Faris:

Brattain,	Collett,	Stalter,
Brown, Highland,	Dunn,	Walker,
Brown, Pike,	Hursh,	Weybrecht,—11.
Cody,	Kehoe,	

For Mr. Galbreath:

Anderson,	Beyer,	Crites,
Antrim,	Brown, Lucas,	Cunningham,
Baum,	Campbell,	Dunlap,
Beatty, Morrow,	Cassidy,	Earnhart,
Beatty, Wood,	Cordes,	Eby,

Elson,	Lampson,	Riley,
Evans,	Leete,	Rockel,
Farnsworth,	Longstreth,	Rorick,
Fess,	Ludey,	Shaw,
Fox,	Marriott,	Smith, Hamilton,
Halfhill,	Matthews,	Solether,
Harris, Ashtabula,	McClelland,	Stamm,
Harter, Stark,	Miller, Crawford,	Stevens,
Holtz,	Miller, Fairfield,	Stewart,
Hoskins,	Miller, Ottawa,	Stokes,
Johnson, Madison,	Norris,	Taggart,
Johnson, Williams,	Nye,	Tallman,
Jones,	Partington,	Tannehill,
Keller,	Peck,	Tetlow,
Kerr,	Peters,	Ulmer,
King,	Pettit,	Wagner,
Knight,	Pierce,	Winn,
Kramer,	Price,	Wise,
Lambert,	Read,	Worthington,—72.

Mr. Thomas voted for Mr. Moore.

Mr. Galbreath having received a majority of all the votes cast, was declared elected secretary of the Convention.

The PRESIDENT: Mr. Galbreath having been elected, I will appoint Mr. Read, Mr. Brown, of Highland, and Mr. Stilwell to escort Mr. Galbreath to the desk.

Mr. PETERS: I move that the election of Mr. Galbreath be made unanimous.

The motion was duly seconded, and being put to a vote, was carried, Mr. Thomas alone voting against it.

Mr. READ: Mr. President and Gentlemen of the Convention: I have the honor to introduce to you Mr. C. B. Galbreath, who will act as secretary for this Convention.

Mr. GALBREATH: Mr. President and Gentlemen of the Convention: About two days ago I said that if elected to the secretaryship here I would be at the service of the Convention and to the extent of my meager ability at the service of every delegate. That is the platform upon which I enter upon the discharge of my duties. With a gratitude that I cannot find words to express, I assure you it will be my only ambition to make the most of the great opportunity you have placed within my reach. Gentlemen of the Convention, I thank you.

Mr. WATSON: I offer a resolution.

The resolution was read as follows:

Resolution No. 3:

Resolved, That there be a sergeant-at-arms of this Convention who shall perform such duties as may be imposed by the president, or hereafter by the Convention; said sergeant-at-arms shall be elected forthwith upon a majority vote of all the members elected to the Convention; said election shall be by roll call.

The resolution was adopted.

The PRESIDENT: We are ready for nominations for sergeant-at-arms.

Mr. HALFHILL: Mr. President and Gentlemen of the Convention: For the office of sergeant-at-arms, for your consideration, I desire to present the name of Thomas C. Coyle, of Allen county. Mr. Coyle has had experience in legislative and parliamentary bodies, and is qualified to discharge the duties of this important position, and it is a pleasure for me to present him for your consideration.

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Mr. KEHOE: Mr. President and Gentlemen of the Convention: Brown county wants to present a name for your consideration for sergeant-at-arms. Brown county is only a little spot on this map of Ohio, down on the river front, where we drink plenty of the beautiful Ohio's sparkling water, although some prefer to take it straight, and some like the grade that made Milwaukee famous. Brown county has made somewhat of a record, although you may not be aware of it. We are only a rural community. We have no large cities—are not entitled to the name of a city in fact—our largest village not exceeding 2,000 inhabitants. So we are rural, yet we surpass in some things. At the Chicago Exposition Brown county carried off the first prize for tobacco. Brown county is one of the counties of this state that is not under an indebtedness. We are free from debt. So we are a live, thrifty and industrious people down there, and we are economical as well, and try to live within our means.

Besides our agricultural pursuits, I think we have had a lot of men that are somewhat known, and I believe at this time we have no representatives in the penitentiary. We may have some in the lunatic asylum, but then you know there are others at large in the country and it is a question in my mind whether they ought not to be there. Some authority has said over-development makes defective brains. On that basis, all mankind are more or less insane; and that being true, it is not a fault of place, so we are not discredited, in that one or two of our citizens have found their way to the asylum.

Besides agricultural products we rear men sometimes, and I want to present the name of one of them for your consideration, Mr. Charles Campbell, of Brown county.

Mr. SHAFFER: Butler county presents the name of Wm. F. Mason as a candidate for the position of sergeant-at-arms for this Convention, as a man wholly qualified to carry out the important duties, and he probably has a wider personal acquaintance than any other man in this state. I beg for him your careful consideration.

Mr. ROCKEL: Gentlemen, I do not wish to enumerate all the great men that have come from Clark county, nor all the desirable characteristics of that county. I wish to present a shop worker in the thrifty little city of Springfield, and he has this distinct characteristic attached to him in that his father was a member of the convention that framed the present constitution. I present for your consideration, because I know if elected he will always do his work well, Mr. J. S. Hamilton.

Mr. DAVIO: I wish to present the name of James E. Gallagher, of Cuyahoga, who was sergeant-at-arms for the seventy-eighth general assembly.

Mr. MILLER, of Fairfield: Mr. President and Gentlemen of the Convention: What I will not tell you about Fairfield county would indeed make a great volume. I take great pleasure in presenting the name of the only candidate we have for any position, a man who has had experience in the last general assembly, and a man who has had experience in other ways as well, Mr. J. C. Sherlock.

Mr. KING: As I understand the number of candidates for this position will compel me to make what I

say brief, I rise to present the name of Mr. Jesse F. Cochran, of Franklin county. Mr. Cochran was for two sessions of the general assembly sergeant-at-arms of the state senate; about forty-six or forty-seven years of age, enterprising, industrious and active, he thoroughly understands the duties of that position, and that is of the highest importance to this body, coming as we do with very slight, and most of us with no, legislative experience.

Mr. RORICK: I would like to present the name of Mr. County L. Bower.

Mr. STEWART: Meigs county would like to present the name of T. W. Jones for sergeant-at-arms. He is an active young man, the son of an old soldier, and I am sure that if he is elected you will find that he will perform the work in a manner that will be pleasant to all.

Mr. NORRIS: I present for the favorable consideration of this Convention for the position of sergeant-at-arms the name of W. T. Nichol, of Marion.

Mr. THOMAS: So that the clerk may become acquainted with the man I shall vote for, I nominate Mr. James Henderson, of Columbus.

Mr. DOTY: I move that if there is no choice on the first ballot, the last man be dropped, and so on until we have a choice.

The motion was duly seconded, and being put to a vote, was carried.

Mr. HARRIS of Hamilton: I wish to present Mr. Bowdle, of Hamilton county, that he may take part in the proceedings of the Convention.

The PRESIDENT: Mr. Bowdle will please come forward, and Judge Dwyer will administer the oath to Mr. Bowdle.

This was done.

The members then proceeded to vote for sergeant-at-arms, with the following result:

For Mr. Coyle:

Beatty, Wood,	Johnson, Madison,	Partington,
Brattain,	Jones,	Peck,
Fox,	Keller,	Taggart,
Halfhill,	Marshall,	Tallman,
Hursh,	Matthews,	Winn,—15.

For Mr. Campbell are:

Brown, Highland,	Dunn,	Kehoe,—3.
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For Mr. Mason:

Brown, Pike,	Harris, Hamilton,	Stamm,
Collett,	Pierce,	Stevens,
Donahy,	Roehm,	Stokes,
Dwyer,	Shaffer,	Watson,
Earnhart,	Smith, Hamilton,	Worthington,—15.

For Mr. Hamilton:

Anderson,	Cunningham,	McClelland,
Antrim,	Fess,	Pettit,
Campbell,	Hoskins,	Rockel,—9.

For Mr. Gallagher:

Cassidy,	Halenkamp,	Okey,
Cody,	Harris, Ashtabula,	Redington,
Colton,	Hoffman,	Smith, Geauga,
Cordes,	Kunkel,	Stilwell,
Davio,	Lampson,	Tetlow,
Farrell,	Leslie,	Weybrecht,
FitzSimons,	Malin,	Wise,—22.
Hahn,		

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For Mr. Sherlock:

Baum,	Johnson, Williams,	Miller, Crawford,
Beatty, Morrow,	Kilpatrick,	Miller, Fairfield,
Beyer,	Kerr,	Price,
Crites,	Longstreth,	Solether,
Eby,	Ludey,	Walker,—16.
Elson,		

For Mr. Cochran:

DeFrees,	Holtz,	Miller, Ottawa,
Henderson,	King,	Rorick,—6.

For Mr. Bower:

Brown, Lucas,	Harbarger,	Peters,
Farnsworth,	Knight,	Wagner,—6.

For Mr. Jones:

Crosser,	Fackler,	Read,
Doty,	Lambert,	Riley,
Dunlap,	Leete,	Stewart,
Evans,	Mauck,	Tannehill,—12.

For Mr. Nichol:

Marriott,	Nye,	Stalter,—5.
Norris,	Shaw,	

For Mr. Henderson:

Harter, Huron,	Thomas,	Ulmer,—4.
Moore,		

For Mr. Johns are:

Fluke,	Harter, Stark,—2.
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No candidate having received a majority vote of the Convention, the president instructed the secretary to call the roll on the second ballot, which resulted as follows:

For Mr. Coyle:

Antrim,	Johnson, Madison,	Miller, Crawford,
Beatty, Wood,	Jones,	Partington,
Brattain,	Kehoe,	Peck,
Fess,	Keller,	Winn,—14.
Halfhill,	Matthews,	

For Mr. Mason:

Brown, Highland,	Halenkamp,	Roehm,
Brown, Pike,	Harris, Hamilton,	Shaffer,
Collett,	Hoffman,	Smith, Hamilton,
DeFrees,	Hursh,	Stamm,
Donahey,	Marriott,	Stokes,
Dwyer,	Okey,	Watson,
Earnhart,	Pierce,	Worthington,—22.
Fox,		

For Mr. Hamilton:

Anderson,	Cunningham,	Rockel,
Campbell,	Harter, Stark,	Taggart,
Cody,	Hoskins,	Tetlow,—9.

For Mr. Gallagher:

Brown, Lucas,	Harris, Ashtabula,	Moore,
Colton,	Harter, Huron,	Nye,
Cordes,	Kunkel,	Redington,
Davio,	Lampson,	Shaw,
Farrell,	Leete,	Smith, Geauga,
FitzSimons,	Malin,	Weybrecht,
Hahn,	Miller, Ottawa,	Wise,—21.

For Mr. Sherlock:

Baum,	Farnsworth,	McClelland,
Beatty, Morrow,	Fluke,	Miller, Fairfield,
Beyer,	Holtz,	Pettit,
Bowdle,	Johnson, Williams,	Price,
Crites,	Kerr,	Solether,
Crosser,	Kilpatrick,	Stevens,
Dunn,	Kramer,	Ulmer,
Eby,	Leslie,	Wagner,
Elson,	Longstreth,	Walker,—27.

For Mr. Bowers:

Doty,	Harbarger,	Knight,
Dunlap,	Henderson,	Peters,—6.

For Mr. Jones:

Campbell,	Marshall,	Stevens,
Evans,	Mauck,	Stewart,
Fackler,	Read,	Taggart,
Lambert,	Riley,	Tannehill,—12.

Those who voted for Mr. Cochran are:

King,	Rorick,—2.
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Mr. Norris voted for Mr. Nichol.

Mr. Thomas voted for Mr. Henderson.

No candidate having received a majority vote of the Convention, the president instructed the secretary to call the roll on the third ballot.

For Mr. Sherlock:

Antrim,	Harter, Stark,	Miller, Fairfield,
Baum,	Henderson,	Miller, Ottawa,
Beatty, Morrow,	Holtz,	Partington,
Beyer,	Johnson, Madison,	Peck,
Campbell,	Johnson, Williams,	Peters,
Cody,	Keller,	Pettit,
Colton,	Kerr,	Price,
Crites,	Kilpatrick,	Rockel,
Crosser,	Knight,	Solether,
Dunlap,	Kramer,	Stalter,
Dunn,	Longstreth,	Stevens,
Eby,	Ludey,	Tallman,
Elson,	Matthews,	Ulmer,
Farnsworth,	Mauck,	Wagner,
Fess,	McClelland,	Walker,
Fluke,	Miller, Crawford,	Wise,—49.
Harbarger,		

For Mr. Gallagher:

Davio,	Lampson,	Shaw,
Farrell,	Leslie,	Smith, Geauga,
FitzSimons,	Moore,	Stilwell,
Harris, Ashtabula,	Nye,	Tetlow,
Harter, Huron,	Redington,	Weybrecht,—16.
Kunkel,		

For Mr. Mason:

Bowdle,	Fox,	Okey,
Brattain,	Hahn,	Pierce,
Brown, Highland,	Halenkamp,	Roehm,
Brown, Pike,	Harris, Hamilton,	Shaffer,
Cassidy,	Hoffman,	Smith, Hamilton,
Collett,	Hoskins,	Stamm,
Cordes,	Hursh,	Stokes,
Donahey,	Kehoe,	Watson,
Doty,	King,	Winn,
Dwyer,	Malin,	Worthington,—32.
Earnhart,	Marriott,	

For Mr. Coyle:

Brown, Lucas,	Marshall,	Read,
Halfhill,	Norris,	Taggart,—7.
Jones,		

For Mr. Hamilton:

Anderson,	Beatty, Wood,	Cunningham,—8.
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For Mr. Jones:

DeFrees,	Leete,	Stewart,
Evans,	Riley,	Tannehill,—7.
Lambert,		

Mr. Rorick voted for Mr. Cochran.

Mr. Thomas voted for Mr. Henderson.

No candidate having received a majority vote of the Convention, the president instructed the secretary to call the roll on the fourth ballot.

Organization—Drawing of Seats.

For Mr. Sherlock:

Anderson,	Henderson,	Peck,
Antrim,	Holtz,	Peters,
Baum,	Johnson, Williams,	Pettit,
Beatty, Morrow,	Kehoe,	Price,
Beatty, Wood,	Keller,	Redington,
Beyer,	Kerr,	Rockel,
Brattain,	Kilpatrick,	Rorick,
Campbell,	Knight,	Shaw,
Cody,	Kramer,	Soletcher,
Colton,	Lampson,	Stalter,
Crites,	Longstreth,	Stevens,
Crosser,	Ludey,	Taggart,
Cunningham,	Marriott,	Tallman,
Dunlap,	Matthews,	Tannehill,
Eby,	McClelland,	Ulmer,
Elson,	Miller, Crawford,	Wagner,
Farnsworth,	Miller, Fairfield,	Walker,
Fess,	Miller, Ottawa,	Watson,
Fluke,	Norris,	Weybrecht,
Halfhill,	Nye,	Winn,
Harbarger,	Okey,	Wise,—65.
Harter, Stark,	Partington,	

For Mr. Gallagher:

Harris, Ashtabula, Kunkel, Smith, Geauga,—3.

For Mr. Mason:

Bowdle,	Farrell,	Malin,
Brown, Highland,	FitzSimons,	Mauck,
Brown, Lucas,	Fox,	Moore,
Brown, Pike,	Hahn,	Pierce,
Cassidy,	Halenkamp,	Read,
Collett,	Harris, Hamilton,	Riley,
Cordes,	Harter, Huron,	Roehm,
Davio,	Hoffman,	Shaffer,
DeFrees,	Hoskins,	Smith, Hamilton,
Donahay,	Hursh,	Stamm,
Doty,	Jones,	Stewart,
Dwyer,	King,	Stilwell,
Earnhart,	Lambert,	Stokes,
Evans,	Leete,	Tetlow,
Fackler,	Leslie,	Worthington,—45.

Mr. Marshall voted for Mr. Coyle.

Mr. Dunn voted for Mr. Hamilton.

Mr. Thomas voted for Mr. Henderson.

Mr. Sherlock, having received a majority of all the votes cast was declared duly elected sergeant-at-arms.

Mr. DOTY: Mr. President: I find that there are one hundred and fifteen members present, within four of the membership of the Convention. Therefore, I think perhaps this would be as good a time to draw seats as it would be to put it off to some future time. I have a resolution prepared for that purpose. I would like to introduce one also that would take care of the printing of our journal.

The resolution was read as follows:

Resolution No. 4:

Resolved, That the secretary shall cause the journal to be printed daily and placed upon the desks of the members before the time to which the Convention may have adjourned. And he is hereby authorized to procure such printing, blanks and stationery as he shall require for his department.

The resolution was adopted.

Mr. DOTY: I offer a resolution.

The resolution was read as follows:

Resolution No. 5:

Resolved, That the choice of seats be determined forthwith by lot; that the secretary prepare the necessary ballots, with the names of the members thereon, one upon each ballot so prepared, to be placed in some suitable receptacle, and be drawn by a page or some other person, who shall be blindfolded, the name on ballot to be announced by the secretary as soon as drawn; that the members retire without the bar before the drawings commence; each one to select his seat when his name is announced and continue to occupy it until the drawing is concluded.

The following members of the Convention shall be allowed to select their seats previous to the drawing: Messrs. Dwyer, FitzSimons, Rockel, Evans, Ulmer, Smith, of Geauga, Peck, Norris, Leete, Hahn, Miller, of Ottawa, Pettit, Cunningham, Rorick, Marriott, Nye, King and Taggart.

Mr. WINN: I suggest that we have had a pretty long stress, and I think we would all feel better if we would come back and draw seats tomorrow. I suggest that we adjourn and come back tomorrow morning. I make that as a motion.

The motion was seconded.

Mr. DOTY: Personally I have no objection to adjournment, but I think if we are going to adjourn until tomorrow it would be just as well to get rid of this tedious task. It is a long job, but personally I don't care about that. Perhaps it might be well to amend the resolution to read "tomorrow" instead of "forthwith."

Mr. WINN: I move to amend the resolution by substituting in lieu of the word "forthwith," the words "at the reconvening of this Convention, tomorrow at 10 o'clock."

Mr. DOTY: I would suggest, it would be more practical to make that some few minutes after we convene.

Mr. WINN: Make it 10:30 a. m., tomorrow.

The PRESIDENT: The question is on the amendment.

On the vote being taken, the amendment was lost, by a rising vote of 49 to 50.

The PRESIDENT: The question is on the resolution, that the drawing of seats proceed forthwith.

The resolution was adopted.

Mr. DOTY: I would suggest that three persons, not members, be appointed to take the place of the three members who are not here, and do the best they can for them.

The PRESIDENT: I will name Mr. Hughes, Mr. Young and Mr. Kempel. The secretary suggests that the members who are given the preference shall come forward at once and choose their seats.

This was done, and the members then proceeded to draw their seats by lot.

Mr. DOTY: I move to adjourn until tomorrow morning at 10 o'clock.

The motion was seconded, and being put to a vote was carried, and the Convention adjourned to meet at 10 o'clock a. m., Wednesday, January 10, 1912.