

FORTY-FOURTH DAY

EVENING SESSION.

MONDAY, March 25, 1912.

The Convention met pursuant to adjournment, was called to order by the vice president and opened with prayer by the Rev. W. A. Perrins of Columbus, Ohio.

The journal of the legislative day of March 11, was read.

Mr. KNIGHT: On page 5 of the journal of Tuesday, March 12th, there is a reference to Proposal No. 2. It is there referred to as sub-Proposal No. 2, and that is what it is. Every time after that for some twenty times it is referred to as Proposal No. 2 instead of sub-Proposal No. 2.

Mr. DOTY: We can only have proposals before us and the "sub" where it occurs is a mistake.

Mr. KNIGHT: It is referred to twice as sub-proposal. It should be uniform, at least.

Mr. DOTY: That is right. Wherever it is referred to as sub or substitute it is wrong.

The VICE PRESIDENT: The secretary will correct the journal as indicated.

The correction was made and the journal as corrected was approved.

The VICE PRESIDENT: The next order of business is "Motions and Introduction of Resolutions."

Mr. ELSON: Before we go to that, there was a proposal indefinitely postponed last week and I want to call it up. It is Proposal No. 162 and is with reference to the legislature. I have spoken to various members of the Convention and all express a desire and willingness to discuss the question, and I think you will be entirely wrong not to have the matter discussed. I therefore move that we reconsider the motion by which Proposal No. 162 was indefinitely postponed.

Mr. DOTY: I second the motion.

Mr. MAUCK: Does that give that right of way over the Crosser proposal?

The VICE PRESIDENT: I think not. Are there any further remarks on the motion to reconsider?

Mr. ELSON: I would like to make a further explanation. I do not see why anybody should vote no on this matter. There is no trouble about its taking the place of the Crosser proposal. I simply want to get it engrossed and put on the calendar for second reading because I think it is far too important for us to bury it without discussing it. That is one reason why I have made this motion to reconsider. The subject is as to the formation of the legislature. Therefore I beg the members to give us a chance to discuss it when we come to it in regular order a week or two from now.

Mr. MAUCK: Will that interfere with the Crosser proposal?

Mr. ELSON: No; it will not.

Mr. MAUCK: Then I second the motion.

Mr. DOTY: In fairness to the member from Athens, I think the vote by which the proposal was indefinitely postponed should be reconsidered and the proposal ordered engrossed and placed on the calendar. It will

go down to the foot of the calendar and it will not come up for a week or two. It is a matter of importance and the proposal is the result of quite a bit of study on the part of the member from Athens and others. Why not allow it to be engrossed and then be discussed sometime in the future on its merits and give the gentleman from Athens a chance to bring in an argument? This is a summary way of disposing of proposals and it is not just the thing all members appreciate. I think we ought to be a little more deliberate about postponing proposals. Sometimes one of real importance comes in and it is indefinitely postponed without a word. The member is making a request that I think should be granted.

Mr. WINN: Mr. President—

The VICE PRESIDENT: A division was called for and this debate is out of order unless by unanimous consent.

The consent was given.

Mr. WINN: This is just two lines: "The legislature of Ohio shall consist of a single house, membership of which shall consist of two delegates from each congressional district." The author of the proposal has no idea that such a proposal will be seriously considered. If we had unlimited time and unlimited money to spend it might be a good idea to sit around and debate such propositions. We ought to be courteous to every member who introduces a proposal, but I recall that one member has introduced some fifty proposals, all of which have been indefinitely postponed. Courtesy to him would give him a hearing on each one and I don't think we have time enough to do that. We are always talking about finishing our work, and it occurs to me that it would be a good idea when we get a thing finished to let it stay finished. We have finished this and I object to its again being taken up.

Mr. HARRIS, of Ashtabula: Proposal No. 162 has been in the hands of the committee for several weeks. The member from Athens [Mr. ELSON] never made any attempt to be heard on the proposition.

Mr. ELSON: I was not asked to be heard by the committee. I would gladly have appeared if asked.

Mr. HARRIS, of Ashtabula: The committee holds meetings four times a week. The place of meeting is known and it is not usual for the committee to go out and hunt up members who have introduced proposals and beg them to come in and address the committee. A motion was made that this be indefinitely postponed and it was unanimously signed by the committee. As far as the consideration of this matter is concerned, I am of the opinion expressed by the member from Defiance [Mr. WINN]. Does any man on this floor believe that we have sufficiently progressed in the Convention that anyone hopes or expects that we will leave the other states of the Union and go to a single legislative body?

Mr. ELSON: The matter on its face does seem to be a little out of touch with our representative form of

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government in that it gets away from the dual system and away from the county as the unit of representation.

Mr. THOMAS: Is the member from Ashtabula [Mr. HARRIS] afraid Ohio will lead the forty-eight other states on any subject?

Mr. STALTER: A point of order. A division has been demanded and this debate is not in order.

The VICE PRESIDENT: It was agreed that it should be in order. The member from Athens has the floor.

Mr. ELSON: If you have studied legislatures as long as I have, and if you have studied the method of reforming state legislatures, you would certainly be willing to let the matter come up and be discussed, and if this is voted down and I keep my health I certainly will offer another proposal along the same line.

Mr. HALFHILL: I hope the action of the Convention will keep this matter postponed. It is nothing but an academic discussion. Nobody considers that proposition seriously. The matter has never engaged the attention of the people of this country. There was never but one experience of that, in the early part of our history, and it resulted disastrously. I hope we won't reconsider this vote. I don't want any academic discussions on questions of this kind.

Mr. ELSON: Is there any body in America other than a constitutional convention that can discuss this question?

Mr. HALFHILL: I don't think there is any body except this Constitutional Convention that would have such a question before it.

Mr. PECK: I think this matter is one deserving serious consideration. I have long been inclining to the opinion that one legislature is better than two and that notwithstanding what Mr. Halfhill and a great many other people say. This matter is worthy of consideration. The very country from which we have this system has practically done away with one of its legislative chambers. The house of lords has no power in legislation except a qualified veto, not a full veto, but just a qualified one. They can return a bill twice, but the third time they must pass it or it will be passed without them, so that the government of England now has only one chamber and this Constitutional Convention in which we are now sitting has only one chamber. Why haven't we two bodies? Are we of less importance than the general assembly? Is the work we are doing here less important? No, it is more so; and every constitution that has ever been made in the United States has been made by a single body. In many respects a single body is better than two bodies. The two bodies are simply an obstacle to prompt action when it is often needed, and produce dickerings and discords when unity is wanted. The question is a good deal more than academic.

Mr. READ: I think Mr. Elson has a right to be heard upon his proposal. Any member in this body who puts in a proposal and believes it is a good thing should be heard so his opinion can be considered. It is wrong to object to a proposal before it is heard. We do not know what merit is in it. I do hope in fairness to Mr. Elson that the motion will be reconsidered.

Mr. KNIGHT: I dislike to prolong an academic discussion. It seems to me the opportunity for the gentleman from Athens to interpose objection was when the

report of the committee was presented indefinitely postponing the proposal. The record doesn't show that he was absent at that time. Furthermore, in response to what was said by the dean of the Hamilton county delegation, this Constitutional Convention is not the final body on anything. Everything it does is referred to the people—it has a very large second house, and that is not true with regard to legislation.

The VICE PRESIDENT: A division has been called for and all in favor of reconsidering the motion by which this proposal was indefinitely postponed will rise to their feet and be counted.

The vote was taken on a division and the motion to reconsider was lost.

MOTIONS AND INTRODUCTION OF RESOLUTIONS.

Mr. THOMAS: I move that Eugene V. Debs, of Terre Haute, Indiana, be invited to address the Convention. This Convention has extended invitations to ten or twelve prominent citizens of this country to address us on questions that come before this Convention.

The VICE PRESIDENT: Discussion is out of order; the resolution must go over.

Mr. THOMAS: No; it is not a resolution, it is a motion. When I put in the proposal to invite Mr. Burger it went over, and that is the reason I put this in the form of a motion, so that it would not go over. We have heard from six republicans and four democrats, advising us as to how this constitution ought to be made. One of the officers of the Convention, in discussing the question with me the other day, made the remark, "If we only had one from your party to talk to this Convention pretty much all of the different ideas expressed on fundamental government would be before us." I informed you that I was going to make it my business to get an opportunity for a socialist to express his views on the fundamental principles of government the same as these other gentlemen have. I presume this is the first Constitutional Convention in the country in which the socialist party has been represented by a member nominated by it. There are two in this Convention and there are many men here who have expressed views that come pretty close to the ideas expressed by the socialist party. A great deal has been said on the floor here relative to there having been no party differences so far discussed on the floor of the Convention, and so far as the republican and democratic parties are concerned that is true, because it is difficult for you republicans and democrats to determine which is which, but the only fellow you can take a chance to talk at is the socialist, and it is rare that some speaker doesn't take a fall out of the socialists before he gets through with his speech. I think in all fairness to the socialists in this Convention the members ought to extend to them the same privilege they have extended to themselves and allow one of the leading socialists the same right to address the Convention they have allowed to members of their own party.

Mr. HOSKINS: The conditions as to the socialist party are a little different from those obtaining with the democratic and republican parties. I am glad to see in the papers this morning that we have found one democrat who had been invited to speak here who has judgment

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enough not to come. I think he earned the gratitude of the Convention by saying he was too busy in Washington to come and I want to give the senator all credit for that. I presume his reasons were legitimate and sufficient unto himself, but further than that I think he ought to be thanked for not coming here to waste the time of the Convention. I would be glad to hear the democratic senator and I suppose others would also like to hear him, but we have had a great deal of time consumed by these speakers. Then, too, the socialist party is different. We have none of the leading democrats or republicans of the country in this body to enlighten us on subjects, but we have two of the leading socialists who can enlighten us from time to time on socialistic problems. I have so much respect and admiration for their ability—and I am not speaking sarcastically or in levity—I have so much respect for the ability of the two socialist members of the Convention that it seems to me when it comes to the fundamental principles of the socialistic body they are fully able to enlighten this Convention on every proposition.

Mr. DOTY: Agreed.

Mr. HOSKINS: And I would not want to hear anybody higher in the socialistic body than the gentleman who offered the motion. I am willing to take my socialistic doctrines from him.

Mr. LAMPSON: There has been so little said about parties in this Convention that I don't know who is the other member of the socialist party? Who is he?

Mr. HOSKINS: Brother Illion Moore. I only know that by reading the list. For that reason I believe the motion made by the gentleman ought not to prevail.

Mr. Anderson was here recognized, but yielded to Mr. Dwyer to offer an amendment.

Mr. DWYER: I am going to offer an amendment to the motion of the gentleman from Cuyahoga [Mr. THOMAS], but before doing it I want to say that I am absolutely opposed to inviting gentlemen to address this Convention. I have been opposed to it in the past and have voted against it, and I am opposed to it now and I am going to continue to vote against it. We have been wasting time without any good at all. I move to amend the motion of Mr. Thomas by adding "Booker Washington and Emma Goldman."

Mr. WATSON: I move to lay that on the table.

Mr. DOTY: A point of order. The gentleman from Mahoning [Mr. ANDERSON] had the floor and yielded for the gentleman from Montgomery [Mr. DWYER] to make the motion.

The point of order was sustained.

Mr. ANDERSON: I think this motion should prevail, and the amendment should go on the table. We have heard a great deal here, especially on this matter of the single tax and about the rights of the minority. The gentleman from Ashtabula [Mr. LAMPSON] has told us that we must protect the rights of the minority and that he would protect them; that even at the expense of his life, if necessary, he would guard the farmers against the single tax which the majority might want to place upon them. I believe, out of respect for the minority, we ought to be courteous enough to give some consideration to the minority in this Convention, and I am firmly of the belief—and I mean every word I say—that we owe it to those who are called social-

ists who have been elected delegates here to invite one of the speakers they want to address us. The man that desires to invite is one of national reputation. He is well posted. He knows the subject, and I now move that the amendment offered by the delegate from Montgomery [Mr. DWYER] be laid on the table.

Mr. EBY: A point of order. Doesn't that lay over until tomorrow?

The VICE PRESIDENT: This is a motion, not a resolution.

Mr. WOODS: I move that the motion and amendment be laid on the table.

The VICE PRESIDENT: The chair was about to rule that unless there is some rule governing this in our rules that the motion to table the one would take both.

Mr. DOTY: The rule prescribes that the motion to table just takes the amendment and not the main question.

The VICE PRESIDENT: Does that rule extend to motions or does it apply to proposals?

Mr. LAMPSON: It is possibly a subject of interpretation. We have a rule that the motion to table one amendment does not table the whole matter.

Mr. DOTY: The rule provides that an amendment may be laid on the table without laying the main question on the table.

Mr. DWYER: That is not a parliamentary rule. Under ordinary parliamentary rules an amendment being tabled carries everything with it.

The VICE PRESIDENT: That is just what the chair was referring to. I said unless we had some special rule on the subject and I am informed that we have. We will take the vote on the motion to lay the amendment offered by the gentleman from Montgomery [Mr. DWYER] on the table.

The motion to table was carried.

The VICE PRESIDENT: The motion of Mr. Thomas is now before us.

Mr. MOORE: I have not been very much in favor of these motions to invite people to address us, and personally I do not care much about this particular matter, but I feel that some socialists ought to be heard since we have heard speakers of almost every other political party. I believe it would be no more than fair to ask here a representative of the socialist party.

The gentleman from Montgomery [Mr. DWYER] has mentioned something about the matter of expense. A gentleman came into this hall the other day and told me that if Mr. Debs were invited to address the Convention he would agree to purchase tickets for all the available space that could be had at a dollar a seat. To hear Mr. Debs always costs twenty-five cents, even in the heat of a political campaign. Mr. Debs always commands that much and that can't be said of any other speaker we have had. I am not hoping for the conversion of any member of this Convention to socialism, and while I would be glad to have them hear the truth, I don't want to convert them until they are ready to be converted. I want them to come slowly and steadily to socialism, as they are coming. In 1848 there was an organization of socialists in Germany and Germany drove them out of the country to the far corners of the earth. They scattered the socialist idea all over the world. Some of them came to America. The father of

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my colleague at my right was one of those revolutionists of 1848. You find the world dotted over with them. Today in Germany there are 4,400,000 socialists. There was a time when they were arrested for meeting and talking on the subject.

Mr. Debs is not any socialist boss. Every doctrine that he enunciates that is put into our platform is first referred to the majority. If Mr. Debs is nominated for president of the United States the nomination is submitted to a referendum of his party before it is announced. Mr. Debs can tell you a great many things better than I can tell them. He is much more interested in your conversation than I am, and if you vote in favor of this motion it won't cost you anything, I am sure.

Mr. ULMER: I am called an ultra-progressive. I am tired of this speech making here. What have we gotten from all the speeches? We have to consider the question when it comes before us and we forget the speeches. We have to listen to our own speeches. It is time to get down to business and not be wasting so much valuable time. I think we ought to go on with the referendum and I expected to do that tonight, but here three months have passed and what can we show? We are paid by the people and the people don't pay us to come here and listen to discussions by outsiders.

Mr. PRICE: I move that this resolution be laid on the table.

The motion was seconded. The yeas and nays being regularly demanded; taken and resulted — yeas 55, nays 44, as follows:

Those who voted in the affirmative are:

Antrim,	Fess,	Nye,
Baum,	Fox,	Partington,
Beatty, Morrow,	Harbarger,	Peck,
Beatty, Wood,	Harris, Ashtabula,	Pettit,
Beyer,	Holtz,	Redington,
Bowdle,	Hoskins,	Riley,
Brown, Pike,	Johnson,	Rockel,
Cody,	Johnson, Williams,	Rorick,
Collett,	Jones,	Shaw,
Colton,	Kehoe,	Smith, Hamilton,
Cordes,	Keller,	Solether,
Crites,	Knight,	Stamm,
Cunningham,	Kramer,	Ulmer,
Doty,	Kunkel,	Wagner,
Dwyer,	Lambert,	Winn,
Elson,	Ludey,	Woods,
Evans,	Marriott,	Worthington.
Farnsworth,	Mauck,	
Farrell,	Miller, Fairfield,	

Those who voted in the negative are:

Anderson,	Kerr,	Roehm,
Cassidy,	Kilpatrick,	Shaffer,
Davio,	Lampson,	Smith, Geauga,
Donahey,	Leslie,	Stalter,
Dunlap,	Longstreth,	Stevens,
Dunn,	Malin,	Stewart,
Earnhart,	Marshall,	Stilwell,
Eby,	McClelland,	Taggart,
FitzSimons,	Miller, Crawford,	Tannehill,
Fluke,	Moore,	Tetlow,
Halenkamp,	Norris,	Thomas,
Halfhill,	Okey,	Watson,
Henderson,	Peters,	Weybrecht,
Hoffman,	Pierce,	Wise.
Hursh,	Read,	

The motion was agreed to.
The president here took the chair.
The roll call was verified.

Mr. EBY: Now I offer a motion with an apology to the Convention. Some weeks ago I received a letter from a progressive-republican constituent asking me to have the Convention invite the most progressive of them all, and I wrote him that we had decided not to extend any more invitations. Then I received another request asking me that if any more invitations were extended, or if any motions were made to extend invitations, that I should again present the motion. I move that Senator LaFollette be invited to address the Convention.

Mr. DOTY: I move that this motion be laid on the table.

The motion was carried.

The PRESIDENT: Motions and resolutions are still in order.

Mr. MILLER, of Fairfield: I move that the vote by which Proposal No. 65 was indefinitely postponed be reconsidered. The committee itself has said that they misunderstood as to the matter. There was a time set for hearing one week from Wednesday in this committee, and there are members in this Convention who wish to be heard on this proposal.

DELEGATES: What is the proposal?

Mr. DOTY: Here it is:

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:

The general assembly shall at all times protect the moral and religious and spiritual nature and Christian character of the Divine institution of the Sabbath (commonly called Sunday) as the day of rest, worship and spiritual uplift.

The only exception of labor on the Sabbath should be that of urgent necessity.

Mr. WOODS: When was that indefinitely postponed?

The SECRETARY: The nineteenth of this month.

The PRESIDENT: The question is on the motion to reconsider.

The motion was lost.

Leave of absence was granted to Mr. Harris of Hamilton, Mr. Walker and Mr. Hahn.

The PRESIDENT: Any other motions or resolutions?

Mr. COLTON: I offer a resolution.

The resolution was read as follows:

Resolution No. 88:

Resolved, That hereafter, instead of reporting to the Convention the recommendation that further consideration of certain proposals be indefinitely postponed, it shall be sufficient for the chairman of each committee to send a written notice to the secretary of the Convention and to the author of the proposal, stating the action of the committee.

The PRESIDENT: That goes over under the rule. If there are no other motions and resolutions the next business is introduction of proposals. By common consent we will dispense with the call of the counties and if any delegate has any proposal to offer he can present it.

Introduction of Proposals—Reference to Committees of Proposals, Etc.

INTRODUCTION OF PROPOSALS.

The following proposal was introduced and read the first time.

Proposal No. 317—Mr. Bowdle. To submit an amendment to article XII, section 2, of the constitution.—Relative to the taxation of bachelors or bachelorhood and to provide against the evils resulting therefrom.

Mr. WOODS: I move that that proposal be referred to a special committee composed of Mr. Eby of Preble.

The PRESIDENT: The motion is out of order.

Mr. DOTY: I desire unanimous consent to introduce a resolution. I did not have time to prepare it at the proper time.

The resolution was read as follows:

Resolution No. 89:

Resolved, That any resolution providing for sine die adjournment of this Convention shall require for its adoption a vote of not less than a majority of all the members elected to the Convention.

Mr. DOTY: I move that that resolution be referred to the committee on Rules.

The motion was carried.

The PRESIDENT: The next business is reference to committees of proposals introduced the preceding day.

Mr. THOMAS: I desire unanimous consent to introduce a proposal.

The consent was given.

The following proposal was introduced and read the first time:

Proposal No. 318—Mr. Thomas. To submit an amendment to article XVIII, section 9, of the constitution to provide against blacklisting.

REFERENCE TO COMMITTEES OF PROPOSALS.

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

Proposal No. 310—Mr. Read. To the committee on Legislative and Executive Departments.

Proposal No. 313—Mr. Leete. To the committee on Public Works.

Proposal No. 314—Mr. Crites. To the committee on Legislative and Executive Departments.

Proposal No. 315—Mr. Smith of Geauga. To the committee on Judiciary and Bill of Rights.

Proposal No. 316—Mr. Kehoe. To the committee on Legislative and Executive Departments.

By unanimous consent the following proposal was introduced and read the first time:

Proposal No. 319—Mr. Okey. To submit an amendment to article XIII, section 2, of the constitution—Relative to formation of corporations.

REPORTS OF STANDING COMMITTEES.

Mr. Miller, of Fairfield, submitted the following report:

The standing committee on Legislative and Executive Departments, to which was referred Proposal No. 259—Mr. Read, having had the same under consideration, reports it back, and recommends its indefinite postponement.

The report was agreed to.

Mr. Cody submitted the following report:

The standing committee on Legislative and Executive Departments, to which was referred Proposal No. 7—Mr. Nye, having had the same under consideration, reports it back and recommends its passage.

The report was agreed to. The proposal was ordered to be engrossed and read the second time in its regular order.

Mr. Kerr submitted the following report:

The standing committee on Legislative and Executive Departments, to which was referred Proposal No. 261—Mr. Halenkamp, having had the same under consideration, reports it back with the following amendments, and recommends its passage when so amended:

In line 6, strike out the word "may" and insert in lieu thereof the word "shall."

After the word "bidder" in line 7, strike out the comma and all the remainder of said proposal and add in lieu thereof the following: "by the state supervisor of public printing, or may be done direct by the state through the department of public printing, in such manner as shall be prescribed by law."

The report was agreed to. The proposal was ordered to be engrossed and read the second time in its regular order.

Mr. KERR: I move that the proposal as amended be printed.

The motion was carried.

RESOLUTIONS LAID OVER.

The PRESIDENT: Resolution No. 83—Mr. Dunn. The resolution was read as follows:

Resolved, That this Convention enter into a contract with the Ohio News Bureau Co. to compile into volumes a newspaper record containing all editorial and all important news items appearing in the Ohio papers and in all the leading papers of the United States. This record to be arranged chronologically with the date of publication and the name of the paper stamped on each item. This record to begin January 1, 1912, and to terminate within thirty days after the adjournment of this Convention. Under this contract it is understood and agreed that this record shall be bound into volumes by the said, the Ohio News Bureau Co., the binding to be of morocco, made to the satisfaction of the secretary of this Convention and that the consideration for this service shall not exceed the sum of fifty dollars per month, and that these volumes shall be filed in the archives of the state of Ohio.

Mr. DOTY: I move that resolution be referred to the reference librarian. Captain Evans has given this particular matter some attention, and I think this whole

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matter should be referred to him for his report in writing.

The motion was carried.

The PRESIDENT: The next is Resolution No. 85 — Mr. Stilwell.

Mr. STILWELL: I understand the matter contained in the resolution has already been cared for, and I therefore move that the resolution be indefinitely postponed.

The motion was carried.

Mr. ELSON: May I have unanimous consent to introduce a proposal at this time?

The consent was given and the following proposal was introduced and read the first time:

Proposal No. 320 — Mr. Elson. To submit an amendment to article II, section 1, of the constitution. — Concerning state legislature.

The PRESIDENT: The question now is on Proposal No. 2 — Mr. Crosser, and the question is on the amendment offered by the gentleman from Ashtabula [Mr. LAMPSON].

The chair recognizes the delegate from Cuyahoga [Mr. THOMAS].

Mr. THOMAS: In discussing the subject of direct legislation it is essential that we shall first of all understand why the working people, particularly those organized either politically or industrially, have persistently for many years urged the adoption of the initiative and referendum as an aid to representative government and a check to misrepresentative government, as a means of providing a real government of the people, by the people and for the people. Those members and guests who in addressing the Convention have opposed direct legislation, as well as that portion of the press that speaks for special privileges, have been loud in acclaiming the unparalleled prosperity that Ohio has enjoyed for sixty years under the present constitution with a representative government.

The member from Ashtabula [Mr. LAMPSON] has in eloquent language pointed out the comforts and joys that come to the human family in the ownership of a plat of land and a home that can be called its own, and has predicted dire calamities to this home-owning family unless in this proposal we prohibit the adoption of the single tax. The admission by the member from Allen [Mr. HALFHILL] that a majority of the voters were neither home nor land owners without being able to explain why, and could outvote the home and farm owners and impose the single tax on them whether they willed it or not, somewhat spoiled the effect of Mr. Lampson's home-owning eloquence, and it is well to inquire for a few moments why it is that in these years of plenty and admitted unparalleled prosperity nearly seven hundred thousand voters in Ohio have no home, plat of land or farm that they can call their own, and that in every city and town of any size in our state thousands of men, women and children have had to either depend on private charity, outdoor relief and the poorhouses of our cities, or follow the bread line to get barely enough food, clothing and shelter to keep body and soul together, because it tells the story why the working people and the farmer have lost faith in representative government and want the opportunity to govern themselves through direct legislation.

Henry Smith Williams, of New York, a well-known publicist and scientific writer, is authority for the statement that one-half of the adult males in the United States have an income of less than \$500 a year, three-fourths less than \$600, nine-tenths less than \$800 and only one-tenth get over \$800 per year. One-half of the working-women get less than \$200 per year, nine-tenths less than \$500 and only one-twentieth get over \$600 per year.

The Associated Charities of Cleveland fix \$12 per week as the lowest living wage on which a Cleveland family can be supported without recourse to charity, and that more than fifty thousand of Cleveland's wage-earners live under the poverty line, and the report for this month stated they were supporting fifteen hundred families on the first of March, and one hundred and fifty has been added to that number during the recent cold spell. As there must have been several hundred others depending for their maintenance on the city poor relief and other charitable organizations, it gives some clear conception as to how much prosperity these wealth-producers are enjoying.

The census statistics for Cleveland shows \$12.61 as the average factory wage; this, however, includes all the pay of 12,842 salaried officials and office men, with salaries amounting to thousands of dollars. Deducting these thousands, it is fair to assume that the average received by the wage-earner will not exceed \$10 per week. The report further shows that despite the fact that the majority of the employes were living below the poverty line, the factories themselves were paying a dividend of 12 per cent on capital value — not on actual investments — and had paid a total profit of \$27,590,700. Unparalleled prosperity, it is true, for the few, and below the poverty line for the many.

The 13th United States census of manufacturers, included a summary comparing the figures of 1904 and 1909. By totals these figures show that salaries increased 63 per cent and wages 31 per cent; the total value added by manufacture to the cost of material, amounted to \$8,530,761,000. Of this labor got in wages \$3,427,038,000, which, divided among 6,615,046 workers, means \$518 per year, or \$1.72 per day, counting three hundred days as the working year. Miscellaneous expenses cost \$1,945,676,000, leaving a net profit of \$3,158,047,000 to be distributed among 268,491 establishments, or 18 5-9 per cent on a capital investment of \$18,428,270,000; adding this 18 per cent profit to the 63 per cent increase in salaries, and comparing it with the \$1.72 per day that labor gets, it is not very difficult to figure out who is getting the unparalleled prosperity.

Possibly the member from Harrison was among that 20 per cent of Ohio citizens who have been getting all of this unparalleled prosperity, and like the one per cent of them who are represented in the Ohio Board of Commerce and the Manufacturers Association, and who are conducting the active fight against direct legislation, he is probably afraid that the initiative and referendum may compel both him and them to divide up in the pay envelope every Saturday with the \$1.72-per-day producer of this social wealth at least sufficient of it to keep this producer and his family above the poverty line, and make it possible for not only the majority of the voters, but for every voter, to have the opportunity to own a

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home, a plat of land or a farm, with the comforts and joys that come with such ownership.

The unparalleled prosperity that has come to the extinguished ex-United States senator who opposed the adoption of direct legislation in his address to the Convention, in making of him what the average Ohio citizen considers him to be, a multi-millionaire, though his personal manipulation of representative lawmaking bodies, city, state and national, necessarily makes of him an enemy of any form of government that has a tendency to prevent his manipulation in the future. If you care to look up his record get a copy of the daily Columbus papers of September 18, 1908, and read what are known as the Hearst letters, showing that while he was being paid by the people as United States senator to legislate for their benefit, he was also being paid large fees by the Standard Oil Company for his services rendered in opposing legislation that this octopus did not want the people to get. One check of \$14,500 that he received for these purposes is shown in these letters. Senator Burton, of Kansas, was sent to the penitentiary of that state for fifteen months for doing the same thing. The former's attempted steal of a ninety-nine year franchise, and his success in stealing from the people of Cincinnati through representative government of a fifty-year franchise for the Cincinnati Street Railway Corporation, have already been referred to on this floor. It is reported that this deal netted him a \$100,000 fee, besides the increased value of the stock he owned in that company, which almost immediately rose from below par to 137. The legislature that gave him and his clients this franchise also elected him for the first time United States senator. As attorney for the J. P. Morgan-Kuehn interests he succeeded in getting the Cincinnati common council to sell its thirty-million-dollar Cincinnati Southern Railway to these interests for only \$19,000,000 and the referendum alone made it possible for the city of Cincinnati to continue public ownership of the best investment it ever made. For further information on this subject I would refer you to an article in the *Cosmopolitan* by David Graham Philips, volume 41 (1906), page 525.

The Stanley congressional committee, in its investigation of the United States Steel Trust, has disclosed some startling figures of prosperity for the stockholders and promoters of that corporation, with starvation for its workers unparalleled in the history of the country. Its profits for the nine years of its existence have exceeded \$1,109,000,000 or \$13 per ton for every ton of finished product made by it. Six hundred and fifty million dollars of these profits were paid on watered stock! Seventy million dollars was paid J. P. Morgan for organizing the company, and in addition \$6,800,000 was paid him for a bond conversion. It may be of interest to members to know that a recent report of the tax commission shows that over \$2,000,000,000 worth of bonds and stocks owned by Ohio citizens are exempt from taxation. If there is the same proportion of water in these stocks as proved to be in this corporation, it is not hard to understand why these corporations and owners of these stocks and bonds are so persistently acclaiming the benefits of representative government, because they are exempt from taxation by law. A sweeping investigation made by the department of commerce

and labor in almost every department of the steel industry showing nearly every corporation engaged in it, and particularly the Steel Trust, says they are guilty of maintaining a system of labor as cruel, relentless and unnecessary as suffered by galley slaves of ancient times. One-fifth of fifty thousand of the employes in this industry work twelve hours per day seven days, or eighty-four hours, a week. These corporations have instituted a policy of eliminating the skilled American or English-speaking workman and are putting in his place the lowest form of unskilled labor at fourteen cents per hour, and in numerous instances these men are compelled to remain on duty twenty-four hours per day.

W. A. Irvin, vice president of the American Tin Plate Company, admitted to the Stanley committee that his company had tried to replace six thousand men, the bulk of them being Americans, with foreign laborers, and for months he carried advertisements in many of the daily papers for Poles, Syrians, Slavs and men of other foreign nationalities. J. A. Fitch, one of the editors of the *Survey*, showed to the committee how small is the proportion of American labor in the employ of this corporation, by pointing out the fact that out of twenty-three thousand three hundred and fifty men employed by one of its subsidiary branches in 1907, only six thousand, or about one-fourth, were white or colored Americans; thirteen thousand three hundred and eighty of these were Slavs, with the rest divided among the other European nationalities. He also showed how unionism had been driven out of its mills, and how its resurrection was prevented by the most relentless system of police and secret-service surveillance ever known. He also showed the low wage-rate of from twelve to sixteen cents per hour paid these foreign workers as against the amount formerly paid the American workers, and gives this as the reason for the boardinghouse system, that herds men like cattle, where the inmates live under insanitary conditions, amid congestion of the worst sort. This fully bears out the report of the federal investigator that the only comparison that can be made for these workers is with that of the galley slaves of ancient times.

James J. Hill, president of the Northern Railway Company, in a recent interview, claims the steel rails bought by him from Germany twenty-two years ago are in better condition now than the new rails bought from the United States Steel Corporation.

Louis D. Brandeis, in his testimony before the Stanley committee, showed that in 1902 there were seventy-two trains derailed owing to broken rails. In 1911, after a decade of the trust in making rails, there were two hundred and fifty-nine. And there is hardly a week goes by now that the daily press does not record in some part of the country some disastrous railroad accident on this account, with its attending loss of human lives and limbs, but so long as the trust is enjoying unparalleled prosperity by charging \$28 per ton for rotten rails that cost only \$15 to manufacture, what care we, says representative government, for the hundreds of human lives that have been hurled into eternity and the suffering and pain caused to cripples, the widows and orphans!

The recent congressional investigation of the Lawrence, Massachusetts, revolutionary strikes showed these workers were paid less than an average of \$7.25 per

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week. John Boldehn, who was asked to describe his humble home, stated "We have three rooms, one stove, no carpets; horses live better than we do." "What have you to eat?" asked Congressman Wilson. "We eat black bread, coffee, molasses, and sometimes beans, and meat once a week, on Sundays."

The life story of William Wood, the president of the American Woolen Trust, recently published, showed that he married the daughter of a rich dad, who backed his son-in-law by investing some of his millions in mill stock, and by a combination of adroitly managed tactics and labor-crushing feats Wood got so much of this unparalleled prosperity that he is now a multi-millionaire and can banquet tariff commissions and congressional committees in Washington.

Robert Wood, head worker for the South End Social Settlement Home of Boston, states in this week's article of the Survey that the small proportion of English workers that came over recently to Lawrence, testify that there has been more difficulty to maintain their standard of living under Lawrence conditions than there was in Lancashire. The serious aspect of the situation, as he sees it, is that the low scale of European-Asiatic living has been actually getting itself established on a growing basis in New England, inwrought into the very texture of the Massachusetts community. Investigations made of conditions of employment as conducted by the Sugar Trust and other monopolies disclosed working conditions similar to the figures here shown for the steel and woolen industries, and the census report calls particular attention to the fact that there has been a large decrease in wages paid to the workers in the last decade to the steel workers. These conditions have all been brought about under representative government, through the manipulation of our legislative bodies by the agents of these great corporations, and if the members of this Convention want these conditions of employment and livelihood to supplant the comforts and joys of the American home they will vote to continue this system and deny the right to the people to correct these abuses by self-government as outlined in this proposal.

Dr. H. H. Rusby, pure food inspector, who has aided Dr. Wiley in many government investigations, declared in a report submitted January 11, that two hundred thousand babies died annually from bad foods. Three-fourths of the food and drug manufacturers defraud the people. Every family in the United States buys mud molded and varnished with rotten eggs for coffee; waste grain mashed from breweries for breakfast food; ascetic acid made from chips and sawdust for vinegar; glucose and saccharine for maple sugar; mixture of clay and sugar flavored with tar product for candy; decomposed meats dyed and embalmed for green sausage; cottonseed oil for cream cheese and the filthiest of fats for butter. The food adulteration even by concerns considered highly reputable is amazing, and seventy-five per cent of the capital invested in drug and medicine purveying is employed in perpetrating a fraud on the public.

Mr. HALFHILL: I would like to ask a few questions, would you prefer them now or that I should wait until you get through?

Mr. THOMAS: You can put them now just as well as any other time.

Mr. HALFHILL: You have made a statement that

I think takes the yellow press and the muck-raking magazines at full value. Do you give full credence to what they say about public men?

Mr. THOMAS: I didn't catch that question.

Mr. HALFHILL: I will put it this way: You take and accept at full value the statements of the sensational papers and magazines concerning men in public life?

Mr. THOMAS: Only in so far as I can know for myself that they are true.

Mr. HALFHILL: You state to the Convention concerning the distinguished ex-senator who addressed us that for the same thing he did Senator Burton, of Kansas, was punished?

Mr. THOMAS: Yes, that is my understanding.

Mr. HALFHILL: You know that to be so do you?

Mr. THOMAS: My understanding of the crime Senator Burton committed is that it was appearing before the departments while acting as a senator.

Mr. HALFHILL: And you repeated that the same condition existed so far as the other distinguished senator was concerned?

Mr. THOMAS: Yes, sir.

Mr. HALFHILL: Don't you know that any payments of that kind made by the Standard Oil Company were for legal services in the reorganization of that trust after it was dissolved by the decree of the supreme court of the state of Ohio and that no newspaper ever stated the contrary?

Mr. THOMAS: The Hearst letters, to which I have referred, don't indicate that the payment was ever made for any such purpose.

Mr. HALFHILL: Can you furnish any letter from anybody of any repute to sustain anything like your conclusion?

Mr. THOMAS: I say that the Hearst letters, published in the Columbus daily papers September 18, 1908, carry those statements.

Mr. HALFHILL: And you indorse them and repeat them to the Convention, do you?

Mr. THOMAS: The letters, certainly.

Mr. HALFHILL: You will repeat it as a matter you know about?

Mr. THOMAS: Most decidedly, the original letter.

Mr. HALFHILL: And you give it currency?

Mr. THOMAS: I have pointed out the source of the information supporting the statement I have made and I have every reason to believe the statement is true.

Mr. HALFHILL: Further, you stated that it is reputed that this distinguished speaker got \$100,000 for the Rogers fifty-year franchise, or words to that effect?

Mr. THOMAS: Yes.

Mr. HALFHILL: Do you know as a fact that that gentleman, with Mr. Kittridge and the present judge of the United States circuit court of appeals, Judge Warrenton, as three attorneys at law, appeared before the legislative committee and argued the validity of that franchise, and that only, and that they did it only in their capacities as attorneys at law and as private citizens?

Mr. THOMAS: Who were they?

Mr. HALFHILL: Mr. Foraker, Mr. Warrenton and Mr. Kittridge.

Mr. THOMAS: I know they appeared here.

Mr. HALFHILL: You object to an attorney appear-

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ing for his client and arguing before a legislative committee on any proposition?

Mr. THOMAS: No; I was referring to a United States senator-elect performing services for corporations when elected to serve the people.

Mr. HALFHILL: Don't you know that the three attorneys I have named were regularly employed counsel for that company and appeared here at a time when it cost as high as eight to thirteen cents to ride from one place to another in the city of Cincinnati, and that they appeared here to get a franchise which was not a fifty-year franchise,—

Mr. THOMAS: What was it?

Mr. HALFHILL: —But a franchise in which the city itself had a right after twenty-five years to take over the property, and that they did it at a time when it was the only means by which they could reorganize a company and raise money?

Mr. THOMAS: No; I don't know just what their plans or schemes were, but I do know their stock went up, according to stock reports. Probably Mr. Fitz-Simons, who was on the ground at the time, could tell more than I can, as to the profits secured by that company through the franchise.

Mr. HALFHILL: You object to anybody reorganizing a company and having the company's stock go up? Is that the burden of your song?

Mr. THOMAS: I object to them stealing a fifty-year franchise from the public to boost their stock.

Mr. HALFHILL: You have recklessly stated, have you not—

Mr. THOMAS: Oh, no; I think not. The influence of men of the Foraker stripe and of the Hanna stripe and of the Matt Quay stripe and of the gentlemen in Colorado and California that Governor Johnson called our attention to is the best evidence that the statement is correct.

Mr. HALFHILL: Your doctrine is the doctrine of hating everybody—

Mr. THOMAS: Not a bit—

Mr. HALFHILL: —that has anything—

Mr. THOMAS: Not a bit.

Mr. HALFHILL: —or can show that they can accomplish anything?

Mr. THOMAS: Not a bit. I only object to their methods of doing it.

Mr. HALFHILL: I will ask you further: How do you expect through the initiative and referendum to redistribute this property you are talking about?

Mr. THOMAS: By a vote of the people when the people get ready for it.

Mr. HALFHILL: How are you going to distribute it? Are you going to confiscate somebody's property by a vote of the people through the initiative and referendum?

Mr. THOMAS: What have they done but confiscate property by stealing a fifty-year franchise to make millions?

Mr. HALFHILL: I have not the privilege of the floor to answer you now. I cannot make an argument. Do you propose through the initiative and referendum to take this property by operation of that same law, to seize it and redistribute it?

Mr. THOMAS: I expect through direct legislation

that when the people get ready to own and operate their public utilities or any other utilities they will find plans by which to do so and take them for the benefit of the people.

Mr. HALFHILL: You say there are seven hundred thousand people who don't own any land in this state?

Mr. THOMAS: I simply take your figures.

Mr. HALFHILL: Very well; I am willing to admit you are correct, then. How do you propose, through the initiative and referendum, to have the people who do not own land become owners of land?

Mr. THOMAS: I expect to make it possible for them to earn sufficient through their own labor to purchase that land or home instead of working for \$1.72 a day and, as a great many do, for less than that.

Mr. HALFHILL: Do you expect to fix the price of labor by the initiative and referendum?

Mr. THOMAS: We have a proposal that we wish to discuss later on that subject, asking that the legislature may be permitted to fix a minimum wage. We will discuss the question at the time it comes up. The miners of England are doing that now.

Mr. HALFHILL: You don't deny that we have accumulated great wealth in this great country, but you do deny that it is properly distributed?

Mr. THOMAS: I admit there is a small percentage of the people of the United States who have accumulated great wealth.

Mr. HALFHILL: Do you not admit that the United States has accumulated all told more wealth than any other nation of the world?

Mr. THOMAS: Sure.

Mr. HALFHILL: Your contention is that it is not properly distributed?

Mr. THOMAS: That is correct.

Mr. HALFHILL: You propose by the initiative and referendum to redistribute it—that is your idea, is it not?

Mr. THOMAS: Why, certainly.

Mr. HALFHILL: And to redistribute it you expect to build up the socialistic state?

Mr. THOMAS: We expect that when the people get ready to distribute it among all the people in a proper manner, whether under the name of socialism or anything else, they will do so.

Mr. HALFHILL: That is your aim, is it not, to build up the socialistic state?

Mr. THOMAS: As a socialist, certainly.

Mr. HALFHILL: And to build up the socialistic state you will have to destroy the present one?

Mr. THOMAS: Not necessarily.

Mr. HALFHILL: You have to redistribute all the property?

Mr. THOMAS: We will provide by evolution for the proper distribution of it in a way that the people will determine later on.

Mr. HALFHILL: But you will hold it as a commune—property will be held in common?

Mr. THOMAS: Yes; as our friend Mr. Lampson happily stated, all wealth is social wealth, and we expect when the people get the opportunity to vote as they should that the people will socially distribute it so that there will be no more poverty and no more bread lines.

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Mr. HALFHILL: And then it will be held in common; that is your idea?

Mr. THOMAS: That is our conception of it.

Mr. HALFHILL: And that is the sum of your argument in your paper for the initiative and referendum?

Mr. THOMAS: Partly so.

Mr. HALFHILL: All right.

Mr. LAMPSON: Will you allow me one question?

Mr. THOMAS: Sure.

Mr. LAMPSON: You have been talking about the Steel Trust. How can you help the laborers of the Steel Trust by taking all the taxes from the property of the Steel Trust and putting them on the home owners?

Mr. THOMAS: Just in what way does this proposal tend to do that? In what way do you infer that this proposal undertakes to do that?

Mr. LAMPSON: How can we help the laborers of the Steel Trust by relieving the trust from all of its taxes and putting the burden over on the home owners?

Mr. THOMAS: Is there anything I have said in my remarks that would lead you to believe I intended to do that?

Mr. LAMPSON: Your argument was along that line.

Mr. THOMAS: I don't remember saying anything on that subject. If you can point out anything that I said along that line I would like to hear it.

Mr. LAMPSON: Do you believe in the single tax yourself?

Mr. THOMAS: No, sir; but if the arguments made against it continue as they have been in the Convention I don't know but that I might be converted later on.

Mr. LAMPSON: Have you read the article in the April number of Everybody's Magazine entitled "The Single Taxers," by Frank Parker Stockbridge?

Mr. THOMAS: No, sir. I just bought the magazine this morning and didn't have a chance to read it.

Mr. LAMPSON: In the article he says that the object of the initiative and referendum is to put over the single tax.

Mr. THOMAS: As far as we are concerned that is not so.

Mr. LAMPSON: Frank Stockbridge is a single-taxer.

Mr. PECK: How do you know he is?

Mr. LAMPSON: He is reputed to be one and he says he is one himself, and they have a long article there and a picture of Joseph Fels and many other single-taxers of your city, Judge Peck. It has not a picture of our president, but he has something to say about him.

Mr. THOMAS: All right, I will read that later on.

Mr. KILPATRICK: Will Mr. Thomas yield so that I can ask Mr. Lampson a question?

Mr. THOMAS: Certainly.

Mr. KILPATRICK: Did you read the article about graft which spoke about Foraker in the same magazine?

Mr. LAMPSON: I have read but the one article. I don't know what that has to do with the single tax?

Mr. THOMAS: I have not read that yet.

Mr. RORICK: I would like to ask a question. You speak of the large number of people in the state of Ohio who do not own homes.

Mr. THOMAS: Yes.

Mr. RORICK: I want to ask you if those people who do not own homes haven't had the same opportunity, under the same laws and conditions in the state of Ohio, to secure homes for themselves that those who have their homes?

Mr. THOMAS: No, sir.

Mr. RORICK: Why not? Where is there any law or any social condition in the state of Ohio that prevents one man from earning wages and saving money and building a home for himself that has not applied to every other man?

Mr. THOMAS: If my friend would have come over to Cleveland or gone down to Cincinnati—

Mr. RORICK: I have been to both places.

Mr. THOMAS: —during the last two months and watch the bread lines begging for something to eat he would realize that the opportunities for securing these things today are not what they were when we were boys. If he has paid any attention to conditions of employment to which I have called his attention in the mills and factories and the driving out of the American workmen and the bringing in to take their places of the lower paid worker, that will live in boarding houses, housed like cattle, it seems to me that it ought to tell the story without answering further.

Mr. RORICK: That doesn't answer the question. Have you a home of your own?

Mr. THOMAS: I am trying to have one. I have partly paid for it.

Mr. RORICK: You can think of a great many of your associates who have not saved as much as you have.

Mr. THOMAS: Yes:

Mr. RORICK: Is it your duty to divide what you save with those who have not saved anything?

Mr. THOMAS: It is my duty to give every opportunity possible to those to get the same as I have.

Mr. RORICK: That is what I am in favor of too, and every other square-minded citizen is of the same opinion, but you seem to forget that all men and all women are not endowed with the same faculties to make.

Mr. THOMAS: I will admit that and then you can understand why there is a bread line and why it is the duty of society and the government itself to aid particularly those who cannot help themselves.

Mr. RORICK: Were there not some men endowed with the faculty and ability to accumulate capital and build manufactories and railroads and all of these magnificent improvements that we have in the United States, would there be as good an opportunity for the wage-earner to get employment and get paid?

Mr. THOMAS: Let me answer that by repeating what Abraham Lincoln had to say on that subject. Probably it will answer the question better than I can. This is from his first message to Congress. I do not want to burden the members with reading too much of it, but the statement in itself is so clear along this line that probably the member will accept it from Lincoln rather than take it from me:

It is not needed nor fitting here that a general argument should be made in favor of popular institutions; but there is one point with its con-

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nctions not so hackneyed as most others to which I call brief attention. It is the effort to place capital on an equal footing with, if not above, labor in the structure of government. It is assumed that labor is available only in connection with capital; that nobody labors unless somebody else owning capital somehow by the use of it induces him to labor. This assumed, it is next considered whether it is best that capital shall hire laborers, and thus induce them to work by their own consent, or buy them or drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either hired laborers or what we call slaves. And further it is assumed that whoever is once a hired laborer is fixed in that condition for life.

Now there is no such relation between capital and labor, nor is there any such thing as a freeman being fixed for life in the condition of a hired laborer. Both these assumptions are false and all inferences from them are groundless.

Labor is prior to and independent of capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital and deserves much the higher consideration. Capital has its rights which are as worthy of protection as any other rights. Nor is it denied that there is and probably always will be a relation between labor and capital producing mutual benefit.

I will read the rest if the gentleman thinks it is necessary.

Mr. RORICK: I have no objection to anything stated there.

Mr. THOMAS: Does that answer your question?

Mr. RORICK: I don't think it does at all.

Mr. EVANS: I would like to ask the gentleman if it is not a part of the law of the socialist party and of the socialist lodges that they will not vote for any man for public office unless he belongs to a socialist lodge?

Mr. THOMAS: Unless he is a member of the socialist party — that is correct.

Mr. EVANS: You are perfectly willing that the electors outside of the socialist party shall vote for you, but you will not vote for anybody outside of a socialist lodge?

Mr. THOMAS: Yes.

Mr. EVANS: Do you expect to fool a lot of men who don't believe in the socialist party to vote with you?

Mr. THOMAS: I was the only member in Cuyahoga county that broke the slate and I must have received votes from all the parties or I wouldn't be here.

Mr. EVANS: Is it not contrary to the spirit and genius of our government that you take an obligation that you will not vote for a man for public office unless he is a socialist?

Mr. THOMAS: No, I think not; no more so than the man who votes for a republican candidate because his daddy did it.

Mr. DUNN: You say there are many laborers who

do not own homes in Ohio?

Mr. THOMAS: Yes.

Mr. DUNN: According to Mr. Rorick, these rich men who have succeeded in accumulating property are a great blessing by providing work for these laboring men?

Mr. THOMAS: That is what he says.

Mr. DUNN: Now there are laboring men who have no work. Would it not be advisable for a few more of us to get out and in some way, by some hook or crook, accumulate money so that we can provide labor for those men who are now without labor? Would it not be a good thing for all of us to do all we can to accumulate more property if only for the purpose of giving these people employment?

Mr. THOMAS: The question answers itself.

Mr. ELSON: I will ask this question now, although I may be accused of being tainted with socialism. Is it not your idea that the world makes its living now with less than half the labor it did a hundred years ago, on account of inventions and scientific progress, and yet that the laboring man has to work just as many hours as he did a hundred years ago to make a living?

Mr. THOMAS: Yes.

Mr. ELSON: And therefore there must be something wrong with the system?

Mr. THOMAS: Yes; and I am trying to prove if possible that representative government has not taken care of these advanced methods of producing wealth and given the worker his opportunity to get a fair share.

Mr. EBY: Do you think there is any comparison between the life of a laboring man today and a half a century ago?

Mr. THOMAS: No; I think probably there are some laboring men who are enjoying the fruits of their labor and living in good homes and having good working conditions because they are well organized and know how to take care of themselves, but the workers I have referred to as being employed by the Steel Trust and the Woolen Trust, under European and Asiatic conditions, are a thousand times worse off than the old-time worker of years ago.

Mr. STALTER: I would ask the gentleman if he can name any law or legislation a majority of the people of this state have wanted that they have been unable to procure under our present form of representative government?

Mr. THOMAS: Most of the laws that give capital the advantage come through the national congress. The enactment of schedule K and the special tariffs for the steel industry make it possible to have a monopoly. There are, however, conditions that the general assembly of this state could have made better for the workers in the steel industry, by limiting the hours of work of the twelve-hour worker and making three shifts a day, giving employment to one-third more men and taking the idle men off the streets. If I were to go into that matter I could give a number of other things that the general assembly could have done that they didn't do and those things will be worked out by the people themselves later on.

Mr. ANDERSON: When you take into considera-

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tion the law of 1890 referring to railroad men, the law of 1900 protecting factory employes and requiring all machinery to be guarded, when you take into consideration the Metzger act of 1908 and the Norris act of 1908 and the Williams bill and others that I could name and that you know about—the Reynolds school law—can you now name to me anything that labor has wanted in Ohio in the way of a law under representative government that it has not got?

Mr. THOMAS: Oh, yes; the minimum wage, one of the most important things.

Mr. TETLOW: Can I answer that?

Mr. THOMAS: Yes.

Mr. TETLOW: I would like to say that in the last session of the general assembly the miners requested the general assembly to pass a law giving them the right to be paid for all the coal they mine and the state legislature refused to pass the law. That was the last session of the legislature.

Mr. ANDERSON: Was that the first time you asked it?

Mr. TETLOW: We asked it in 1898 and it became a law, but the supreme court of the state declared it unconstitutional. Then the bill was introduced in the last session to meet the objection raised by the supreme court and the legislature refused to pass that bill. If there is any one thing that is right it is that the men who work in the mines are entitled to pay for the coal they produce. Under the present system they are not paid for thirty-five per cent of the coal they mine, and this bill aimed to pay them for their labor and this representative form of government that we hear so much about refused to give it to them. That is the reason why we want the initiative and referendum. I would like to ask Mr. Thomas this question—

Mr. ANDERSON: Wait a minute; you are talking to me now.

Mr. TETLOW: Do we want the initiative and referendum to confiscate property, or do we want the initiative and referendum to prevent a few from stealing the rights of the many?

Mr. THOMAS: We want the initiative and referendum so that we can both prevent the stealing and take what belongs to us when we get ready for it.

Mr. LAMPSON: About how long do you think it will be before you are ready for it?

Mr. MOORE: We are ready now.

Mr. THOMAS: Mark Hanna made the statement that both parties would have to fight it out with us in 1912.

Mr. ANDERSON: I am not asking any questions along the line of socialism, but I am trying to ask these questions, knowing that you are a labor leader and know a good deal about the labor legislation in Ohio. You have the workmen's compensation act. You had no trouble about getting that and the supreme court held that constitutional.

Mr. THOMAS: We had lots of trouble, but finally succeeded in getting it.

Mr. ANDERSON: And I was with you in that trouble. Now has there been anything introduced in this Convention by labor that these men represented as bankers and presidents of big companies, etc., have ob-

jected to? Has anybody opposed anything that labor wants?

Mr. THOMAS: The matters have not come to a vote yet.

Mr. ANDERSON: I mean in committee.

Mr. THOMAS: We have had them before the Labor committee and there was no trouble there.

Mr. ANDERSON: Haven't they been before the Judiciary committee and can you name any law in favor of the workingmen that they have in the states where they have the initiative and referendum that we have not here in Ohio?

Mr. THOMAS: The eight-hour law and the eight hours for women, and there are some others that I don't recall.

Mr. ANDERSON: How many other laws more beneficial to the working classes have we in this state than they have in those states where they have the initiative and referendum?

Mr. THOMAS: I guess some of them are a little ahead of us. Oregon passed the employers' liability law through the initiative and referendum after their legislature refused it.

Mr. ANDERSON: Is it not a fact that Ohio is ahead of every state in the Union in labor laws carrying workmen's compensation and employers liability?

Mr. THOMAS: Yes; I think we are one of the best in the country on workmen's compensation laws. You drew the Norris law yourself.

Mr. WATSON: Something was said awhile ago about capital paying labor. Is it not a fact that labor pays itself out of the wealth it creates and that the capital puts the profit in its pocket?

Mr. THOMAS: That has always been our opinion, but a great many members don't agree with me.

Mr. WATSON: Is it not a fact that among the miners a good many of the mine operators keep the complement of men so large that the miner gets merely a bagatelle for his work?

Mr. THOMAS: Yes. Mr. Tetlow will tell you that last year the miners averaged only a hundred and sixty-eight days' work out of three hundred.

Mr. WATSON: Is it not also true that the miners' houses on an average cost \$150 or \$200 and that the miners are charged a rental of \$7 or \$8 a month?

Mr. THOMAS: Mr. Tetlow can answer that question better than I can, and so can you?

Mr. WATSON: I find it that way. Can you see any connection between the fact that in the last two weeks in the county of Belmont over two hundred children of the mill workers have died of measles and yet there are deposited in the banks there \$9,000,000?

Mr. THOMAS: I don't know exactly what the population of Belmont county is, but there must be something wrong when with \$9,000,000 in bank and the conditions you state are not taken care of sufficiently to prevent those diseases.

Mr. WATSON: Can the children of laboring men receive sufficient care when those diseases are so prevalent?

Mr. THOMAS: Not the class that works for the Steel Trust; no.

Mr. ELSON: Did I understand you to say that

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you would ask the legislature for a law fixing a minimum wage?

Mr. THOMAS: No.

Mr. ELSON: You advocate that?

Mr. THOMAS: Yes.

Mr. ELSON: Don't you think it is better for the labor unions to engage with capital in an effort to fix that than to try and force such a thing by law? Don't you know that where any state has attempted to do that by law it has been a failure? Don't you know that it would be just as rational for the legislature to fix the price of eggs or potatoes as the price of men's daily wages?

Mr. THOMAS: You asked four questions in one.

Mr. DAVIO: Had not labor tried to get laws and failed to get them until they put their own members in the legislature?

Mr. THOMAS: That had a lot to do with it.

Mr. BEATTY, of Wood: From 1905 to 1910 was labor ever refused any law it asked?

Mr. THOMAS: Yes; they wanted the Reynolds law in 1905 and they didn't get it until 1908.

Mr. BEATTY, of Wood: You got it in 1908?

Mr. THOMAS: Yes.

Mr. MOORE: Is it not true, going back to the situation at Lawrence, Massachusetts, that workers in the woolen mills in Lawrence had co-operative stores at which they saved from twenty to twenty-five per cent of the cost of living and is it not true that when the capitalists found they were saving that, they, the capitalists, cut the wages correspondingly?

Mr. THOMAS: I have not those facts in mind right now.

Mr. DOTY: Will the gentleman yield for a motion to recess?

Mr. THOMAS: Yes.

Mr. DOTY: I move that we recess until tomorrow morning at ten o'clock.

The motion was carried.