Belmont Chronicle.

ST. CLAIRSVILLE, OHIO.

THURSDAY MORNING, Aug. 13, 1874.

OUR TICKET.

To be Voted August 18th, 1874.

New Constitution—YES!
Minority Representation—No!
Railroad Aid—No!
License—NO!

Republican State Convention.

Wednesday, September 2d, 1874.

STATE REPUBLICAN CENTRAL AND EXECUTIVE COMMITTEE ROOMS, COLUMBUS, O., July 29, A. D. 1874.

To the Republican Voters of Ohio:

Your Annual State Convention will be held at Columbus, on WEDNESDAY, THE 2D DAY OF SEPTEMBER, 1874, for the nomination of candidates for the following offices, viz:

Secretary of State,
Judge of the Supreme Court,
Commissioner of Common Schools,
Clerk of the Supreme Court,
Member of the Board of Pub. Works,
And the transaction of such other business as may be necessary.

Reasons Why Everybody Should Vote for the New Constitution.

Because there is not a single valuable proposition in the old one that is not in the new.

Its chief merits are in the additional provisions submitted, or in modification of the old Constitution.

Because we have outgrown the old Constitution, and the wealth and business of the State have more than doubled since it was adopted, and the population has advanced from 1,900,000 to nearly 3,000,000 of souls.

Because it will save to tax payers at least $50,000 annually by elections every two years, instead of every year.

Because by the proposed system of paying a salary to county officers, there will be a direct saving to the people of the State of at least $300,000 annually.

Because the new Constitution compensates members of the General Assembly by fixed salaries. On this account there can be no doubt that there will be a saving of $50,000 annually.

Because of the restraints imposed on the power of taxation and assessments by townships and counties, and the limitation upon the indebtedness of municipal corporations, and the consequent diminution of local taxation, to the amount of $4,000,000.

Because it provides for a separate vote on each item of an appropriation bill when demanded by any member of the Legislature.

Because it subjects foreign corporations doing business in this State to the jurisdiction of our State courts.

Because of its limitations on Railroad companies.

Because of its provisions for preventing discriminations against local freights.

Because of its provisions preventing public officers from receiving railroad passes.

Because it provides against legislative corruption.

Because it guards the Legislature from the corrupting influences of self interest, by providing that no person interested in an unadjusted claim against, or a contract with the State, can hold a seat in the General Assembly.

It promotes legislative economy.

It provides for effective safe-guards of the public treasury, by restricting appropriations to the payment of that which has been previously provided for by law.

Because it subjects the property of banks to equal taxation with other property.

Because of a qualified veto to protect the State against hasty and inconsiderate legislation.

Because by it income of R. R. Companies, are taxed the same as that of private citizens.

Because in the salaries of County officers alone it saves to the tax payers of Belmont county at least $10,000 per year.

If the new Constitution is defeated, the people will have to put up with all the defects of the old one for the next twenty years. It never has been amended and any attempt to amend by the Legislature will be patch work of the most unsightly kind.

Let every friend of the new Constitution come out to the polls next Tuesday, and record his vote in favor of an instrument harmonious in all its parts, suited to the varied and growing wants of the State of Ohio in the year of our Lord 1874.

There was a riot at Somerville, Tenn., on the day of the election, in which two men were killed, one the sheriff of the county.

Late North Carolina election returns say the Conservatives have swept the State like a whirlwind. Majority on State ticket probably 10,000.

The police officers of Philadelphia are searching houses in the city for Charley Ross, as a large number of persons suppose he is concealed in the city. There are no new developments and the detectives appear to be nonplussed.

Partial returns from the primary meetings in the Nineteenth Congressional District to elect delegates to the Congressional Convention, to be held at Painesville, Ohio, August 13th, show a large majority in favor of the re-nomination of General Garfield.

THE September number of "Peterson's Magazine," is received, and is more beautiful than ever. The steel engravings, the colored fashion plates, the illustrative wood-engraving for fashions and for patterns in embroidery, crochet, &c., are worth more than twice the price of the number. The stories, too, are first rate. "Pretty Polly Pemberton," by Mrs. Fannie Hodgson Burnett, is the best novelet we have read for years; we await with interest its concluding chapters; but then "Peterson" leads all others in the power and originality of his stories. Write for a specimen, which will be forwarded gratis, and either subscribe your two dollars, or get up a club! Address, CHAS. J. PETERSON, 306 Chestnut St., Philadelphia, Pa.

The New Constitution.

OBJECTIONS DISSECTED.

Able Speech of the Belmont Delegate.

JUDGE D. D. T. COWEN AND ROSS J. ALEXANDER AT BELLAIRE.

SPEECH OF ROSS J. ALEXANDER.

The speaker began by saying that there was no party interest at stake; that the new Constitution was formed by honest men with care and delioeration, in the iterest of economy and purity in government.

He then referred to the economy of the instrument and proceeded as follows:

You have been hearing through your papers that the Auditor of this County receives $6000 a year and Judges $2000 and $3000. Some Auditors in the State get 18000 and $20000 a year for their work alone, all clear of clerk hire. In this county over $6000 has been paid to the Auditor every dollar of it out of the county Treasury, because that don't include transfer fees. Now the Legislature is to salary the Auditor.—That will be fixed perhaps at $2000 in a county like Belmont. They may fix it in counties between 40,000 or 50,000 in population at $2000; over that at $2,500. They will fix some regular sum, but regulate it as the Prosecuting Attorney's salary is regulated. There will be a saving of $4000 in that item alone to this county. Your proportion of that is $400—one-tenth of $4000—which goes to your credit. The clerks of your courts are perhaps getting a pay of $3,500 a year; and that, say, will be cut down in the same proportion. Belmont county is of such a size that these large salaries will not be allowed by any Legislature. When a Supreme Court Judge, with his learning, study and years given to his profession, receives but $5000 a year, they won't allow to the Auditor and Clerk of the Courts more than $2000 or 2,500 a year. So with the Probate Judge, and so with the Treasurer. Instead of $4000 he will get about half that amount. See how much that will save to the people of the county. Put these things all into account and the new Constitution will be cheaper than the old. When against the increased expenses of the Judiciary—and that increases the expense, because there will be more Judges—you put the reduction of expenses for county officers, the expenses of annual elections saved, it will leave a large credit balance in favor of the new Constitution.

There are other matters almost too little to talk about. Here it prevents our Representatives and other officers from having free passes from railroads in their pockets. Persons will say that certainly no man who goes to the Legislature should be effected in legislation by a ticket. Well, now, gentlemen, it seems curious the railroads give these free tickets out. They never give them to a man until he is elected, and whenever he goes out of office they stop giving them. I don't know what that means. When they want the Legislature of Ohio to do anything they will give the Legislature a free ride down to Cincinnati or up to Cleveland and back, and generally, somehow, have just such legislation as they want. But if it does no harm, stop the business. Let a man say there is nothing on earth to effect his judgment or influence him any way unfairly. Let the county Treasurers have no free passes; let the Auditors have none when they go up to equalize railroad property for taxation, it will set against them. But these railroads, managed by the sharpest men in the country, never try to get business finished when they have Judges on the bench with free tickets in their pockets. And lately here we have these Judges sitting and telling the juries they must not let themselves be inflamed against the railroads by any kind of prejudices and that they are great institutions. So they are. Let the Judges tell the juries that because they are great institutions they must not come in and crush the humble citizen. Now, that is the way these things are working to a great extent. Let us have what is fair and right all the way through. The other day in Bridgeport I met one of the county officers of this county. He was opposed to the new Constitution, He spake against it pretty strongly. In talking with, in a little bit he objected very much to this provision forbidding the acceptance of free passes; said the railroads were good things and every body wanted them, and there ought to be legislation that would favor their construction and protect them every way it could. Well, on that subject, I asked him if he had a complimentary ticket over the railroad across this county. This has nothing to do with the question, said he. Nothing of that kind would influence me at all. I passed the question—"Have you a complimentary ticket?" "Well," says he, "I have." [Laughter.] Well, now, he didn't think it was influencing him at all, but yet that was the only subject on which he was talking, the only one in which he seemed to be interested, and yet he was opposed to the new Constitution! Gentlemen, it has many enemies. It is hard to go through. It inaugurates a great many reforms. It strikes a deadly blow to railroad monopoly and combinations, It makes them act fairly as men have to act; and they should have no greater rights because they are gigantic corporations. It brings about purity and honesty in legislation. That free-pass system not only operates on the mind and influences the judgment of our representatives, perhaps, but it creates a great deal of absentism. They have got a free ticket and it is so convenient to go down and stay over Sunday, and often don't get back in time for work Monday. It prolongs the sessions of our Legislature. That is one great objection to it.

Another good thing in the new Constitution is, that the members of the House and Senate are to be paid an annual salary also, and they are to fix it. If they fix it too high, it will be like our Congressmen. No man is lion-hearted enough to stand against an aroused public opinion. The Congressmen who voted the increased pay hastened back to repeal it. And so you can depend on your Legislature. They will fix the regular salary. Then they will go there to attend their business. No free tickets. They will stay there; dispatch their business promptly and then return home. It is their interest to make a short session and they will do it. Those improvements are in the new Constitution. I only give you a few of these points in that way. Persons may object to the lengthening of the terms of some of the officers; but it was necessary to lenthen those of the Probate Judges and clerks from three to four years so the biennial plan would work. They increased the term of the Common Pleas Judges to six years. Why, in Pennsylvania, their Judges are elected for 21 years. The United States Judges hold their places for life and after they become superannuated they are retired and pensioned as long as they live because they have spent their best years in the service of the Government. Ten years won't be too long. Why isn't it as good as five? The Judges who hold but for five years are there working and trimming their sails for the popular breeze, to be re-elected. Put a man in for ten years and he cannot keep up with the changes of political parties. He will be lost out of politics and be a fair and upright man, not biased or controled in any way by the popular feeling. It will make your judiciary independent and better because the tenure of their officers do not hold on popular applause or votes.

Another great thing in the new Constitution is, minority representation of different kinds. Here we have five Supreme Judges to be elected. Although no man can vote for but three, if the party in the majority get a large majority they can elect the three, but the other party will have two. Won't it be better to have a judiciary of that kind, where minorities will be represented. In Ohio with one thousand majority for either party they will have the whole Supreme Court, under the present Constitution. Under the other they will have but a bare majority. There is not so much to fear from these political opinions as formerly, when these gentlemen were all interested on the same side. We do not know how soon the political scales may turn and the party in the majority now may be in the minority then and then it will be an important thing to them that they have Representatives there, men who are guardians of the interests of the people of the State. That is a good provision. We have minority representation of another kind, called "cumulative," in the election of Representatives. In Cincinnati eleven Representatives are to be elected, and you have seen how Hamilton county works. She sends generally a solid delegation of one side or the other; and the corruption we have in the House and Senate—not quite as much as in other States; get along well; no charges of corruption against her public or State officers or against the Legislature like we know of in Pennsylvania or New York—but now under the new system it works in anohter way. Here where the eleven Representatives are to be elected, a man can go and vote one vote for each of the eleven, or he can vote his eleven votes for one I do not care how strong anti-temperance Hamilton county may be, the temperance men can be represented according to their members. She won't send an united delegation belonging to one party to represent only a faction of the county. Minorities can be represented. Their rights can be respected. It is an approach to perfection in good government that parties may have representation according to their numbers and strength. In Hamilton county, the way it has been, which ever party has the majority sends a solid delegation there, and every vote is gievn in the partisan interest of the majority. With this it all ceases, and there are chances for other parts of the State. When they want to do any particular thing they send men there interested for that business and they can carry it through by having such strength, solidity and union among them. This makes that virtually unprofitable, and that is a good thing—minority representation.

There are many things in this new Constitution that should recommend it to the people. I have talked here some time. There are a great many other reasons I would like to give. We won't have such chances for years to come, perhaps, of effecting these great improvements over the past. With this Constitution adopted it seems to me it will put Ohio in the van of all the other States in the way of her Constitution, as she is almost the first State, if not the first, in the reputation of her own people and her distinguished sons. Let Ohio take no backward step and cease wearing the old garments she put on 23 or 24 years ago and which she has out-grown. For the 23 or 24 years to come she needs new garments perhaps more than she did then. Let Ohio be clothed anew.

Why there were sixty-five lawyers in the Constitutional Convention. What if there were? What if all of them were lawyers, or were farmers? What has that to do with the approval of this Constitution? If there were those men there who for $4 per day would absent themselves from home, bear their own expenses, sacrifice their own business and stay there through a protracted session to make a Constitution, are not they interested in the State as well as any other people. Who else had the time or the inclination? Who else was well fitted to work with patience, who would toil so long to do this as these men? They are to be goverened by it. Gentlemen, their work is before you for approval in that way. No party now uses its whip over the head of any man to say how he shall vote. No party calls its Convention until after this election is over. Men of all parties approve, men of all parties oppose, it. Those who do, let them give some reasons. Over here in Cadiz an United Presbyterian clergyman made the wonderful discovery, the other day, and preached a great sermon against the Constitution because in the close of it: "Done in Constitutional Convention in the year 1874," the words "of our Lord" were left out. He said it was in the old one and it was left out on purpose, because "the infidels" demanded it, and there was "no recognition there of God Almighty" in the Constitution. Why in the very preamble in the first line it says "Grateful to Almighty God for our freedom," &c., and so on. That is enough. What does he want more? But "our Lord" is left out; I guess he thinks it is a kind of Unitarian instrument and ought not to be adopted. And our good old Methodist clergyman writes a piece in the *Commercial* to tell you that wonderful discovery and show it is an "infidel" document and ought to be upset. I don't sympathize with either of these persons or with any other persons who want such things in or out. They have no business in these laws. The whole theory of this Government is founded on other principles—no established State religions; nothing of the kind. Every man has a right to hold his own religious connections whether he holds any or not. Nobody is to condemn him on that account in this country. Thank heaven for that! We are not to be cursed like the old Govern'ts of Europe with any such things; and these men who desire to claim to put that in. I do not like that; such fanaticism, such hide-bound prejudices are unworthy of men.

Gentlemen, hear these things, examine that Constitution, see these changes—and these are only some. I leave the discussion of others to Judge Cowen. They, all of them, show that these improvements are worthy an effort to have them adopted. If so, vote for the new Constitution. They cannot be adopted in any other way. If it falls, it all falls. They have been telling us before—they tell us now—we can amend the old Constitution. It has been tried and all the time utterly fails. It cannot be done.

I have given you some reasons why I favor the new Constitutian—why I am in earnest and anxious it should be adopted on account of the great improvements in it; the advancements of our material interests; on account that such improvements are just and equitable and right and proper to be made and ought to be; and without it, it seems as though all the labors of this Convention would go for ought.

SPEECH OF JUDGE COWEN.

Mr. President and Fellow Citizens—

I am very glad to meet and greet so large an audience here this evening. Since the adjournment of the Convention which agreed upon the Constitution that is to be voted on by the people of Ohio on the 18th of this month, I have been so busied in private pursuits, which were long neglected, that I now, for the first time, have an opportunity to discharge what I suppose has been a duty imposed on me—that is to meet at least some of the citizens of the county who saw proper to select me as one of their delegates to that Convention, and talk over with them the work which we have attempted to accomplish.

REPORTED APATHY AMONG THE PEOPLE.

I have learned, fellow citizens, in the course of conversation, that there was great apathy here in relation to this Constitution. I have feared until to-night that it was true. I no longer believe it. I believe there is an earnest intention on your part to consider and understand, and advisedly discharge the very great duty which is imposed upon you in relation to this instrument.

IMPORTANCE OF THE QUESTION AND OUR DUTY AS VOTERS.

It is a duty which only devolves upon us about once in a generation. We have got to determine whether or not this instrument shall be the fundamental law of one of the greatest States of this Union for probably at least a generation to come. It is difficult to magnify the importance of this question, as I think. When this republican government of ours was formed, and it was determined by its founders that the people should govern themselves, the great question that troubled them, as I read history, was not so much whether the people *could* properly govern themselves, as whether they *would* do it. And the great peril we are in now is that we are disposed to trust to others to do our thinking for us. I beg of you, gentlemen, while this great question is pending, and you in your might are about to determine on it, to think for yourselves, and not trust to me or anybody else, to do your thinking for you. I have strong convictions as to whether this work we have submitted to you is a good work; but I am not here so much to-night for the purpose of advocating that work—although I propose presently to give some reasons for my convictions—as to urge upon you to read it, to think about it, to compare it with the present Constitution, and then determine for yourselves. If that is done, I have an abiding faith as to what the result will be.

DIFFERENCE BETWEEN THE U. STATES AND STATE CONSTITUTIONS.

There is a great difference in the rule upon which our National Government and State governments are based. There is a great propriety in exercising an eminent degree of conservatism when amendments to the Constitution of the United States are proposed. The difference is this: It is provided in the Constitution of the United States that all powers which are not delegated by that instrument to the United States, nor prohibited by it to the States, are reserved to the States respectively, or to the people, while in the organization of State governments the principle is, that everything that you do not prohibit the Legislature from doing, it can do. Therefore, while we should be exceedingly cautious in determining whether there shall be changes in either of these fundamental laws of government, the necessity for more frequent changes in our State Constitution is apparent, so that we may from time to time, enlightened by experience, impose additional needed restrictions on legislation. It was said by one of our most eminent statesmen and jurists—something which I have often thought would read well among the wise sayings of Solomon—that he knew how easy it was to discover imperfections, and how impossible it was to be perfect.

THE NECESSITIES FOR AMENDING THE PRESENT CONSITUTION.

The State of Ohio, the county of Belmont, and the City of Bellaire, have outgrown the present Constitution. The framers of our present Constitution were good men; in the main they were wise men; but they were not, nor do they profess to be either prophets or sons of prophets, and they did not foresee some of the wonderful things that have occurred since the year 1851, when that Constitution was adopted. At that time, for instance, there was not a foot of railroad in the county of Belmont. Now there are forty or fifty miles of it. At that time, according to my recollection, there was not a foreign corporation, represented by agent or otherwise, in this county. Now there are scores of them. And let me call your attention here—because I believe you will have the patience to listen to me, unpleasantly as you are situated—while I show you something of what has transpired within the last twenty years.

In the State of Ohio, in the year 1852, when we adopted the present Constitution, the total appraised value of property was $507,000,000. Now it is $1,567,000,000. The personal property alone now is appraised at $18,000,000 more than all the property then. In the county of Belmont, in 1852, the property was appraised at $7,392,000. Now it is $21,000,000. In the township of Pultney, in 1852, the property was appraised at $400,000. Now it is appraised at $2,728,000; and your flourishing city of Bellaire, here, is now appraised for tax alone at one million and a half of dollars. Who anticipated this state of things when the present Constitution was adopted? I shall endeavor presently to show some of the reasons why these wonderful changes make changes in the Constitution necessary; and why we have attempted in the instrument which we have submitted for your approval, to provide for this necessity. When this State was organized, and the first Constitution was adopted, its total population was 45,000—just about equal to the present population of Belmont county. Our present Common Pleas Judge, Robert E. Chambers, with his industrious habits, could at that time have discharged the judicial labor of the whole State of Ohio about as easily as he can now discharge the judicial labor demanded from him.

NO OTHER PRACTICABLE MODE OF OF AMENDMENT.

It has been said, in the course of the discussion on the subject of this Constitution, that while the main provisions in it met with the approval of its principal opponents, there were some things they did not like, and that all those good things, or most of them, could be provided for by the other process of amendment, without the intervention of a Convention; that is, that the Legislature could adopt an amendment and submit it to the people for their ratification. Let me take a moment of your time to show the utter impracticability of that. The verdict of the people was that a Convention should be called—and it was called, in pursuance of their direction, by a decided majority; and one of the reasons that operated on the people when that course was taken and that decision arrived at, was the utter impracticability to which I am about to call your attention. An amendment submitted by the Legislature must be voted for at a general election, and it must receive a majority of all the votes that are cast, not upon that amendment, but at that general election. That, gentlemen, is something that can scarcely ever be accomplished. And why? The people and canvassers are interested in the question whether Tom, Dick or Harry shall be elected Sheriff, or something else, and they are around electioneering on that subject; and I venture to say that in Belmont county, by way of illustration, it would be difficult to to get even one person in each of more than four townships in the county to give special attention to getting a full vote on any proposed amendment. What is the effect of that? We don't vote at all on it; we don't think of it. That is the objection to that argument, and it is a fatal one.

THE PROPOSED CHANGES AND OBJECTIONS TO THEM.

Now, let us come to the question of what the changes are in this Constitution, and what the objections to it are. There have been vigorous attacks made against it, and made by men for many of whom I have the very highest respect; but while I have that respect, I shall take the liberty of saying here at the outset that I regard, so far as my humble judgment may go, the objections that are made to it in the main are trivial, captious and frivolous, and utterly unworthy of the approval of thinking men

THE WORDS "OF OUR LORD" OMITTED.

One of the objections referred to by my friend Alexander, which was published to-day in one of your city papers, is a strong illustration of this. I have it in my hand. The Rev. Meloy, of Cadiz, certainly a man of very pure character, and high standing, who has been around advocating the adoption of the new Constitution, speaking of the great improvements that it makes over the present Constitution and of the great necessity for the people to rise up over any prejudices they may have, and to meet and wisely act upon the question they have got to solve, has all at once come out in a card here to this effect: [Reading from the *Bellaire Independent*.]

CADIZ, OHIO.

"*Editor Bellaire Independent*—DEAR SIR—I have been the advocate of the New Constitution, and have spoken breifly on several occasions in favor of it. I have carefully read it and compared its provisions with the old, and considered them in several respects an improvement. A few days ago my attention was called to the ADOPTING clause which is—'Done in Convention, at Cincinnati, the fourteenth day of May, in the year one thousand eight hundred and seventy-four, a d of the independence of the United States the ninety-eighth.'

"The old Constitution has it, 'Done in Convention, at Cincinnati, the tenth day of March, in the year OF OUR LORD one thousand eight hundred and fifty-one, and of the independence of the United States the seventy-fifth.'

"You will notice that the words 'of our Lord' have been omitted. This may have been an oversight, but I fear that the omission has been made to accommodate the infidel sentiment of our State, and if so it is a direct insult to that christianity under whose benign influences our commonwealth has grown in wealth and honor. I have reason to believe that it is a mean attempt to deface the palladium of our liberty by striking therefrom the name of 'Our Lord.'

"I deeply regret that I am compelled to cease advocating this Constitution and to vote against it. Many are not specially eager to put God in the Constitution who will be very loth to see 'Our Lord taken out'. This is the first step towards discarding altogether the Ghistian Era. Respectfully, yours,

"W. T. MELOY."

Now, gentlemen, I know precisely how that must have occurred, unless it is a mere mistake of the printer, and I have had no opportunity to see the original enrolled copy since learning of this extraordinary objection. I was present when that clause was written. I had no idea it had occurred until I saw a notice of it in the papers within a few days. It was the mere accidental omission of a clerk whom we were compelled to hire, at some two dollars a day, to write out the Constitution after it was adopted. I was present when it was written, and myself, as I recollect it, handed him the form of closing in the present Constitution that he might copy it. The committee on enrollment and revision approved of that form, and directed it to be followed. It was at the very last working hour of the session. The Constitution itself had been adopted after eight months deliberation and discussion. This was regarded as a mere matter of form. The sheets were being enrolled for preservation, and as they were being copied by the hired clerk they were sent into the Convention from our committee room to be read to them that they might see that no mistakes were made. Our committee sat there and compared the body of it, and saw it was correct even to the dotting of the i's and the crossing of the t's. But when it came to the winding up, the sheet containing the formal closing, we perhaps did not compare, and so the omission, if really made, was not observed by us. I wrote the other day, as soon as I heard this objection was made, to the delegate from Harrison county, who is a United Presbyterian minister, and who I understood was also a convert against the Constitution because of this omission, and gave him a statement of what the facts were. Now that is a plain statement of what it was, and how it occurred. I also stated to him that if the attention of the Convention had been called to the omission of the clerk, I was satisfied that of the one hundred and five members of that body at least one hundred and four of them would have immediately voted to correct the omission. Besides, the very words, 'in the year 1874,' are a full recognition of the Christian Era. Now, here is a man that undertakes to set himself up to think for and instruct the people not only upon religious but upon secular matters, who believes this Constitution contains a great many good things, admitting in this letter that this may have been a mere accidental omission, but fears it was done on purpose, and therefore he wants you to vote down the whole great and good work, and go back to our twenty-five year old Constitution, which, as I have claimed, we have so far outgrown. Why, gentlemen, when I read that, I felt more than at any time, when reflecting about this matter, the necessity that we must think for ourselves. When men who are regarded as prominent men, and who occupy the positions of leaders and teachers of the people, will make such objections as this, and go back on their speeches and convictions, what is to become of us, if we do not sit down, drop our work, even, for a time, and do our own thinking?

Well, gentlemen, I belive that is a tolerably fair pattern of the objections that are made.

POSITION OF SOME OF THE "NO LICENSE" MEN.

What is said here on the subject of the license and anti-license clause?—What is the argument that is made on that subject? The members of the Convention were 'moral cowards,' because they did not venture to fasten on the Constitution absolute prohibition; and now, lest the people might possibly, in their power, vote in license, let us go to work and demolish the whole structure. I believe that is a fair statement of the argument. Let us analyze that argument a moment. They were moral cowards because they did not venture to fasten prohibition on the Constitution. The meaning of that is they were afraid that if they fastened that in, the people would beat the whole thing; and yet in the same breath they say, we are afraid the people will beat the no-license clause, and therefore let us tear everything down. I am very happy to-day that that is not true of all those who advocate the no-license clause. I happen to known personally that it is not true of one of them. And I see an address published in this same paper showing that it is not true of those selected to take charge of that question in this county as an executive committee. While they have published their address in opposition to license, they express their opinion in favor of the adoption of the Constitution, and say that is the most effective vote and it is no time to take counsel of our fears. Well, gentlemen, I leave you to judge where the moral cowardice comes in. It seems to me to be eminently fair and proper if this is to continue to be, as it is now and has been for nearly a century—a Republican government—we should let the people decide how they want these things done. I had no suspicion until I heard this argument and the source from which it came, as to what the result on this license question would be. I have not much doubt now.

THE HOUSE OF DISCIPLINE.

There is another objection made—and I am not going to take time to go over them here. There is a provision in this Constitution that one of the reformatory and punitive institutions of the State shall be a house of discipline, and the opponents of the Constitution commenced estimating the expense of that at a million dollars, and I have understood they have got it up now to a hundred or two million. In one of our county papers appeared last week an argument from Lewis D. Campbell, who was one of the members of the Convention, against the adoption of the Constitution. He was one of the two members that refused to sign it. One of the provisions to which he refers is this one for a house of discipline. He says, that the Legislature could provide for it just as well as the people could by adopting the Constitution. Well, in the first place they succeeded by a very small majority in getting that clause into the Constitution. I voted against it myself, but it was finally adopted with the understanding that all that would be necessary would be to fence off a part of the penitentiary grounds and put in the younger convicts so that they would not mix up with the older. I suppose that would cost $500 or $1000. That is all there is of that. But what I call special attention to is, that this same Campbell was the author of that amendment; and there were over 400 pages of the first volume of the debates and twenty-three days of time occupied in discussing that question, chiefly by Mr. Campbell and its other advocates. A great many of us protested against it, trying to stop them and trying to get a rule to limit debate. It looks a little remarkable to see him opposing the Constitution now and giving this as one reason. He adds many other reasons why he opposes it; but there is one he did not give: that is he tried to be president of the Convention twice and could not. [Laughter.] That is all there is of that.

THE SCHEMING LAWYERS.

Well, about this lawyer business, now. There were lawyers in the Convention. They have counted them up and I don't know just how many they find, but they have got them up to more than half. That was not our fault. It was not mine, I know. There was no lawyer there who was not sent there by the people. I was obliged to you for the complimentary vote you gave me in this city, and never felt so proud of anything of that kind before; but I believe I did not ask any of you to vote for me, and it was certainly a great personal sacrifice to me to go. But when elected I undertook to do the best I could for you; and my opinion is—although it may be indelicate in me to say so—that the people of Ohio in their selection of delegates in the main elected a body of earnest and honest men, who spent their time not for their own benefit, trying to make money or provide offices for themselves, but at great sacrifice to themselves, with a view of accomplishing a work which would be an honor to them, and work much good to the people and to posterity. That, humbly expressing as they did in the first line of the constitution, their gratitude to the good God, Who, with His Almighty power, over-rules all the States and peoples, for our present freedom, they worked earnestly and faithfully to secure the blessings of that freedom "and promote our common welfare."

As I have said this may not seem like very modest talk from one of those members; but that is my opinion nevertheless. I have heard one speech made in which it was asserted that the lawyers are generally in favor of license We have a large number of them in our part of the country that are opposed to it. It is said they are in favor of license and in favor of this constitution because it will increase their business, and that is what these lawyers worked for there. I will tell you I do not think there were many lawyers in the Convention that were afraid of running out of business, and I do not think anybody that says that believes it.

It would be a good thing if you would all behave yourselves so that there would be no need of lawyers; but as long as there have been lawyers, there are a good many decent ones among them just as among other people. If you see proper to send lawyers there you ought not to go back on them simply because they are lawyers. Look into their work; if it is good approve, if not reject it.

THE JUDICIARY ARTICLE.

Now, I propose to talk awhile about this terrible Judiciary Article, although it will probably be a dry subject; but I happen to know a good many people in Bellaire here who will have a realizing sense, if their attention is called to it, of the absolute necessity of a change in that system.

I have now fourteen clients in Bellaire and I see some of them in this audience, who have been tied up several years in court, because of the fact that there are two defects in the present Constitution and laws. One of them is that a foreign corporation has a right to come over here in Ohio and get all the benefit of the laws of Ohio, and do business here and be protected in our courts; and yet if it owes anybody or any one is injured by it and brings suit against it, it has a right to move its cases two hundred and fifty miles from here to Cincinnati, into the U. S. Court and there tie him up for almost an ordinary lifetime.

In these cases to which I refer, we are making an effort to prevent their removal to Cincinnati, and in our Common Pleas Court and in the District Court the decisions were favorable to us, but the corporation went up to the Supreme Court and there they have got us tied up, and owing to the defects in our present Constitution it takes several years to reach a case there. And there they have got us, between Scylla and Charybdis. Both these evils are cured by the new Constitution.

There is no serious dispute on the part of any person that has a knowledge of these cases that there is honestly due to these people of Bellaire to whom I refer—some of them widows and some orphans—between $25,000 and $50,000. When they will ever get their money unless we get the relief we seek to accomplish by the new Constitution, I do not know and cannot possibly anticipate.

The Supreme Court, as it now stands, and as it was organized in 1852, without any anticipation of these great wonders going to happen in the growth of business and population, is wholly inadequate for the work. It was stated by a member of the Convention, and no doubt truly, who was himself at one time a member of the Supreme Court, that the judges worked there fourteen hours a day, and, although he was sorry to confess it, seven days in the week; and yet they are several years behind their business.

I know a good many of you have not had law-suits but you don't know how long before you may have one. I regard the courts as the great bulwark of our liberties. What is the use of a government or Constitution or laws, unless you have a pure and adequate and effective judiciary to enforce them? Cold water is a mighty good thing—the best beverage ever manufactured on the face of this earth beyond all question. It prevents a great deal of crime and induces a great many people to act fairly and honestly, and yet it does not keep everybody from stealing horses and make everybody pay his honest debts. We have got to have courts for the purpose of enforcing the laws; and it is perfectly idle for men to talk about our having courts unless we have efficient courts.

I do not understand that it is complained of here that we have too many judges, but it is complained that we have got a few more than the present Constitution authorizes. Now, gentlemen, determine for yourselves upon that question.

A word about this $5,000 salary business in addition to what was said by my friend Alexander. There is a great hue and cry about that. I voted against that clause in the Constitution, and therefore think I can speak with some impartiality on the subject. We finally succeeded in getting that clause in this shape: The very next Legislature has a right to change that provision even as to the judges that will be first elected under this Constitution and it is referred therefore to them. That provision is therefore simply the expression of an opinion on the part of a small majority of our Convention that it ought to be $5,000.

This, it is said, is all very wrong, but when we make a provision by virtue of which the Auditor of this county, for instance, who a few years ago got no less than $7,300, under our present system will get very certainly not more than $2,500, there ought not to be anything said about that! But when we venture to express the opinion that the Supreme judges, who have to spend the whole of their time at Columbus, on expenses, with their families also on expense at home, ought to receive $2,000 a year more than they do now—that is a terrible thing, and the whole Constitution ought to be destroyed on account of it!

And so about the ten years' term for the Supreme Judges. I voted against that provision. I regarded it a matter of secondary importance, but supposed there would be a howl raised about it by persons who might for personal or other reasons be opposed to the adoption of the Constitution, and therefore thought it best not to put it in. But it is in. What hurt does it do? Since the adoption of the present Constitution under which the Supreme Judges hold for five years, there has not, according to my recollection, been a single Supreme Judge who would accept the office that has not been re-nominated. Are we afraid to trust ourselves to select men who will be competent to fill this office for ten years? I am not. The rest of you will have to determine for yourselves.

The argument in favor of it was that competent men would be more likely to accept the office if they were to have an assurance they would hold it ten years than if required to leave their practice for only a term of five years. That was all there was of that, and they finally concluded to make it ten years, making ample provision for removal in case of drunkenness or other failure of duty. As was said by Mr. Alexander, the judges of the Supreme Court of the United States, ever since the organization of the Government, have held for life; and among all the amendments proposed to the Constitution of the United States it has never been even proposed to amend that provision. And yet where in the world can you find a purer or abler judiciary than is constituted by the Supreme Judges of our United States Court.

THE ECONOMY OF THE NEW CONSTITUTION.

Gentlemen, on the subject of the economy of this Constitution, I have not time to enlarge, though I have figures on the subject. I see in the CHRONICLE this week an article which goes very considerably into detail and which I would be glad to have circulated and read. I content myself by saying I have given a good deal of attention to this subject. One of the leading objects of the members of the Convention, if they know themselves, was to accomplish economy in the administration of this government in the future, and to stop this terrible extravagance going rampant over the State; and my belief is that if we will be true to ourselves and elect legislators as we have generally done who will faithfully administer this Constitution—and that is necessary with any Constitution—there will be a saving of at least one million dollars per year in the administration of this government of Ohio, mainly in the administration of our local affairs in the expense for county officers and in the adoption of the system of biennial elections.

Another objection that is made is that the Constitution provides for turning out the present common pleas judges. And that objection is made by these great economists! Why, gentlemen, the proposed Constitution provides a new judiciary system. That was conceded on all hands to be absolutely necessary. That was the principal reason the Convention was called. We have got the district court here which is condemned by every lawyer in the State and by every person that ever had anything to do in court, and by everybody else that ever gave the matter a moment's thought—in other words, universally condemned. That is abolished by the new Constitution. The result of it is six of our common pleas judges become unnecessary. The number is reduced from fifty to forty-four. Well now, these economists object that we stop the common pleas judges. Why, unless we did that you see at once we would have these judges as pensioners on our hands some three or four years at $2,500 a year. I don't think that would be very good economy or very good sense. The Convention saw that, and therefore they, as a matter of necessity, the whole system being changed, were compelled to take that course in justice to the people.

THE VETO POWER.

Just one word about the veto power. That is another thing, by the way, I voted against, because I thought it unnecessary. But one word in addition to what was said by my friend. This veto power does not do anything more than postpone legislation at the most. If a bill is vetoed by the Governor and cannot receive a three-fifths vote, the result is simply the whole matter is referred to the people, and they in the election of the next Legislature, if they want the vetoed law adopted can make provision for it. And, gentlemen, one of the great evils we have suffered from has been we have had too much legislation.

SPECIAL LEGISLATION PROHIBITED.

In that connection I want to call attention to a most valuable provision in regard to municipal corporations—a matter you have great interest in. And preliminary to what I desire to say on the subject, I will say your own city of Bellaire was selected out of all the cities of the State as a standard by which to fix and define the restrictions which should be imposed on legislation in relation to municipal corporations.

There is a provision in the article on municipal corporations limiting the classification of cities and incorporated villages to six. The object is to prevent special legislation, and the object of preventing special legislation is that that is what occupies most of the time of the Legislature. That is what makes these large law books. The framers of the present Constitution attempted to stop it but virtually failed. The Legislatures have dodged out; the lobbies have gone in there to contrive ways to do it. I could give you very amusing illustrations of that. There is one of our statutes, (I have not the statutes before me and speak from memory,) which provides that all cities of the second class having a population of 7,641 and no more, according to the Federal senses of 1870, as published in the last volume of Ohio statistics, shall have a right to levy a tax for the purpose of building an engine house, &c. Now, that meant that the city of Delaware shall have a right to do that thing; but it was unconstitutional to pass such a law for Delaware. The city of Delaware, however, came piling down there to Columbus and after a week or so of lobbying got the Legislature to pass the bill.

Another was that all cities of the first class, and having a population of over 150,000 and having an avenue named Eggleston Avenue shall have a right to levy a tax to build a sewer. Of course that meant Cincinnati shall do it. And the lobbies came up there and probably fed our friends on oysters and talked the matter round and told the people from some other part of the State that when they wanted something they would give it to them; and the members rode down to Cincinnati on the free passes given them by the railroads and were feasted and toasted there, and when they got back they concluded it would be a good thing to pass the law. At least I am informed that this is the way such things are done. That is not fair. It is not contemplated. It has been the result of the observation of an age at least in Ohio that such legislation ought not to be permitted, and that is prohibited by the simple provision to which I have called your attention.

MUNICIPAL TAXES.

There is one of our citizens up at St. Clairsville objecting because it allowed such enormous municipal taxes. Under the present constitution the power to levy taxes is unlimited. The Legislature can levy 100 cents on the dollar, and everything we have put in the Constitution is a restriction on that. One of them is that there shall not be an assessment of more than ten per cent. in any one year. The law now is it shall not be over twenty-five, and until within a year or two it was not over fifty per cent. The great object of all State Constitutions is not to confer power but to restrict the Legislature in the exercise of power; and it was in relation to that very matter of how much restriction the cities could stand, that the correspondence was had by myself with citizens of Bellaire, and it was determined in Convention that if this flourishing and rapidly growing city, which but a few years ago was an obscure village, could stand in its present rapid growth a certain restriction, other cities ought to. And yet these economists raise a howl because we have conferred such great power!

THE CONVENTION WORKED TOO LONG.

Objection is made to the time that was occupied in making this Constitution. I was sorry they occupied so much time. I think nearly everybody else there was; and if we had not had quite so many Lewis D. Campbell's in there to make great long twenty-page speeches we would have got through quicker. The great length of time occupied there was not in adopting but in defeating proposed amendments. There were one hundred and five members, and every one thought he had at least one idea, and when he opposed it, it had to be discussed and considered. We took too much time, I think: but is that any reason this Constitution should be rejected if it is good? I leave that matter to you with the simple propounding of the question.

One of my friends asked me the other day why we imposed on the people the great burden of voting at all on this question, "Just adopt the Constitution and let it stand." A thinking man, too. I got a copy of the present Constitution which contains a provision that we should not do it. He seemed satisfied and made no further objections. [Laughter.]

APPROPRIATION BILLS.

There are a great many other very important provisions here. This matter of appropriation bills—I do not know how many of you have considered of that, and of the importance of it. Whenever a Legislature is about to wind up its session, the last thing they do is to adopt the appropriation bill. Always just at the wind up of it, a whole lot of lobbies come in and pick out a time when about half the Legislature are off at home on railroad passes, and by a bare majority of those present they get a little amendment stuck in which costs the people a trifle of—perhaps—one or two hundred thousand dollars. They get it in here, and then, although the Constitution requires that there shall be a majority of all the members to adopt the whole appropriation bill, when it comes to voting on it, those who are in favor of that amendment say they will vote against the whole appropriation bill, and stop the wheels of government, and prevent you from adjourning, and keep you there to all eternity unless you adopt the bill with this amendment in it. Just the way they rammed the "salary grab" in at Washington. That is invariably done; and it costs us a great deal of money every year. And you cannot help it, no matter how many diligent and careful legislators you have.

A little provision in this Constitution prohibits it, and it is simply that any one member of the Legislature may demand a vote by yeas and nays on every item of appropriation, and every one that does not receive a majority of all the members elected is defeated and goes out of the bill. And then an additional provision is, the Governor may veto any one item, and it requires a three-fifths vote to pass it over his veto.

These are illustrations, gentlemen, of the efforts which have been made by this Convention to economize the administration of the government.

I should like to have talked to you about this matter of minority representation, submitted as a separate clause. I voted for it in the Convention, and am in favor of it. It is somewhat complicated, and, perhaps, has not been thoroughly considered by the people; but I ask you to read the provisions on that subject, and think for yourselves.

My friends, as I stated in the outset, I have met you this evening, not so much to advocate the new Constitution as to induce you to study it, and vote on it advisedly. Let me then, in conclusion, call your attention, without further attempt at discussion, to other important amendments, which are regarded as valuable.

1. IN THE LEGISLATIVE ARTICLE.

Persons having contracts with the State are ineligible to the Legislature. (Sec. 4.)

Members of the Legislature are to receive a fixed annual salary, with rateable deductions for absence. (Sec. 33.)

2. IN THE MILITIA ARTICLE.

Persons having conscientious scruples against bearing arms are exempted from militia duty in time of peace, on payment of an equivalent into the school fund, instead of, as now, being treated as criminals, and subject to fine.

3. IN THE ARTICLE ON MUNICIPAL CORPORATIONS.

The debts of municipal corporations are limited. (Sec. 4.)

4. IN THE ARTICLE ON CORPORATIONS.

Minority representation is applied to the election of directors of corporations. (Sec. 6.)

The consolidation of parallel or competing railroad lines is prohibited. (Sec. 10.)

All officers and agents of such companies are excluded from being interested in their receipts and contracts, except as ordinary shippers, passengers, stock-holders, bond-creditors or employees. (Sec. 9.)

The "watering of stock" is prohibited. (Sec. 13.)

Unjust discrimination in transporting passengers and freight is prohibited. (Secs. 12 and 14.)

5. IN THE ARTICLE ON REVENUE AND TAXATION.

Special taxes on railroad and other franchises, and on incomes, when the principal is exempt, are authorized. (Sec. 5.)

Special taxes on dogs are authorized. (Sec. 7.)

Now, my fellow citizens, I am certainly very much obliged to you for your patient attention, and have only to say, in conclusion, as the result of my convictions and humble judgment on the subject, that unless you vote, all of you, on this question, and unless you adopt this proposed Constitution, you will do injustice—a great injustice—to yourselves as well as to posterity.

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