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1920-1922

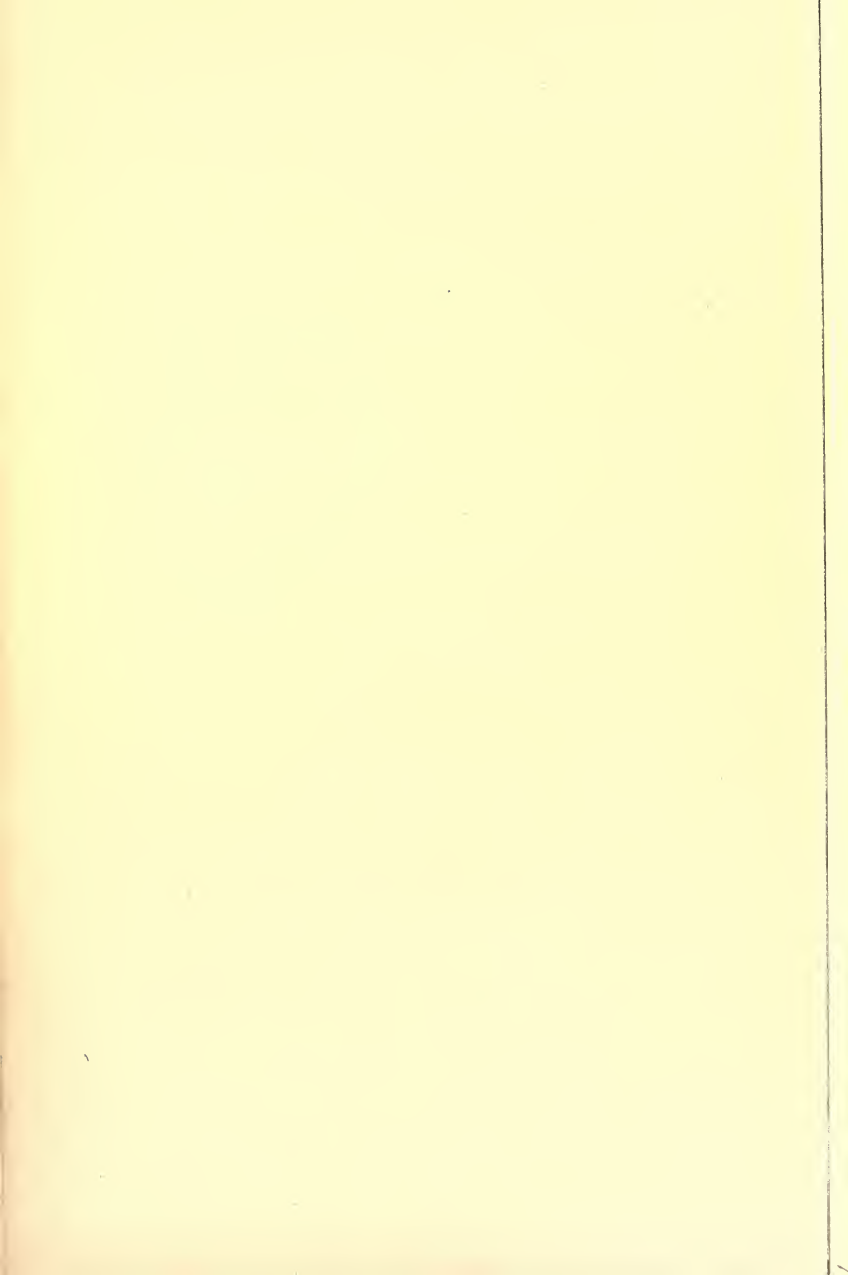
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JOURNAL

OF THE

Committee of The Whole

OF THE

CONSTITUTIONAL CONVENTION

1920-1922

OF THE

STATE OF ILLINOIS



Convened at the Capitol in Springfield, January 6, 1920 and
adjourned *sine die* October 10, 1922



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WEDNESDAY, JANUARY 28, 1920.

At the hour of 11:30 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

The subject matter under consideration being the discussion of Proposal No. 55, the following gentlemen representing the Special Committee of the City Council of Chicago were invited to address the Committee of the Whole:

Alderman John H. Lyle.

Attorney Ernst Freund.

Assistant Corporation Counsel Leon Hornstein.

(For text of addresses see Convention debates.)

At the hour of 6:10 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, JANUARY 29, 1920.

At the hour of 11:30 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

The subject matter under consideration being the further discussion of Proposal No. 55, Alderman John A. Richert, representing the Special Committee of the City Council of Chicago, addressed the Committee at length.

On motion of Mr. Revell, a vote of thanks was extended to the gentlemen representing the City Council of Chicago for their instructive addresses at the sessions of yesterday and today.

At the hour of 1:30 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, FEBRUARY 11, 1920.

At the hour of 10:45 o'clock a. m., the Convention went into Committee of the Whole.

Mr. DeYoung, Chairman of the Committee on Judicial Department, presiding.

The subject matter under consideration being the discussion of various Proposals concerning a proposed Judicial System and especially the consideration of Proposal No. 56, the following gentlemen addressed the Committee of the Whole:

Attorney Hiram T. Gilbert.

Judge Charles Martin.

Hon. A. C. Miller.

Judge Charles S. Cutting.

Judge George A. Dupuy.

Hon. Charles J. Michal.

Hon. Charles H. Hamill.

Hon. Henry I. Green.

(For text of addresses see Convention debates.)

On motion of Mr. Brenholt a vote of thanks was extended to the gentlemen for their instructive addresses.

At the hour of 4:40 o'clock p. m., Mr. Todd moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, FEBRUARY 17, 1920.

At the hour of 10:30 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Dove, Chairman of the Committee on Initiative, Referendum and Recall, presiding.

The subject matter under consideration being the discussion of Proposals numbered 133 and 134 concerning the Initiative and Referendum, the following persons addressed the Committee of the Whole:

Former Governor Edward F. Dunne.

Mrs. Harriette Taylor Tredwell.

Mr. Duncan McDonald.

Mr. Herbert S. Bigelow.

Prof. Charles E. Merriam.

Miss Milinda Alexander.

Mrs. Helene Danek.

(For text of addresses see Convention debates.)

On motion of Mr. Mills, a vote of thanks was extended to the speakers for their instructive addresses.

At the hour of 11:35 o'clock p. m., Mr. Trautmann moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, FEBRUARY 18, 1920.

At the hour of 10:47 o'clock a. m., the Convention went into Committee of the Whole.

Mr. DeYoung, Chairman of the Committee on Judicial Department, presiding.

The subject matter under consideration being the further discussion of various Proposals concerning a proposed judicial system and especially the consideration of Proposal No. 56, the following gentlemen addressed the Committee:

Mr. W. E. Hadley.

Mr. F. K. Lemon.

Mr. Edward C. Craig.

(For text of addresses see Convention debates.)

On motion of Mr. Mills, a vote of thanks was extended to the gentlemen for their instructive addresses.

At the hour of 4:20 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, MARCH 2, 1920.

At the hour of 10:42 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Gale, Chairman of the Committee on Revenue, Taxation and Finance, presiding.

The subject matter under consideration being the discussion of the various Proposals concerning Revenue, Taxation and Finance, the following gentlemen addressed the Committee:

Mr. Frank L. Shephard.

Mr. Hayden N. Bell.

Mr. William F. Struckmann.

Mr. F. I. Mann.

Mr. Kimball E. Valentine.

(For text of addresses see Convention debates.)

On motion of Mr. Mills a vote of thanks was extended to the gentlemen for their instructive addresses.

At the hour of 6:25 o'clock p. m., Mr. Davis moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, MARCH 10, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Brandon, Chairman of the Committee on Education, presiding.

The subject matter under consideration being the discussion of the various Proposals relating to or affecting education and particularly the revenue Proposals as affecting said subject. The following persons addressed the Committee:

Hon. Francis G. Blair.
Mr. R. C. Moore.
Mr. August Maue.
Mr. E. A. Ellis.
Mr. C. P. Briggs.
Mr. Peter Mortenson.
Mr. J. C. Engleman.
Mrs. Ida L. M. Fursman.
Mr. Roy H. Brown.
Mr. W. S. Cadwell.
Miss Fannie S. Merwin.
Mr. D. W. Potts.

(For text of addresses see Convention debates.)

At this time Mr. Brandon called Mr. Gale, the Chairman of the Committee on Revenue, Taxation and Finance, to the chair inasmuch as the following speakers were to speak on taxation and finance relative to education:

Mr. David Felmley.
Mr. R. C. Moore.
Miss Margaret Haley.
Mr. W. B. Owen.

(For text of addresses see Convention debates.)

At the hour of 11:55 o'clock p. m., Mr. Brenholt moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, MARCH 17, 1920.

At the hour of 10:55 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Beckman, Chairman of the Committee on Military Affairs, presiding.

The subject matter under consideration being Proposal No. 339, the same was taken up, read at large and considered section by section, as follows:

Section 1 being taken up and read and no amendments being offered, was, on motion of Mr. Tanner, adopted.

Section 2 being taken up and read and no amendments being offered, was, on motion of Mr. Tanner, adopted.

Section 3 being taken up and read and no amendments being offered, was, on motion of Mr. Nichols, adopted.

Section 4 being taken up and read.

Mr. Davis offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Strike out section 4 as drafted and substitute in lieu thereof the following: The members of militia shall in all cases, except treason, felony or breach of peace be privileged from civil arrest while in performance of military duty and under military orders.

Mr. Michaelson moved to lay the amendment on the table.

Mr. Hamill raised the point of order that the motion to table was not in order in the Committee of the Whole.

And the point of order was sustained by the Chair.

Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

Pending the putting of the motion to rise, Mr. Shanahan moved that the Committee of the Whole recommend to the Convention that section 4 together with Amendment No. 1 offered by Mr. Davis be recommended to the Committee on Military Affairs.

And the motion prevailed.

Section 5 being taken up and read and no amendments being offered, was, on motion of Mr. Moore, adopted.

Section 6 being taken up and read.

Mr. Gilbert offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend by striking out the words "person so exempted" in the last portion of line 2 and first part of line 3, section 6, and inserting the words "such persons" in lieu of the words stricken. As amended such section 6,

will read as follows: Sec. 6. Persons having conscientious scruples against bearing arms, may be exempted from military service by the General Assembly, but no such persons shall be exempted from service in any capacity that the Governor shall declare to be non-combatant.

Mr. Dupuy moved as a substitute that section 6 and Amendment No. 2, be recommitted to the Committee on Military Affairs.

Pending consideration, at the hour of 12:05 o'clock p. m., Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, MARCH 23, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. DeYoung, Chairman of the Committee on Judicial Department, presiding.

The subject matter under consideration being the discussion of the various Proposals relating to or affecting the organization of the Judicial Department, the following speakers addressed the Committee of the Whole:

Justice George A. Cooke.
Hon. Frederiek A. Brown.
Justice Orren N. Carter.
Judge Wells M. Cook.
Judge Norman L. Jones.
Col. B. M. Chipperfield.
Judge C. D. Yager.
Mayor Craig A. Hood.
Hon. H. Kent Fennly.
Senator Frank P. Sadler.
Col. William M. MacChessney.
Judge George T. Page.
Hon. Justus Chaneellor.
Judge Joseph David.
Mrs. Catherine Waugh McCullah.

(For text of addresses see Convention debates.)

During the addresses Mr. Dupuy moved that all questions be deferred until the conclusion of the addresses by the Speakers.

And the motion prevailed.

At the hour of 6:15 o'clock p. m., Mr. Mayer moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

FRIDAY, MARCH 26, 1920.

At the hour of 2:40 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Dunlap, Chairman of the Committee on Agriculture, presiding.

In accordance with the resolution adopted on Tuesday, March 23, Mr. Dunlap introduced Hon. Henry J. Allen, Governor of Kansas, who addressed the Committee on the subjects of Land Tenantry and Industrial Courts.

On motion of Mr. Shaw a vote of thanks was extended to Governor Allen for his instructive address.

At the hour of 4:20 o'clock p. m., Mr. Mighell moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, MARCH 30, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Barr presiding.

The subject matter under consideration being the general discussion of the plan and policy to be followed in the preparation and draft of the revised Constitution and the fundamental ideas which should control and limit the activities of this Convention, the following Delegates addressed the Committee of the Whole: President Woodward and Messrs. Lill, Fifer, Davis, Brandon, Elting, Miller, Moore, Green, Kerrick, Dunlap, Revell, Hamill, Wall, Michaelson, Gale, Shanahan, McEwin, Corlett, Dove and Sneed.

(For text of addresses see Convention debates.)

At the hour of 6:05 o'clock p. m., Mr. Shanahan moved that the Committee do now rise and report progress.

And the motion prevailed.

WEDNESDAY, MARCH 31, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Dove, Chairman of the Committee on Initiative, Referendum and Recall, presiding.

The subject matter under consideration being the further discussion of the various Proposals pending before the Committee on Initiative, Referendum and Recall, the following gentlemen addressed the Committee of the Whole:

Dr. Eugene Davenport.

Mr. Clifford V. Gregory.

Mr. D. O. Thompson.

Hon. Felix Streyckmans.

(For text of addresses see Convention debates.)

Pending the address of Mr. Gregory, Mr. Dunlap raised the point of order that Mr. Michal was not limiting his remarks to questioning the speaker but was in reality attempting to deliver an address.

The Chair ruled the point of order well taken.

After the conclusion of the speech of Mr. Thompson and while being questioned by Mr. Dunlap, Mr. Hull raised the point of order that the questions asked were not applicable to the question before the Committee.

Which point was sustained by the Chair.

On behalf of the Committee of the Whole, the Chairman thanked the speakers for their instructive addresses.

At the hour of 10:55 o'clock p. m., Mr. Hull moved that the Committee do now rise and report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, APRIL 1, 1920.

At the hour of 10:30 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Garrett, Chairman of the Committee on Municipal Government, presiding.

The subject matter under consideration being the discussion of the various Proposals pending before the Committee on Municipal Government, the following gentlemen addressed the Committee of the Whole:

Mr. W. J. Spaulding.

Mr. Wm. C. Barger.

Mr. H. J. Rodgers.

Mr. Chas. E. Mirriam.

Mr. A. R. Halton.

Mr. B. J. Denman.

Mr. B. F. Alschuler.

(For text of addresses see Convention debates.)

During the questioning of Mr. Spaulding by Mr. Michal, Mr. Carlstrom raised the point of order that the questions were not germane to the subject matter under discussion.

And the Chair ruled the point well taken.

At the conclusion of the address by Mr. Alschuler, Mr. Spaulding requested permission, from the Chair, to ask Mr. Alschuler a few questions.

Mr. Hamill rose to a point of order that Mr. Spaulding was not a member of the Committee and that he had finished his address this morning.

The Chair ruled the point of order well taken and stated that if Mr. Spaulding desired to ask questions of Mr. Alschuler, the questions should be taken up through one of the Delegates.

Mr. Corcoran stated that inasmuch as Mr. Spaulding's veracity had been doubted, he would make a motion that he be allowed to question Mr. Alschuler.

Mr. Hamill stated that he did not desire to keep Mr. Spaulding from making another address, should he desire, but he would object to his questioning Mr. Alschuler.

The Chair ruled that if Mr. Spaulding wished to object to any of the statements made by Mr. Alschuler he would be willing to hear from him.

Mr. Spaulding rose and stated that he had sent for some papers which were in his bag and as soon as they arrived he desired to speak for about fifteen minutes.

Permission was granted.

Mr. Otis F. Glenn.

Mr. H. E. Kelly.

Mr. Hamill rose and requested that the speaker confine himself to the subject in hand, the question of home rule in cities.

Mr. Kelly stated that he was getting around to that question.

Mr. Hamill rose to a point of order that the speaker was wandering around and that he confine himself to the proper subject.

The Chair ruled the point well taken.

Mr. Moore requested that something on municipal government be spoken about.

The Chair ruled that this was an open meeting of municipal government matters and that Delegates expected most of the addresses to be on that subject.

Mr. Corlett stated that the matter of what should and what should not go into the Constitution had already been discussed and that the Delegates were well advised on that subject and that Mr. Kelly discuss the subject under consideration.

Mr. Spaulding again addressed the Committee.

At the hour of 10:38 o'clock p. m., Mr. Hamill moved that the Committee do now rise and report progress.

And the motion prevailed.

WEDNESDAY, APRIL 7, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Sneed, Chairman of the Committee on Industrial Affairs and Labor, presiding.

The subject matter under consideration being the discussion of Proposal No. 232, now pending before the Committee on Industrial Affairs and Labor, the following gentlemen addressed the Committee of the Whole:

Mr. Angus W. Keer.

Mr. Mathew Wall.

Mr. Andrew Furuseth.

(For text of addresses see Convention debates.)

At the hour of 5:45 o'clock p. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

At the hour of 8:02 o'clock p. m., the Convention again went into Committee of the Whole.

Mr. Sneed, Chairman of the Committee on Industrial Affairs and Labor, presiding.

The subject matter under consideration being the further discussion of Proposal No. 232, now pending before the Committee on Industrial Affairs and Labor, the following gentlemen addressed the Committee of the Whole:

Mr. John P. Frey.

Mr. John H. Walker.

(For text of addresses see Convention debates.)

On motion of Mr. Dunlap a vote of thanks was extended to the speakers for their instructive addresses.

At the hour of 11:53 o'clock p. m., Mr. Dunlap moved that the Committee do now rise and report progress, and ask leave to sit again.

And the motion prevailed.

TUESDAY, APRIL 8, 1920.

At the hour of 10:25 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Beckman, Chairman of the Committee on Military Affairs, presiding.

The Committee of the Whole, having had under discussion, on March 17, the consideration of Proposal No. 339, the same was again taken up.

And the pending question being, the consideration of the motion of Mr. Dupuy that section 6 together with Amendment No. 2, offered by Mr. Gilbert, be recommitted to the Committee on Military Affairs.

Mr. Gilbert, by unanimous consent, withdrew Amendment No. 2.

Whereupon Mr. Coolley moved that the Committee of the Whole concur in the recommendation of the Committee on Military Affairs, submitted to the Convention on this date, and that Section No. 4 of Proposal No. 339 be adopted.

And the motion prevailed.

Section 6, being again taken up for consideration, Mr. Nichols offered the following substitute and moved its adoption:

AMENDMENT No. 3.

Amend Proposal No. 339, by striking out all of section six (6) of the printed copy, and by inserting in lieu thereof the following:

Section 6. No person shall, because of conscientious scruples against bearing arms, be exempted from military service in any capacity that the Governor shall declare to be non-combatant.

Pending discussion, Mr. Dupuy moved to amend Proposal No. 339, by adding section 6, at the end of Section No. 1.

Whereupon Mr. Lindly raised the point of order that the motion of Mr. Dupuy was out of order for the reason that Section No. 1 had already been adopted by the Committee of the Whole and cannot be amended except upon a reconsideration.

And the point of order was sustained.

Mr. Lindly thereupon moved that the vote by which Section No. 1, was heretofore adopted, on March 17, be reconsidered.

Mr. Morris raised the point of order that the motion of Mr. Lindly was out of order, at this time, for the reason that a motion to adopt a substitute amendment to Section No. 6 was pending.

And the point of order was sustained.

Thereupon, by unanimous consent, all motions and amendments pending before the Committee of the Whole were withdrawn.

Mr. Lindly renewed his motion to reconsider and the same having been put was declared lost.

Whereupon Mr. Lindly offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend Proposal No. 339, by striking out section 6.

Mr. Nichols moved to lay the amendment on the table.

Mr. Hamill raised the point of order that the motion to table was not in order in the Committee of the Whole.

And the point of order was sustained.

The question being on the motion to strike out section 6.

Mr. Sutherland re-offered as a substitute Amendment No. 3, heretofore offered by Mr. Nichols.

Pending discussion, Mr. Johnson offered the following as a substitute for all pending amendments:

AMENDMENT No. 6.

Amend section 6, as amended, as a part of section 1 to read as follows:

Provided that no person shall because of conscientious scruples, be exempt from military service in any capacity that the Governor shall declare to be noncombatant.

Mr. Trautmann raised the point of order that an amendment could not be offered to section 1 until after a reconsideration of the vote by which that section was heretofore adopted.

And the point of order was sustained.

Mr. Sutherland, by unanimous consent, withdrew his substitute to section 6.

The question recurring on the amendment of Mr. Lindly to strike out section 6.

It was decided in the affirmative.

Whereupon Mr. Miller moved that the vote by which section 1, was heretofore adopted, on March 17, be reconsidered.

And the motion prevailed.

Mr. Johnson thereupon offered the following amendment to section 1, and moved its adoption:

AMENDMENT No. 7.

Amend section 1 by adding at the end thereof the words: Provided that no person shall because of conscientious scruples be exempt from military service in any capacity that the Governor shall declare to be noncombatant.

Mr. Miller offered the following as a substitute for Amendment No. 7, and moved its adoption:

Amend section 1 by adding at the end thereof the words: Provided no person shall, because of conscientious scruples against bearing arms, be exempted from military service in any capacity that the Governor shall declare to be noncombatant.

The question being on the adoption of the substitute.

It was decided in the affirmative.

The question recurring on the adoption of Section No. 1, as amended, it was decided in the affirmative.

Mr. Lindly moved that Proposal No. 339, as now amended, be adopted by the Committee of the Whole and reported to the Convention with the recommendation that it do pass.

And the motion prevailed.

At the hour of 11:45 o'clock a. m., Mr. Revell moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, APRIL 14, 1920.

At the hour of 8:02 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Fyke, member of the Committee on Industrial Affairs and Labor, presiding.

The subject matter under consideration being the further discussion of Proposal No. 232, now pending before the Committee on Industrial Affairs and Labor, the following gentlemen addressed the Committee of the Whole:

Mr. Charles Piez.

Mr. Dudley Taylor.

(For text of addresses see Convention debates.)

At the hour of 10:25 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, APRIL 15, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cruden, Chairman of the Committee on Suffrage, presiding.

The subject matter under consideration being Proposal No. 351, the same was taken up, read at large and considered section by section, as follows:

Section 1 being taken up and read.

Mr. McEwen offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1, in line 4, by adding after the word "therein," the words, "for any constitutional or statutory office or proposition."

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 by striking out all after the word "years" in line 8 and insert in lieu thereof the words "in accordance with the laws of the United States."

And the amendment was lost.

Mr. Sneed offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1 by adding at the end of line 8 after the words "United States" the words "unless said citizens who have complied with this section exercise their right of franchise or are hindered by a legal excuse shall not have a right to vote for a period of two years"

Mr. Dove offered the following as a substitute for Amendment No. 3.

"The General Assembly shall pass laws punishing wilful and deliberate failure on the part of any elector to register and vote on every election."

Pending consideration, at the hour of 12:30 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, APRIL 21, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cruden, Chairman of the Committee on Suffrage, presiding.

The Committee of the Whole having had under discussion, on April 15, the consideration of Proposal No. 351, the same was again taken up.

And the pending question being the consideration of the substitute offered by Mr. Dove, to Amendment No. 3, to section 1 of Proposal No. 351.

Mr. Dove, by unanimous consent, withdrew his substitute.

And Mr. Sneed by unanimous consent, withdrew Amendment No. 3.

Whereupon, Mr. Traeger moved that section 1, of Proposal No. 351, be adopted.

And the motion prevailed.

Section 2 being taken up and read.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 2 as follows: Add after the word "ballot" the following: "or by such other method as may be prescribed by law; provided, that secrecy in voting be preserved."

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 25; nays, 43.

And the amendment was lost.

Mr. Smith offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 2 of Proposal No. 351, as printed, to read as follows: Sec. 2. All votes shall be by ballot, and no elector shall at any election cast more than one vote for the same person for the same office.

Pending consideration, Mr. Sutherland moved that section 2 together with Amendment No. 5, be re-committed to the Committee of Legislative Department.

Pending discussion, Mr. Sutherland, by unanimous consent, withdrew his motion.

The question then being on the adoption of Amendment No. 5, it was decided in the negative.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 2 as follows: Add after the word "ballot" the words "the General Assembly may provide for absentee voting."

And the amendment was lost.

There being no further amendments, section 2, was, on motion of Mr. Traeger, adopted.

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Mills, adopted.

Section 4 being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 5, being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 6 being taken up and read.

Mr. Hull offered the following amendments and moved their adoption:

AMENDMENT No. 7.

Amend section 6 by striking out the words "or appointed" in line 1 and the words "or appointment" in line 3 of said section.

And the amendment was lost.

AMENDMENT No. 8.

Amend section 6 by adding the following: "This section shall not preclude the General Assembly from prescribing additional qualifications for the holding of any elective office."

Pending consideration, Mr. Rinaker offered the following amendment to Amendment No. 8:

Amend Amendment No. 8, by striking out the word "elective."

The question being on the adoption of the amendment to Amendment No. 8, a division was had resulting as follows: Yeas, 42; nays, 28.

And the amendment to Amendment No. 8, was adopted.

The question then being on the adoption of Amendment No. 8, as amended, it was decided in the affirmative.

Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 6, by adding after the word "appointment" the following words: "or who is unable to read and write the English language."

The question being on the adoption of the amendment a division was had resulting as follows: Yeas, 42; nays, 29.

And the amendment was adopted.

There being no further amendments, section 6, as amended, was, on motion of Mr. Trautmann, adopted.

Section 7 being taken up and read.

Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 7, by adding after the word "crimes" the words "And persons who refuse to bear arms in defense of the State or Nation, on ac-

count of conscientious scruples or who cannot read and write the English language."

Mr. Davis offered the following amendment to the amendment and moved its adoption:

Amend Amendment No. 10, by striking out the words "or who cannot read and write the English language."

Which amendment was accepted by Mr. Gee, the introducer of Amendment No. 10.

Mr. Sutherland offered the following amendment to Amendment No. 10, and moved its adoption:

Amend Amendment No. 10, by adding the following: "or to refuse such other service as is provided in the article on militia."

And the amendment to the amendment was lost.

The question recurring on the adoption of Amendment No. 10, it was decided in the negative.

Mr. Sneed offered the following amendment and moved its adoption:

AMENDMENT NO. 11.

Amend section 7 by adding at the end of line 2, after the words "infamous crimes" the words "and those who wilfully refuse to exercise their right of suffrage."

Pending consideration, at the hour of 1:00 o'clock p. m., Mr. Trautmann moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, APRIL 21, 1920.

At the hour of 8:02 o'clock p. m., the Convention went into Committee of the Whole.

Mr. DeYoung, Chairman of the Committee on Judicial Department, presiding.

The subject matter under consideration being the further discussion of the various Proposals relating to or affecting the organization of the Judicial Department, the following persons addressed the Committee of the Whole:

Hon. Albert C. Barnes, Judge of the Appellate Court.

Mr. Robert J. Folonie, Attorney, representing the Citizens' Association of Chicago.

Professor Andrew McLaughlin, University of Chicago, representing the City Club of Chicago.

Mr. W. F. Alden, Attorney, of the Chicago Association of Commerce.

Mr. John H. S. Lee, Attorney, of the Chicago Crime Commission.

Mr. Albert M. Kales, Attorney.

Miss Edith Rockwood, of the Women's City Club.

(For text of addresses see Convention debates.)

On motion of Mr. Davis a vote of thanks was extended to the speakers for their instructive addresses.

At the hour of 11:10 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, APRIL 22, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cruden, Chairman of the Committee on Suffrage, presiding.

The Committee of the Whole having, heretofore, had under discussion on April 21, the consideration of Proposal No. 351, the same was again taken up.

And the pending question being the consideration of Amendment No. 11, offered by Mr. Sneed.

Mr. Dawes offered the following as a substitute and moved its adoption:

The General Assembly may pass laws fixing penalties for the neglect of the voting privilege but not such as to disfranchise permanently any citizen.

Pending discussion, Mr. Lindly moved that the Committee do now proceed to vote on the adoption or rejection of the substitute and amendment now before the Committee for consideration.

And the motion prevailed.

The question then being on the adoption of the substitute, offered by Mr. Dawes, for Amendment No. 11, a division was had resulting as follows: Yeas, 24; nays, 49.

And the substitute to the amendment was lost.

The question recurring on the adoption of Amendment No. 11, it was decided in the negative.

At the hour of 12:40 o'clock p. m., Mr. Davis moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

FRIDAY, APRIL 23, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering Proposal No. 354.

Mr. Wilson, member of the Committee on Public Works and Improvements, presiding.

Proposal No. 354, was taken up and read at large.

Pending consideration, at the hour of 10:40 o'clock a. m., Mr. Brenholt moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, APRIL 27, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cruden, Chairman of the Committee on Suffrage, presiding.

The Committee of the Whole having, heretofore, had under discussion on April 22, the consideration of Proposal No. 351, the same was again taken up.

And the pending question being the adoption of section 7.

Mr. Whitman offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend Proposal No. 351, by striking out all of section seven (7) of the printed Proposal, and substituting in lieu thereof the following:

Section 7: No idiot or person adjudged insane, or persons convicted or any infamous crime, shall be entitled to the privilege of an elector, unless restored to civil rights.

And the amendment was adopted.

There being no further amendments, section 7, as amended was, on motion of Mr. Lindly, adopted.

Section 8 being taken up and read.

Mr. Gilbert offered the following as substitute and moved its adoption:

"Section 8. The General Assembly shall by law provide that city, village, township, school district and other local officers shall be elected on the same day in all political subdivisions in which any of such officers are to be chosen."

Pending discussion, Mr. Davis moved that the Committee now proceed to vote on the substitute offered for section 8.

Mr. Gilbert asked unanimous consent to withdraw his substitute from further consideration at this time.

Unanimous consent being refused, Mr. Davis moved that Mr. Gilbert be granted permission to withdraw his substitute.

Mr. Lindly raised the point of order that unanimous consent had been refused and that, under the rules, permission could not be granted by a motion.

And the point of order was sustained.

Whereupon Mr. Davis moved that further debate on the substitute be closed and that the vote on its adoption or rejection be now taken.

The question being on the motion of Mr. Davis, a division was had resulting as follows: Yeas, 61; nays, 6.

And the motion prevailed.

The question then being on the adoption of the substitute, offered by Mr. Gilbert, it was decided in the negative.

Mr. Michal offered the following amendment to section 8 and moved its adoption:

AMENDMENT NO. 13.

Amend section 8 by adding at the end thereof the following: The General Assembly shall pass no law for a direct primary election, except for the selection of delegates to nominating conventions.

Mr. Gee offered the following as a substitute for Amendment No. 13:

Amend section 8 by adding at the end thereof the following: Provided that nothing herein shall interfere with law now provided or that hereafter may be provided by the General Assembly for primary elections.

Pending discussion, Mr. Hull moved that section 8, together with the pending amendments be reported to the Convention with the recommendation that they be recommitted to the Committee on Suffrage.

And the motion prevailed.

At the hour of 12:30 o'clock p. m., Mr. Dunlap moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, APRIL 28, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Wilson, member of the Committee on Public Works and Improvements, presiding.

The Committee of the Whole having, heretofore, had under discussion, on April 23, the consideration of Proposal No. 354, the same was again taken up.

Whereupon Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend Proposal No. 354, by inserting after the words "disposed of" in line 4 of the printed Proposal the words "nor shall any part of such canal or waterway or any water power site or sites appurtenant thereto be sold."

And the amendment was adopted.

Mr. Lindly offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend Proposal No. 354, as printed, by inserting after the word "development" in line 8 the words "nor to the" and also by striking out the word "or" in line 9 of said printed Proposal and by inserting in lieu thereof the words "nor to the sale or lease."

And the amendment was adopted.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend Proposal No. 354, by adding after the word "created" in line 12 of the printed Proposal the following: "and such additional conditions of sale or lease as are now or may hereafter be provided by law."

Mr. Gilbert offered the following as a substitute for paragraph 2 and the proposed Amendment No. 3:

Provided, that lands and lots not needed in connection with navigation, power development, terminals, docks or other works appurtenant thereto may be sold, the Governor and General Assembly concurring;

And provided further, that sites for power development, water or energy developed from water power, may be let or leased, and the rental or the rates to be received by the State therefor, shall at all times be fair, just and reasonable both to the lessee and to the State.

The question being on the adoption of the substitute, it was decided in the negative.

Whereupon Mr. Six offered the following as a substitute and moved its adoption:

"After the expiration of any lease or revaluation period the State shall have the right to retake the property for itself or for a new lessee upon the payment of a fair, just and sufficient compensation for the property and for all dependent property, if taken, and if the dependent property is not taken, then fair, just and sufficient compensation be paid for all severance damages. Provision may be made that the old lessee have priority over any new lessee."

The question being on the adoption of the substitute, it was decided in the negative.

The question recurring on the adoption of Amendment No. 3, it was decided in the affirmative.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend Proposal No. 354, by inserting the word "detached" after the word "of" in line 9 of the printed Proposal.

Pending discussion, Mr. Carlstrom offered the following as an amendment to Amendment No. 4, which amendment to the amendment was accepted by Mr. Dunlap:

"Strike out the words 'sale or' in line 9 before the word 'lease' in said line 9 and insert after the word 'works' in line 10 the words 'nor to the sale of lands or lots detached from, and not appurtenant to the right of way of any such canal or waterway.'"

Thereupon, Mr. Rinaker offered the following as a substitute for Amendment No. 4, as amended, and moved its adoption:

Provided, that this restriction shall not apply to the lease of water, or sites, for power development, to the sale or lease of energy developed from waterpower or to the lease of lands or lots not then required for the use of such canal or waterway, for temporary use until required for such canal or waterway, all to be made upon terms and conditions to be prescribed by law.

The question being on the adoption of the substitute, a division was had, resulting as follows: Yeas, 33; nays, 38.

And the substitute was lost.

The question recurring on the adoption of Amendment No. 4, as amended by Mr. Carlstrom and accepted by Mr. Dunlap, it was decided in the affirmative.

Mr. Gilbert offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend Proposal No. 354, by substituting the word "five" for the word "ten" in line 5.

And the amendment was lost.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend Proposal No. 354, by adding after the word "lease" in line 11 of the printed Proposal the words "or rate specified to be paid in any such sale of energy."

And the amendment was adopted.

Mr. Revell offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend Proposal No. 354 by striking out the words "at such an election" in line 6 and inserting in lieu thereof the words "on said Proposal."

Pending discussion, by unanimous consent, Mr. Revell withdrew Amendment No. 7.

Mr. Lindly moved that Proposal No. 354, as amended, be now adopted.

Pending discussion, at the hour of 12:55 o'clock p. m., Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows: Yeas, 60; nays, 6.

And the motion prevailed.

THURSDAY, APRIL 29, 1920.

At the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Wilson, member of the Committee on Public Works and Improvements, presiding.

The Committee of the Whole having, heretofore, had under discussion, on April 28, the consideration of Proposal No. 354, the same was again taken up.

And the pending question being the motion of Mr. Lindly to adopt the Proposal as amended.

Mr. Stewart asked and obtained unanimous consent to have Mr. Bennett, from the Board of Public Works, address the Convention on subjects pertaining to Proposal No. 354.

Whereupon Mr. Bennett addressed the Convention at length.

Mr. Carlstrom, thereupon, offered the following amendment and moved its adoption:

AMENDMENT NO. 8.

Amend Proposal No. 354, by adding, "The General Assembly shall never loan the credit of the State or make appropriations from the treasury thereof, in aid of any railroad, nor in aid of any canal or waterway, except to appropriate the proceeds realized from the sale of any bonds now authorized to be issued for such purpose, together with the earnings realized from the sale, lease or operation of any such canal or waterway, or any product, power, energy, water or other incidental right, developed by or resulting from the construction, maintenance or operation of any such canal or waterway as herein provided for, and such other issues of bonds or appropriations of monies as shall first be approved by the electors of this State, at a referendum vote on such issue or appropriation.

Pending discussion Mr. Gale offered the following as an amendment to Amendment No. 8, and moved its adoption:

"And no bonds, whether heretofore authorized or not, shall be sold or issued by the State in aid of any canal or waterway unless the specific proposition therefor shall first be submitted to a vote of the people of the State at a general election and approved by a majority of those voting thereon."

Whereupon Mr. Sutherland offered the following as a substitute for Amendment No. 8 and the pending amendment to Amendment No. 8:

Amend Proposal No. 354, by adding at the end of paragraph one, the following sentence: "The General Assembly shall never loan the credit of the State in aid of canals or waterways in excess of bonds already authorized at the adoption of this Constitution, except under the provisions of section 18 of Article IV of the Constitution of 1870 and shall never make any appropriation, except from the proceeds of bond issues and out of revenue derived from the operation of such State projects, from the State Treasury for such purpose, unless the law making such appropriation together with the law levying the tax therefor shall be submitted to the electors of the State at the

next succeeding general election, and acts so submitted shall not take effect unless at such election they shall receive a majority of the votes polled. Only one such proposition shall be submitted at any given election and shall be in aid of not more than one canal or waterway."

Pending consideration, at the hour of 1:00 o'clock p. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, MAY 4, 1920.

At the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Wilson, member of the Committee on Public Works and Improvements, presiding.

The Committee of the Whole, having heretofore, had under discussion, on April 29, the consideration of Proposal No. 354, the same was again taken up.

And the pending question being the consideration of the substitute offered by Mr. Sutherland the same was, by unanimous consent, withdrawn.

The question recurring on the amendment to the amendment by Mr. Gale, and also in turn on Amendment No. 8 by Mr. Carlstrom, both were, by unanimous consent, withdrawn.

Whereupon, Mr. Corlett offered the following as a substitute for the entire Proposal No. 354, as amended, and moved its adoption:

CANALS.

The Illinois and Michigan Canal, or other canal or waterway owned by the State shall never be sold or leased until the specific proposition for the sale or lease thereof shall first have been submitted to a vote of the people of the State at a general election, and have been approved by a majority of all the votes polled at such election. The General Assembly shall never loan the credit of the State or make appropriations from the treasury thereof, in aid of railroads or canals;

Provided, that any surplus earnings of any canal, waterway or water power may be appropriated or pledged for its enlargement, maintenance or extension; and,

Provided, further, that the General Assembly may, by suitable legislation, provide for the construction of a deep waterway or canal from the present water power plant of the Sanitary District of Chicago at or near Lockport, in the township of Lockport, in the county of Will, to a point in the Illinois River at or near Utica, which may be practical for a general plan and scheme of deep waterway along a route which may be deemed most advantageous for such plan of deep waterway; and for the erection, equipment and maintenance of power plants, locks, bridges, dams and appliances sufficient and suitable for the development and utilization of the water power thereof; and authorize the issue, from time to time, of bonds of this State in a total amount not to exceed twenty million dollars, which shall draw interest, payable semi-annually, at a rate not to exceed four per cent per annum, the proceeds whereof may be applied as the General Assembly may provide, in the construction of said waterway and in the erection, equipment and maintenance of said power plants, locks, bridges, dams and appliances.

All power developed from said waterway may be leased in part or in whole, as the General Assembly may by law provide, but in the event of any lease being so executed, the rental specified therein for water power shall be

subject to a revaluation each ten years of the term created, and the income therefrom shall be paid into the treasury of the State.

Pending discussion, Mr. Green moved that the Committee of the Whole recommend to the Convention that Proposal No. 354, as now amended, and the substitute offered by Mr. Corlett, together with the entire subject matter therein referred to, be recommitted to the Committee on Public Works and Improvements.

Mr. Carlstrom moved as a substitute that debate be closed and that the Committee now proceed to vote on the substitute offered by Mr. Corlett.

And the question being on the motion of Mr. Carlstrom, it was decided in the negative.

The question recurring on the motion to recommit, pending discussion, Mr. Green moved that debate be now closed and that the Committee proceed to vote on the motion.

And the question being on the motion to close debate, it was decided in the affirmative.

The question then being on the motion to recommit, it was decided in the affirmative.

At the hour of 12:30 o'clock p. m., Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, MAY 5, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the majority and minority reports of the Committee on Education, being Proposals numbered 359 and 360, respectively.

Mr. Brandon, Chairman of the Committee on Education, presiding.

The majority report was taken up and read at large.

Whereupon, Mr. Prandon, requested Mr. Corcoran, member of the Committee on Education, to preside during the consideration of the report in order that he might participate in the discussion from the floor of the Committee.

Section 1, of said report, being taken up and read.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 by striking out in lines 4, 5 and 6 the words, "The General Assembly shall also provide for the care and education of dependent, defective, delinquent and other children requiring special consideration."

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 37; nays, 31.

And Amendment No. 1, was adopted.

Mr. Latchford offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend Proposal No. 359 by adding the following after the word "State" in line 3 the words "And other inhabitants who are eligible for citizenship."

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend by adding to section 1 the following: "That in all schools of this State both public and private the English language shall be the medium of instruction."

And the amendment was lost.

There being no further amendments, section 1 as amended was, on motion of Mr. Dunlap, adopted.

At the hour of 12:40 o'clock p. m., Mr. Brandon moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, MAY 5, 1920.

At the hour of 4:05 o'clock p. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

Mr. Brandon, Chairman of the Committee on Education, presiding.

The Committee of the Whole having, heretofore, had under discussion, on this date, the consideration of Proposal No. 359, the same was again taken up.

Whereupon, section 2 being read.

Mr. Barr moved its adoption.

Pending discussion, Mr. Sutherland moved that debate be now closed, and that the Committee proceed to vote on the motion.

And the motion prevailed.

The question then being on the adoption of section 2, a division was had, resulting as follows: Yeas, 31; nays, 36.

And the motion was lost.

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Rosenberg, adopted.

Section 4 and also the Minority Report, as set out in Proposal No. 360, being taken up and read.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 4 of Proposal No. 359 by substituting therefore the Minority Report contained in Proposal No. 360.

Pending consideration at the hour of 6:20 o'clock p. m., Mr. Dunlap moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, MAY 6, 1920.

At the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Brandon, Chairman of the Committee on Education, presiding.

The Committee of the Whole having, heretofore, had under discussion, on May 5, the consideration of the majority and minority reports of the Committee on Education, being Proposals numbered 359 and 360 respectively, the same were again taken up.

And the pending question being the amendment of Mr. Dunlap, to adopt the Minority Report in lieu of section 4 of the Majority Report.

Mr. Dunlap, thereupon by unanimous consent, offered the following as an amendment to the Minority Report, to-wit:

"This section shall not become effective until five years after the adoption of this Constitution, and during such period of five years, section 3 of Article 8 of the present Constitution shall remain in full force and effect."

Mr. Rinaker offered the following as a substitute and moved its adoption:

"This section shall not apply to any institution which has, within two years prior to January 1, 1920, received public funds for services rendered, until ten years after the adoption of this Constitution."

The question being on the adoption of the substitute, it was decided in the affirmative.

Pending discussion Mr. Michal moved that debate be now closed and that the Committee proceed to vote on the motion.

And the motion was lost.

At the hour of 12:35 o'clock p. m., Mr. Mighell moved that the Committee do now rise, report progress, and ask leave to sit again.

And the motion was lost.

Pending further discussion, at the hour of 1:05 o'clock p. m., Mr. Corcoran moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, MAY 6, 1920.

At the hour of 4:02 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Brandon, Chairman of the Committee on Education, presiding.

The Committee of the Whole having, heretofore, had under discussion, on this date, the consideration of the Majority and Minority Reports of the Committee on Education, being Proposals numbered 359 and 360, respectively, the same were again taken.

And the pending question being the adoption of the Minority Report, as amended.

Mr. Hamill offered the following amendment and moved its adoption:

Strike out of lines 3 and 4 of section 4 of Minority Report the following: "to any church or for any sectarian purpose, or." Strike out all of the section after the word "whatever" in line 6. Insert immediately after the word "whatever" in line 6 the following: "except for the purchase or lease of property."

The question being on the adoption of the amendment, it was decided in the negative.

Mr. Trautmann offered the following amendment and moved its adoption:

Amend the Minority Report, as amended, so as to read "Until fifteen years after the adoption of this Constitution" instead of "ten years, etc."

And the amendment was adopted.

Mr. W. A. Johnson moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the Minority Report, as amended, a division was had resulting as follows: Yeas, 41; nays, 27.

And the Minority Report, as amended, was adopted.

Mr. Dunlap, thereupon, moved that section 4 of the Majority Report, as amended, by the substitution of the Minority Report be now adopted.

And on that motion a division was had resulting as follows: Yeas, 36; nays, 25.

And section 4, as amended, was adopted.

Pending further discussion, Mr. Green moved that section 4 be recommitted to the Committee on Education for better wording.

And the motion was lost.

Section 5 being taken up and read and no amendments being offered, was on motion of Mr. Corcoran, adopted.

Section 6 was taken up and read.

Whereupon Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 6 by striking out the word "election" in lines 2 and 3 and substituting therefor the word "selection."

Pending consideration, at the hour of 6:55 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows:
Yeas, 41; nays, 9.

And the motion prevailed.

TUESDAY, MAY 11, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Brandon, Chairman of the Committee on Education, presiding.

The Committee of the Whole having, heretofore, had under discussion, on May 6, the consideration of the Majority and Minority Reports of the Committee on Education, being Proposals numbered 359 and 360 respectively, the same were again taken up.

And the pending question being the amendment offered by Mr. Hull, to section 6.

Mr. Hull, by unanimous consent, withdrew his amendment.

Whereupon Mr. Hamill moved to amend by striking out section 6.

And the question being on the adoption of the motion of Mr. Hamill, a division was had resulting as follows: Yeas, 19; nays, 54.

And the motion was lost.

Mr. Gilbert moved to amend by striking out the word "may" in line 1 and inserting in lieu thereof the word "shall."

And the motion was lost.

The question then being on the adoption of section 6, it was decided in the affirmative.

Mr. Barr offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend Proposal No. 359, by inserting a section to be known as section 2 to read as follows:

Section 2. "The General Assembly shall make adequate provision for the maintenance and development of the University of Illinois."

Mr. Hamill raised the point of order that the amendment was not in order for the reason that it contained matter similar to that already passed upon in section 2.

The Chair ruled that the point of order was not well taken for the reason that the amendment did not contain all of the subject matter passed on in section 2.

Pending discussion Mr. Carlstrom moved to amend the amendment, offered by Mr. Barr, by striking out the word "adequate."

The question being on the adoption of the amendment to the amendment, a division was had resulting as follows: Yeas, 33; nays, 37.

And the amendment to the amendment was lost.

Mr. Shaw offered the following amendment to the amendment and moved its adoption:

Amend by adding the following: "To be controlled by an elected board of trustees."

Mr. Hamill again raised the point of order that the subject matter herein contained was the same as that formerly considered.

The Chair ruled that the point of order was not well taken.

Pending discussion, Mr. Shaw, by unanimous consent, withdrew his amendment to the amendment.

The question then being on the adoption of the amendment, offered by Mr. Barr, a division was had resulting as follows: Yeas, 47; nays, 24.

And the amendment was adopted.

Mr. Dunlap moved that Proposal No. 359, as now amended, be adopted by the Committee of the Whole and reported to the Convention with the recommendation that it do pass.

The question being on the motion, a division was had resulting as follows: Yeas, 57; nays, 9.

And Proposal No. 359, as amended, was adopted.

Pending further discussion, Mr. Dietz moved that the vote by which Proposal No. 359 was adopted be reconsidered.

And the motion was lost.

At the hour of 12:15 o'clock p. m., Mr. Michaelson moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, MAY 12, 1920.

At the hour of 9:25 o'clock a. m. the Convention went into Committee of the Whole for the purpose of considering the several reports from the Committee on Distinction between Constitutional and Legislative Subjects.

Mr. Dietz, Chairman of the Committee on Distinction between Constitutional and Legislative Subjects, presiding.

Mr. Dietz requested Mr. Corlett to take the chair and withdrew to the floor of the Committee.

The report of the Committee on Distinction with reference to Proposals numbered 15 and 166 were then taken up for consideration and the recommendation of the Committee that said Proposals be re-referred was, on motion of Mr. Dunlap, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 23, was taken up for consideration and the recommendation of the Committee that said Proposal be re-referred was, on motion of Mr. Dietz, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 211, was taken up for consideration and the recommendation of the Committee that said Proposal be re-referred was, on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 282, was taken up for consideration and the recommendation of the Committee that said Proposal be re-referred was, on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 284, was taken up for consideration and the recommendation of the Committee that said Proposal be re-referred was, on motion of Mr. Lohman, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 73, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution, was on motion of Mr. Michal, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 74, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 75, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 77, was taken up for consideration and the recommendation

of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Michal, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 98, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 148, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 157, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Lohman, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 186, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution, was on motion of Mr. Todd, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 202, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Kunde, concurred in.

The report of the Committee on Distinction with reference to Proposal No. 224, was taken up and by unanimous consent and on motion of Mr. Dietz, said report was withdrawn by the Committee on Distinction with the request that a like recommendation be made to the Convention.

The report of the Committee on Distinction with reference to Proposal No. 288, was taken up for consideration and the recommendation of the Committee that said Proposal do not become a part of the proposed Constitution was, on motion of Mr. Dupuy, concurred in.

The report of the Committee on Distinction between Constitutional and Legislative Subjects having been disposed of, Mr. Corlett called Mr. O'Brien to the chair.

And the Committee of the Whole thereupon proceeded to the consideration of Proposals numbered 357 and 358 reported from the Committee on Miscellaneous Subjects.

Proposal No. 357 being taken up and read at large and no amendments being offered, was, on motion of Mr. Revell, adopted.

Proposal No. 358 being taken up and read at large and no amendments being offered was, on motion of Mr. Paddock, adopted.

At the hour of 11:10 o'clock a. m., Mr. Lohman moved that the Committee do now rise and report.

And the motion prevailed.

THURSDAY, MAY 13, 1920.

At the hour of 9:25 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cruden, Chairman of the Committee on Suffrage, presiding.

The Committee of the Whole having, heretofore, had under discussion on April 27, the consideration of Proposal No. 351 and section 8 thereof together with the pending amendments which were re-committed to the Committee on Suffrage and reported back as sections 8, 9 and 10, and again referred to the Committee of the Whole, the same were taken up.

Whereupon Mr. Nichols offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 8 of the last report of the Committee on Suffrage by adding thereto the following:

"This section shall not apply to elections for school directors and members of boards of education, and these officers shall be elected at such times and in such manner as may be prescribed by law."

Mr. Sutherland offered the following as a substitute for both the amendment and also section 8 and moved its adoption:

Except as otherwise provided by general law concurred in by two-thirds of the members elected to each branch of the General Assembly and passed after January 1, 1927, all regular final elections to fill offices created by this Constitution, or which are or may be established by law may be held on the first Tuesday after the first Monday in November in each year and at no other time. Special elections to fill vacancies in elected offices except as otherwise provided in this Constitution, shall be held on the day of the regular election.

Pending discussion, Mr. Dove moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the substitute.

It was decided in the affirmative.

The question recurring on the adoption of section 8 as amended.

It was decided in the affirmative.

Section 9 being taken up and read.

Mr. Six offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Substitute in lieu of section 9 the following:

"In case of vacancies and in case of newly created offices, temporary appointments shall be made in such manner as is or may be provided by law, such appointees to serve until successors shall be chosen by election."

And the amendment was lost.

There being no further amendments section 9 was, on motion of Mr. Traeger, adopted.

Section 10 being taken up and read.

Mr. Dawes offered the following amendment and moved its adoption:

AMENDMENT NO. 16.

Amend section 10 by adding after the word "all" the following words "regular final."

Pending discussion, Mr. Dove offered the following as a substitute and moved its adoption:

Amend section 10 by inserting after the word "all" the following words "primary and final."

The question being on the adoption of the substitute.

It was decided in the negative.

The question recurring on the adoption of the amendment, offered by Mr. Dawes.

It was decided in the affirmative.

The question then being on the adoption of section 10, as amended, it was decided in the affirmative.

Mr. Morris moved that the vote by which section 6 was adopted, on April 21, be reconsidered.

And the motion prevailed.

Mr. Morris thereupon moved to reconsider the vote by which Amendment No. 9, to section 6, was adopted.

And the motion prevailed.

The question then being on the adoption of Amendment No. 9, a division was had resulting as follows: Yeas, 47; nays, 10.

And the amendment was again adopted.

Mr. Morris then moved to reconsider the vote by which Amendment No. 8 to section 6, was adopted.

And the motion prevailed.

The question now being on the adoption of Amendment No. 8.

It was decided in the negative.

Pending discussion, Mr. Todd moved that section 6 as now amended be adopted.

And the motion prevailed.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT NO. 17.

Amend Proposal No. 351 by adding an additional section thereto to be known as section 11.

Section 11. Beginning in 1922 there shall be imposed upon each citizen over 21 years of age a tax of five dollars to be levied and collected by the proper authorities in addition to and in the same manner as other taxes, which sum shall be remitted if such citizen shall file with the officer whose duty it is to extend the taxes an affidavit showing that such citizen voted at the regular final election during the year for which the taxes are levied or was disqualified as an elector for some reason other than failure to register as a voter or was prevented from so voting by illness or absence from home. Falsity of such affidavit shall be punished as perjury, the money so collected shall be for the benefit of the school fund of the school district within which such taxpayer shall reside.

Mr. Hamill raised the point of order that the amendment was out of order for the reason that the subject matter was not germane to the question now before the committee.

The Chair ruled the point of order well taken.

Whereupon Mr. Gale appealed from the decision of the Chair.

And the question being, "Shall the decision of the Chair stand as the decision of the Committee?" a division was had resulting as follows: Yeas, 32; nays, 32.

Pending discussion the Chair reversed its ruling and permitted the consideration of the amendment.

Pending discussion Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the amendment, offered by Mr. Gale, a division was had resulting as follows: Yeas, 16; nays, 42.

And the amendment was lost.

Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend Proposal No. 351 by adding a new section thereto as follows: "The General Assembly shall pass no law for a direct primary election, except for the selection of delegates to nominating conventions."

The question being on the adoption of the amendment a division was had resulting as follows: Yeas, 23; nays, 34.

And the amendment was lost.

Mr. Dove offered the following amendment and moved its adoption:

AMENDMENT No. 19.

Amend Proposal No. 351 by adding an additional section thereto as follows: Every qualified elector shall register and vote at every general election and no person shall be elected or appointed to any office in this State civil or military, who has been guilty of willful and deliberate failure to vote within two years next preceeding such election or appointment. The General Assembly shall pass appropriate laws, making this section effective and may provide additional punishments for wilful and deliberate failure to vote.

Mr. Kerrick offered the following as a substitute, and moved its adoption:

"The General Assembly may pass laws conducive to the full exercise of the right of suffrage by all persons possessing such right."

Pending discussion, Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

The question then being on the adoption of the substitute.

It was decided in the affirmative.

Mr. Dunlap moved that the amended section be designated as section 11 and as such that it be now adopted.

And on that motion a division was had resulting as follows: Yeas, 35; nays, 21.

And section 11, as amended, was adopted.

There being no further amendments, Mr. Dunlap moved that the entire report of the Committee on Suffrage, as amended, be now adopted.

And the motion prevailed.

At the hour of 1:30 o'clock p. m., Mr. Davis moved that the Committee do now rise and report.

And the motion prevailed.

TUESDAY, MAY 18, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the Majority and Minority Reports of the Committee on County and Township Government, being Proposals numbered 362 and 363, respectively.

Mr. Smith, Chairman of the Committee on County and Township Government, presiding.

The Majority Report was taken up, read at large and considered section by section.

Section 1 being taken up and read.

Mr. Taft moved its adoption.

Whereupon Mr. Dupuy moved as a substitute that section 14 be considered prior to the other sections of this report.

And the motion prevailed.

Section 14 being taken up and read and no amendments being offered, was, on motion of Mr. Cutting, adopted.

The question recurring on the adoption of section 1, it was decided in the affirmative.

Section 2 being taken up and read.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 2 by striking out the first four lines and substituting in lieu thereof the following:

Section 2. No county shall be divided nor any territory be added to, or taken from any county, unless such question shall be submitted to a vote of the people of each county affected and a majority of the electors of each county affected voting on the question shall vote for the same.

And the amendment was adopted.

Pending discussion, Mr. Hamill moved to reconsider the vote by which Amendment No. 1, was adopted.

The question being on the motion to reconsider, it was decided in the negative.

There being no further amendments, section 2, as amended, was, on motion of Mr. Nichols, adopted.

Section 3 being taken up and read.

Mr. Dove moved its adoption.

Pending discussion, Mr. Cruden, offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 3 by adding the word "qualified" at the end of line 2 thereof and strike out the clause beginning with word "and" and semi-colon in line 4 and ending with the word "election" in line 6 thereof.

And the amendment was lost.

Mr. Wall offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 3 as follows: Strike out the words three-fourths in line 2 and insert in lieu thereof the words three-fifths. Strike out the words "voting on such question" in line three and insert in lieu thereof the words "entitled to vote on such question."

Pending discussion, by unanimous consent, Mr. Wall withdrew Amendment No. 3, and offered in lieu thereof the following:

AMENDMENT No. 4.

Strike out all of section 3 and substitute in lieu thereof the following: Section 3. No county seat shall be removed until the point to which it is proposed to be removed shall be fixed in pursuance to law, and three-fifths of the voters of the county to be ascertained in such manner as shall be provided by general law, shall have voted in favor of its removal to such point; and no person shall vote on such question who has not resided in the county six months, and in the election precinct ninety days next preceding such election. The question of the removal of a county seat shall not be oftener submitted than once in ten years, to a vote of the people. But when an attempt is made to remove a county seat to a point nearer to the center of the county, then a majority vote only shall be necessary.

Pending further discussion, by unanimous consent, Mr. Wall withdrew Amendment No. 4, and offered in lieu thereof the following:

AMENDMENT No. 5.

Amend section 3 as follows: Strike out the words three-fourths in line 2 and insert in lieu thereof the words three-fifths.

And the amendment was lost.

The question recurring on the adoption of section 3 it was decided in the affirmative.

Section 4 being taken up and read and no amendments being offered, was, on motion of Mr. Dove, adopted.

Section 5 being taken up and read and no amendments being offered was, on motion of Mr. Dove, adopted.

Section 6 and also the Minority Report being taken up and read.

Mr. Scanlan offered the following as a substitute for the Minority Report and moved its adoption:

Section 6. In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, 1922; a county clerk, who shall also be clerk of the County Court, a county assessor, who shall be ex-officio county treasurer and collector of taxes, and a sheriff; and at the general election to be held on the Tuesday after the first Monday in November, 1924, a coroner, a clerk of the Circuit Court, who shall be ex-officio recorder of deeds in counties having less than 60000 inhabitants, and a recorder of deeds in counties having 60000 and more inhabitants.

Pending consideration, Mr. Jarman moved a division of the subject matter of the substitute amendment.

And the question being on the motion to divide it was decided in the affirmative.

The first division or paragraph taken up for consideration being that relating to the office of sheriff which amended the Minority Report by omitting the words "who shall be ex-officio coroner" the same was, on motion, adopted.

The second division taken up for consideration being that in relation to coroner and which amended the Minority Report by adding after the figures "1924" in line 7 the words "a coroner" the same was, on motion, adopted.

The third division taken up for consideration being that relating to a clerk of the Circuit Court and amending the Minority Report by adding in line 8 after the word "deeds" the following "in counties having less than 60,000 inhabitants, and a recorder of deeds in counties having 60,000 and more inhabitants" the same was, on motion, adopted.

Pending further consideration, at the hour of 6:20 o'clock p. m., Mr. Todd moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, MAY 19, 1920.

At the hour of 9:20 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Smith, Chairman of the Committee on County and Township Government, presiding.

The Committee of the Whole having, heretofore, had under discussion, on May 18, the consideration of the Majority and Minority Reports of the Committee on County and Township Government, being Proposals numbered 362 and 363, respectively, the same were again taken up.

And the pending question being the adoption of the substitute as a whole following the consideration and action of the Committee upon a division of the question.

The same was taken up and the question being on its adoption as a whole.

It was decided in the affirmative.

Whereupon, Mr. Jarman moved that the Minority Report, as amended, be now substituted for section 6 of the Majority Report.

And the motion prevailed.

The question then being on the adoption of section 6 as amended.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Strike out in line 5 of section 6 the words "county assessor, who shall be ex-officio."

Also strike out the word "and" after the word "treasurer" in line 6 and substitute therefor the words "who shall be ex-officio."

Also insert at the end of said section 6 the following "There shall also be a county assessor who shall be selected as the General Assembly may direct."

Pending discussion, Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 6, a division was had resulting as follows: Yeas, 55; nays, 14.

And the amendment was adopted.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 6 by adding after the figures "1922" the following: "and every four years thereafter."

And by adding after the figures "1924" the following: "and every four years thereafter."

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 6 by adding at the end thereof the following: "provided that no person having once been elected to the office of sheriff and treasurer shall be eligible to said office for four years after the expiration of the term for which he shall have been elected."

Mr. Cruden offered the following as an amendment to Amendment No. 8, and moved its adoption:

Amend the amendment by striking out the words "sheriff and."

Pending discussion, Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the amendment to the amendment, a division was had resulting as follows: Yeas, 49; nays, 27.

And the amendment to the amendment was adopted.

The question recurring on the adoption of Amendment No. 8, as amended, a division was had resulting as follows: Yeas, 44; nays, 37.

And the amendment, as amended, was adopted.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 6 by striking out the figures and words "60000 inhabitants and more" and by inserting in lieu thereof the words "which have heretofore been electing recorders of deeds."

And the amendment was lost.

The question recurring on the adoption of section 6, as amended, it was decided in the affirmative.

Section 7 being taken up and read.

Mr. Brenholt offered the following as a substitute for section 7 and moved its adoption:

Section 7. The General Assembly shall fix the salary for all county officers according to the size of counties by population; the county board or county commissioners shall designate the amount of their necessary clerk hire, stationery and other expenses.

The compensation herein provided for shall be paid out of the county treasury, and shall apply only to officers elected after the adoption of this Constitution.

And the substitute was lost.

The question then being on the adoption of section 7, it was decided in the affirmative.

Section 8 being taken up and read.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 8 by inserting in line 2, after the word "laws" the words "uniform as to classes of counties."

The question then being on the adoption of Amendment No. 10, a division was had resulting as follows: Yeas, 49; nays, 11.

And the amendment was adopted.

Mr. Moore offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 8 by striking out the word "majority" in line 4 and inserting in lieu thereof the words "sixty per cent."

And the amendment was lost.

The question recurring on the adoption of section 8, as amended, it was decided in the affirmative.

Section 12 being taken up and read.

Mr. Sutherland moved to amend by striking out section 12.

And the motion prevailed.

Section 13 being taken up and read.

Mr. Lindly moved to amend by striking out section 13.

Pending discussion, at the hour of 6:25 o'clock p. m., Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, MAY 20, 1920.

At the hour of 9:35 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Smith, Chairman of the Committee on County and Township Government, presiding.

The Committee of the Whole having, heretofore, had under discussion, on May 19, the consideration, of the Majority and Minority Reports of the Committee on County and Township Government, being Proposals numbered 362 and 363 respectively, the same were again taken up.

And the pending question being the consideration of the motion, of Mr. Lindly, to strike out section 13, the same was again taken up.

Pending consideration, Mr. Lindly, by unanimous consent, withdrew his motion.

Mr. Dunlap offered the following as a substitute for section 13 and moved its adoption:

Section 13. The General Assembly shall have authority to provide, on petition, for the improvement of roads and highways in part by special assessments levied upon the property benefited thereby, whether such improvement is entirely within one township or county or extends into two or more townships or counties; *Provided* that such petition shall be signed by a majority of the owners of land subject to such assessment, who represent not less than one-third in area of said lands.

Pending discussion, Mr. Dunlap, by unanimous consent, withdrew his substitute.

Whereupon, Mr. Seanlan offered the following as a substitute for section 13 and moved its adoption:

Section 13. The General Assembly shall have authority to enact laws providing for the construction and improvement of public roads and highways in part by special assessments, to be levied upon the property benefited by such construction and improvement whether such construction and improvement lie within one township or county or two or more townships or counties; provided that such laws shall contain provisions that all such construction and improvements shall be initiated by a petition signed by a majority of the owners of the lands to be subjected to such special assessment, who shall be the owners of not less than one-third in area of the said lands.

Pending discussion, Mr. Mighell moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the substitute offered by Mr. Seanlan.

It was decided in the affirmative.

Mr. Dove offered the following amendment to section 13, as amended, and moved its adoption:

AMENDMENT No. 13.

Amend section 13, as amended, by adding at the end thereof the following: "Provided, that not more than 20 per cent of the total cost of the improvement shall be levied upon the property benefited."

Mr. Kerrick moved to amend the amendment by striking out the figures "20" and inserting in lieu thereof the figures "10."

And the amendment to the amendment was lost.

The question recurring on the adoption of Amendment No. 13, it was decided in the affirmative.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 13, as amended, by adding after the word "lands" in line 10, the word "proposed."

And the amendment was adopted.

Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 13, as amended, by striking out in line 3 the words "on part."

And the amendment was lost.

The question then being on the adoption of section 13, as amended, a division was had resulting as follows: Yeas, 38; nays, 20.

And section 13, as amended, was adopted.

Mr. Gilbert moved to reconsider the vote by which section 12, was, on yesterday, stricken out.

And the motion prevailed.

The question then being on the motion of Mr. Sutherland to strike out section 12.

Mr. Sutherland, by unanimous consent, withdrew his motion.

Mr. Sutherland, thereupon, moved that it is the sense of this Committee that there should be no constitutional limit but only a statutory limit on the tax rate to be levied by counties.

The Chair ruled the motion out of order.

Whereupon Mr. Jarman moved that section 12, be adopted.

Pending discussion, Mr. Gale offered the following as a substitute for section 12, and moved its adoption:

Section 12. County authorities shall never assess taxes the aggregate of which shall exceed seventy-five cents per one hundred dollars valuation, unless authorized by a vote of the people of the county; but if the General Assembly shall provide that the county shall be the unit for the levy and collection of taxes for road and bridge purposes, then county authorities may assess an additional tax for the construction, improvement and maintenance of public highways and bridges, which additional tax shall not exceed seventy-five cents per one hundred dollars valuation unless authorized by a vote of the people of the county.

And the substitute was adopted.

The question then being on the adoption of section 12, as amended, it was decided in the affirmative.

Mr. Jarman moved that Proposal No. 362, as amended, be adopted by the Committee of the Whole and reported to the Convention with the recommendation that it do pass.

And the motion prevailed.

At the hour of 3:30 o'clock p. m., Mr. Jarman moved that the Committee do now rise and report.

And the motion prevailed.

THURSDAY, MAY 20, 1920.

At the hour of 3:35 o'clock p. m., the Convention went into Committee of the Whole for the purpose of considering the Majority and Minority Reports of the Committee on Corporations and Cooperative Associations, being Proposals numbered 364 and 365, respectively.

Mr. Fyke, Chairman of the Committee on Corporations and Cooperative Associations, presiding.

The Majority Report was taken up, read at large and considered section by section, as follows:

Section 1 being taken up and read.

Mr. Dawes moved its adoption.

Pending discussion, Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 of Proposal No. 364, by inserting in line 1, after the words "except those" the words "for charitable, educational, penal or reformatory purposes."

Pending consideration, Mr. Carlstrom offered the following as a substitute for the pending amendment and section 1, and moved its adoption:

Section 1. No corporation shall be created by special laws, or its charter extended, changed, or amended, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State, but the General Assembly shall provide by general laws, for the organization of all corporations hereafter to be created.

And the substitute was adopted.

The question recurring on the adoption of section 1, as amended, it was decided in the affirmative.

Section 2 being taken up and read.

Mr. Mayer moved that section 2 be stricken out.

Pending discussion Mr. Mighell offered the following as a substitute for the motion to strike out and moved its adoption:

Amend line 2, section 2 by inserting after the word "companies" the words "other than cooperative societies," and after the word "stockholders" the words "whose stock by charter or contract has at the time unrestricted voting power."

Pending discussion Mr. Jarman moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows:
Yeas, 7; nays, 20.

And the Committee refused to rise.

Pending further discussion, at the hour of 6:25 o'clock p. m., Mr. Shanahan moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows:
Yeas, 24; nays, 21.

And the motion prevailed.

TUESDAY, MAY 25, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Fyke, Chairman of the Committee on Corporation and Co-operative Associations, presiding.

The Committee of the Whole having, heretofore had under discussion, on May 20, the consideration of the Majority and Minority Reports of the Committee on Corporations and Co-operative Associations, being Proposals numbered 364 and 365 respectively, the same were again taken up.

And the pending question being the adoption of the substitute offered by Mr. Mighell.

Pending discussion, Mr. Rinaker suggested the following amendment in lieu of the pending substitute which was accepted by Mr. Mighell:

Amend section 2 by adding at the end thereof the following: "But provision may be made by law for the issuance of classes of stock with restricted, or without any, voting power and every certificate of stock shall show on its face its voting or non-voting character."

And the question being on the adoption of the substitute, as above suggested, a division was had, resulting as follows: Yeas, 46; nays, 14.

And the substitute was adopted.

The question then being on the adoption of section 2, as amended.

Mr. Dunlap offered the following amendment to section 2 and moved its adoption:

AMENDMENT No. 2.

Provided that this section shall not apply to cooperative organizations or societies formed or organized for agricultural or horticultural purposes, and the voting rights of shareholders and stockholders in such societies or organizations shall be governed by general law.

Pending discussion, by unanimous consent, Mr. Dunlap withdrew the words "former or organized for agricultural or horticultural purposes" from said amendment.

Pending further discussion, Mr. Dunlap asked unanimous consent to withdraw the entire amendment.

The request being objected to by Mr. Carlstrom, the question of the adoption of the amendment was put and decided in the negative.

Whereupon Mr. Green moved that section 2, as amended, be adopted.

And the motion prevailed.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend Proposal No. 364, by inserting between section 2 and section 3 an additional section, to be known and numbered as section 3, the same being section 4 of the present Constitution, and reading as follows:

Section 4. No law shall be passed by the General Assembly granting the right to construct and operate a street railroad within any city, town or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

And further amend Proposal No. 364, by renumbering the succeeding sections to conform thereto.

Mr. Hamill raised the point of order that the amendment was not germane to the subject matter under discussion.

And the point of order was sustained by the Chair.

Section 3 being taken up and read.

Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 3 by striking out all of lines 4 to 9 inclusive except the word "created" in said line 4.

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 33; nays, 12.

And the amendment was adopted.

There being no further amendments, section 3, as amended was, on motion of Mr. Mighell, adopted.

Section 4 being taken up and read.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 4 by striking out lines 6, 7, 8, 9 and 10.

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 22; nays, 23.

And the amendment was lost.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 4 by adding at the end thereof, the following words "within ten days after such transfer."

And the amendment was lost.

There being no further amendments, section 4 was, on motion of Mr. Gilbert, adopted.

Section 5 being taken up and read.

Mr. Michaelson offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 5 by striking out the words in lines 2, 3, 4 as follows: "shall not be discriminatory, nor confiscatory, but must and both to the general public and to such corporation."

Pending discussion, Mr. Carlstrom offered the following as a substitute and moved its adoption:

Amend section 5 by striking out the following words at the end of paragraph "both to the general public and to such corporation" and also by striking out in lines 2 and 3 thereof the words "nor confiscatory."

The question being on the adoption of the substitute, a division was had resulting as follows: Yeas, 26; nays, 29.

And the substitute was lost.

The question recurring on the adoption of Amendment No. 7, a division was had resulting as follows: Yeas, 12; nays, 31.

And the amendment was lost.

Pending discussion, Mr. Mighell moved to strike out section 5.

And the motion prevailed.

Section 6 being taken up and read and no amendments being offered was, on motion of Mr. Carlstrom, adopted.

Section 7 being taken up and read and no amendments being offered was, on motion of Mr. Carlstrom, adopted.

Section 8 being taken up and read.

Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 8 of the Majority Report by substituting section 1 of the separate sections of the Constitution of 1870, to-wit:

No contract, obligation or liability whatever, of the Illinois Central Railroad Company, to pay any money into the State Treasury, nor any lien of the State upon, or right to tax property of said company, in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord one thousand eight hundred and fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company, after the payment of the State debt, shall be appropriated and set apart for the payment of the ordinary expenses of the State Government, and for no other purpose whatever.

Pending discussion, Mr. Morris offered the following as a substitute and moved its adoption:

Amend the Majority Report by adding after the words "other authority" in line 6 of section 8 the following: "said money when collected shall be distributed as follows: one-half shall be appropriated, set apart and be given to the various counties through which the said main line of said railroad runs, such division to be made between said counties in proportion to the trackage of said railroad in such counties and the population of such counties and the remaining one-half shall be set apart for the payment of ordinary expenses of the State government and for no other purpose."

And the substitute was lost.

The question recurring on the adoption of the amendment offered by Mr. Carlstrom, a division was had resulting as follows: Yeas, 41; nays, 21.

And the amendment was adopted.

There being no further amendments, section 8, as amended, was, on motion of Mr. Lindly, adopted.

Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend Proposal No. 364, by adding a new section thereto to be known as section 9, as follows:

Section 9. No person, firm, corporation, or joint stock company or association whatsoever shall maintain, carry on, conduct, or operate the business of a bank of deposit or foreign exchange in connection with the sale of steamship passage or otherwise, nor use, employ or display in any manner whatsoever, the term "bank," "banker," "savings depository" or any other word or phrase of similar import in any language, except as a corporation organized under the general banking laws.

And the amendment was lost.

Mr. Green moved to reconsider the vote by which section 4 was heretofore adopted.

And the motion prevailed.

Mr. Green thereupon moved that the vote by which Amendment No. 5, to section 4 was lost be reconsidered.

And the motion prevailed.

The question then being on the adoption of Amendment No. 5, to section 4 it was decided in the affirmative.

There being no further amendments section 4, as amended, was, on motion of Mr. Hamill, adopted.

Mr. Stahl offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend Proposal No. 364, by adding a new section thereto to be known as section 9, as follows:

Section 9. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates charged consumers by public service corporations in this State, and enforce such laws, by adequate penalties, to the extent, if necessary for that purpose, of forfeiture of their property and franchises.

Pending discussion, at the hour of 6:40 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, MAY 26, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Fyke, Chairman of the Committee on Corporations and Co-operative Associations, presiding.

The Committee of the Whole having, heretofore, had under discussion on May 25, the consideration of the Majority and Minority Reports of the Committee on Corporations and Co-operative Associations, being Proposals numbered 364 and 365 respectively, the same were again taken up.

And the pending question being the adoption of Amendment No. 10, offered by Mr. Stahl.

It was decided in the negative.

Mr. Elting moved to amend by adding section 2 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT NO. 11.

No corporation shall issue any stock or bonds, except for money, labor or property, actually received, and applied to the purpose for which such corporation was created; and all stock dividends and other fictitious increase of capital stock or indebtedness of any such corporation shall be void. The capital stock of any corporation shall not be increased for any purpose, except upon giving sixty days' public notice in such manner as may be provided by law.

Pending discussion, Mr. Gilbert suggested the following in lieu of the wording of said amendment, which suggestion and wording was accepted by Mr. Elting, to-wit:

No corporation shall issue any shares of capital stock, bonds, or other evidence of indebtedness, except for money, labor or property, actually received, and applied to the purposes for which such corporation was organized.

The question then being on the adoption of Amendment No. 11, as above suggested, it was decided in the negative.

Mr. Elting moved to amend by adding section 4 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT NO. 12.

No law shall be passed by the General Assembly, granting the right to construct and operate a street railroad within any city, town or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied by such street railroad.

Pending discussion, Mr. Hull suggested the following in lieu of the wording of said amendment, which suggestion and wording was accepted by Mr. Elting, to-wit:

No law shall be passed by the General Assembly granting the right to construct or operate any public utility within any city, village, or incorporated town requiring the occupation or use of streets, alleys, or public ways by permanent fixtures or equipment without requiring the consent of the corporate authorities.

Mr. Miller moved that the Committee of the Whole recommend to the Convention that further consideration of section 4 of the Minority Report, together with the suggested amendment of Mr. Hull, be postponed.

And the motion prevailed.

Mr. Elting moved to amend by adding section 7 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT No. 13.

Every banking association now, or which may hereafter be, organized under the laws of this State, and every person, partnership or firm engaged in the banking business, shall at all times be subject to examination and control by the State authorities, and shall make and publish a full and accurate quarterly statement of its affairs which shall be certified to under oath by one or more of its officers as may be provided by law.

Pending discussion, Mr. Cutting moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 13, it was decided in the negative.

Mr. Elting moved to amend by adding sections 9 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT No. 14.

Every railroad corporation organized or doing business in this State, under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made and in which shall be kept, for public inspection, books in which shall be recorded the amount of capital stock subscribed, and by whom; the names of the owners of its stock and the amounts owned by them respectively the amount of stock paid in and by whom; the transfers of said; the amount of its assets and liabilities, and the names and place or residence of its officers. The directors of every railroad corporation shall, annually, make a report, under oath, to the Auditor of Public Accounts, or some officer to be designated by law, of all their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law. And the General Assembly shall pass laws enforcing by suitable penalties the provisions of this section.

And the amendment was lost.

Mr. Elting moved to amend by adding section 11 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT No. 15.

No railroad corporation shall consolidate its stock, property or franchises with any other railroad corporation owning a parallel or competing line;

and in no case shall any consolidation take place except upon public notice given, of at least sixty days, to all stockholders, in such manner as may be provided by law. A majority of the directors of any railroad corporation, now incorporated or hereafter to be incorporated by the laws of this State, shall be citizens and residents of this State.

Pending discussion Mr. Whitman moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 15, a division was had resulting as follows: Yeas, 23; nays, 34.

And the amendment was lost.

Mr. Elting moved to amend by adding section 12 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT No. 16.

Railways heretofore constructed or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons, and property thereon, under such regulations as may be prescribed by law. And the General Assembly shall from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passenger and freight on the different railroads in the State.

And the amendment was adopted.

The question then being on the adoption of section 9, it was decided in the affirmative.

Mr. Elting moved to amend by adding section 14 of the Minority Report as an additional section of the Majority Report, to-wit:

AMENDMENT No. 17.

The exercise of the power, and the right of eminent domain shall never be so construed or abridged as to prevent the taking, by the General Assembly, of the property and franchises of incorporated companies already organized, and subjecting them to the public necessity the same as of individuals. The right of trial by jury shall be held inviolate in all trials of claims for compensation, when in the exercise of the said right of eminent domain, any incorporated company shall be interested either for or against the exercise of said right.

Mr. Sutherland moved that further consideration of Amendment No. 17, be postponed.

Mr. Hamill raised the point of order that a motion to postpone was not in order in the Committee of the Whole.

The point of order being sustained, Mr. Miller then moved that the Committee of the Whole recommend to the Convention that further consideration of section 14 of the Minority Report be referred to the Committee on Bill of Rights.

And the motion prevailed.

Mr. Stahl offered the following amendment as an additional section to be known as section 10, of the Majority Report, to-wit:

AMENDMENT No. 18.

Section 10. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortions in the rates and tariffs charged for services in this State by the different railroad common carriers

and public service corporations and enforce such laws by adequate penalties, to the extent, if necessary for that purpose, of forfeitures of their property and franchises.

Mr. Miller moved, as a substitute, that section 15, of Article 11 of the Constitution of 1870 be added as an additional section, to be known as section 10, of the Majority Report, to-wit:

The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce such laws, by adequate penalties, to the extent, if necessary, for that purpose, for forfeiture of their property and franchises.

Mr. Rinaker offered the following amendment to the substitute and moved its adoption:

Amend by adding to the substitute section as offered the following words: "and may delegate such power in whole or in part as to local public utilities, to municipalities."

Mr. Hamill raised the point of order that the amendment was not in order.

And the point of order was sustained.

The question then being on the adoption of the substitute offered by Mr. Miller, it was decided in the affirmative.

Mr. Dove offered the following amendment and moved its adoption:

AMENDMENT No. 19.

Amend the Majority Report by adding a new section to be appropriately numbered and to follow section four as follows, viz: "No natural person or natural persons, partnership or firm shall ever be permitted to engage in the banking business in this State or be permitted to use the word "Bank" or "Banker" in connection with said business.

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 26; nays, 38.

And the amendment was lost.

Mr. Taff moved that Proposal No. 364, as amended, be adopted by the Committee of the Whole and reported to the Convention with the recommendation that it do pass.

And the motion prevailed.

At the hour of 12:35 o'clock p. m., Mr. Green moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, MAY 26, 1920.

At the hour of 4:03 o'clock p. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

The first Proposal on the General Orders for consideration being the report of the Committee on Miscellaneous Subjects, Mr. O'Brien stated that a further report of that Committee would soon be ready and moved that the consideration of the report from the Committee on Miscellaneous Subjects now pending on the General Orders be postponed until a later date.

And the motion prevailed.

Whereupon the report of the Committee on Legislative Department, being the next in order and being Proposal No. 366, the same was taken up, read at large and considered section by section as follows:

Section 1 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Section 2 being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Section 4 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Section 5 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Section 9 being taken up and read and no amendments being offered was, on motion of Mr. Paddock, adopted.

Section 10 being taken up and read and no amendments being offered was, on motion of Mr. Latchford, adopted.

Section 11 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Section 12 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Section 13 being taken up and read.

Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 13 by striking out in line 1, the words "by title" and in lines 2 and 3 the words "but the rules of either house may provide for the reading of bills at greater length on second or third reading."

And the amendment was lost.

The question recurring on the adoption of section 13, it was decided in the affirmative.

Section 14 being taken up and read and no amendments being offered was, on motion of Mr. Rosenberg, adopted.

Section 15 being taken up and read and no amendments being offered was, on motion of Mr. Hollenbeck, adopted.

Section 16 being taken up and read and no amendments being offered was, on motion of Mr. Rinaker, adopted.

Section 17 being taken up and read and no amendments being offered was, on motion of Mr. Revelle, adopted.

Section 18 being taken up and read and no amendments being offered was, on motion of Mr. Treager, adopted.

Section 19 being taken up and read and no amendments being offered was, on motion of Mr. Treager, adopted.

Section 20 being taken up and read and no amendments being offered was, on motion of Mr. Treager, adopted.

Section 21, being taken up and read and no amendments being offered was, on motion of Mr. Treager, adopted.

Section 22 being taken up and read.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 22 by adding after the word "fish" in line 24, the following: "But reasonable classification of waters maybe made."

And the amendment was adopted.

There being no further amendments, section 22, as amended, was, on motion of Mr. Gilbert, adopted.

Section 23 being taken up and read and no amendments being offered was, on motion of Mr. Morris, adopted.

Mr. Michal moved to amend by inserting the following to be known as section 23½:

AMENDMENT No. 3.

That whenever either, or both, branches of the General Assembly shall pursuant to a resolution, jointly or otherwise, designate or appoint any committee constituted of members of the General Assembly to act either jointly or otherwise, for the purpose of holding hearings and investigations or conducting other legislative business pertinent to public matters and affairs, the rights, duties, powers and functions of such committee shall not cease, end, and determine with and upon the sine die adjournment of the General Assembly so appointing or designating such committee, but shall continue in force, effect and operation until the work and object of such committee shall be completed, provided, however, that the life and existence of such committee shall not extend into and beyond the next following biennial session of the General Assembly.

The General Assembly shall have the right, power, and authority to make all necessary appropriations for such committee.

Mr. Hamill moved that the Committee of the Whole recommend to the Convention that further consideration of section 23½ be postponed and that it be referred to the Committee on Legislative Department.

And the motion prevailed.

Section 24 being taken up and read and no amendments being offered was, on motion of Mr. Paddock, adopted.

Section 25 being taken up and read and no amendments being offered was, on motion of Mr. Lindly, adopted.

Section 27 being taken up and read.

Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 27 by adding after the word "lottery" in line 3, the following "or trading stamps, trade premiums."

Pending discussion, Mr. Miller moved that the Committee of the Whole recommend to the Convention that Amendment No. 4 be referred to the Committee on Legislative Department.

The question being on the motion to refer, a division was had resulting as follows: Yeas, 47; nays, 15.

And the motion prevailed.

Pending discussion, Mr. Lindly moved that further consideration of section 27 be temporary passed.

And the motion prevailed.

Section 28 being taken up and read and no amendments being offered was, on motion of Mr. Paddock, adopted.

Section 30 being taken up and read.

Mr. Lindly moved to amend by striking out the words "or under" in line 2.

Whereupon, Mr. Miller moved as a substitute that section 30 be stricken out.

Pending consideration at the hour of 6:35 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed

THURSDAY, MAY 27, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

The Committee of the Whole having, heretofore, had under discussion, on May 26, the consideration of Proposal No. 366, the same was again taken up.

And the pending question being the consideration of the amendment offered by Mr. Lindly and the substitute offered by Mr. Miller.

By unanimous consent, Mr. Miller withdrew his substitute and Mr. Lindly withdrew his amendment.

Mr. Lindly moved that the Committee of the Whole recommend to the Convention that section 30 be recommitted to the Committee of Legislative Department.

And the motion prevailed.

Section 31 being taken up and read.

Mr. Dunlap moved that further consideration of section 31 be deferred.

And the motion prevailed.

Section 32 being taken up and read and no amendments being offered was, on motion of Mr. Dunlap, adopted.

Section 33 being taken up and read.

Mr. Morris moved that further consideration of section 33 be deferred.

And the motion prevailed.

Mr. Sutherland moved that the vote by which section 18 was adopted be reconsidered.

Pending discussion, Mr. Sutherland, by unanimous consent, withdrew his motion.

Mr. Hamill moved that the vote by which section 25 was adopted be reconsidered.

Pending discussion, Mr. Hamill, by unanimous consent, withdrew his motion.

Whereupon Mr. Miller then moved that the vote by which section 25 was adopted be reconsidered.

And the motion was lost.

At the hour of 11:35 o'clock a. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 1, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

The Committee of the Whole having, heretofore, had under discussion, on May 27, the consideration of Proposal No. 366, the same was again taken up.

Whereupon Mr. Mighell moved that the Committee of the Whole recommend to the Convention that section 33 be recommitted to the Committee on Legislative Department with the suggestion that it is the sense of the Committee of the Whole that the new Constitution should not recognize the inadequate and unscientific pension systems that now exist in this State nor should it contain any provisions granting contractual rights to public officers or employees in any part of a pension fund, unless such fund is both adequate at all times to meet the promises made such officers or employees, and also effectively protected from diversion, by its custodians, from the purpose for which it was originally intended.

The question being on the adoption of the motion offered by Mr. Mighell a division was had resulting as follows: Yeas, 7; nays, 51.

And the motion was lost.

The question then being on the adoption of section 33, a division was had resulting as follows: Yeas, 34; nays, 34.

A majority having failed to vote for the adoption of section 33, it was declared lost.

At the hour of 7:00 o'clock p. m., Mr. Rinaker moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, JUNE 2, 1920.

At the hour of 9:20 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the two reports from the Committee on Executive Department being Proposals numbered 369 and 370 respectively.

Mr. Trautmann, Chairman of the Committee on Executive Department, presiding.

Proposal No. 369 was taken up and read at large and considered section by section as follows:

Section 1 being taken up and read.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 of Proposal No. 369 by adding thereto the following: "The General Assembly may by law provide that the Secretary of State, Attorney General, Treasurer and Superintendent of Public Instruction, or any one or more of these State officers, be appointed by the Governor, a majority of the Senators elected concurred therein by yea and nay vote.

Mr. Hamill offered the following amendment to Amendment No. 1, and moved its adoption:

After the word "that" in line 1 insert "after the expiration of the respective terms of those then in office."

Pending discussion, Mr. Treager moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the amendment to Amendment No. 1, offered by Mr. Hamill.

It was decided in the negative.

The question recurring on the adoption of Amendment No. 1, offered by Mr. Hull.

It was decided in the negative.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 by adding thereto a new paragraph as follows: "The General Assembly may by law provide that the Superintendent of Public Instruction be appointed by the Governor. A majority of the Senators elected concurring therein by yea and nay vote.

The question being on the adoption of Amendment No. 2 a division was had resulting as follows: Yeas, 18; nays, 43.

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1 by adding a new paragraph thereto as follows: "The General Assembly may by law provide that the Secretary of State be appointed by the Governor, a majority of the Senators elected concurring therein by yea and nay vote.

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 1 by adding a new paragraph thereto as follows: "The General Assembly may by law provide that the Attorney General be appointed by the Governor a majority of the Senators elected concurring therein by yea and nay vote."

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 1 by adding a new paragraph thereto as follows: "The General Assembly may by law provide that the Treasurer be appointed by the Governor a majority of the Senators elected concurring therein by yea and nay vote."

And the amendment was lost.

There being no further amendments, section 1 was, on motion of Mr. Brenholt, adopted.

Section 2 being taken up and read and no amendments being offered was, on motion of Mr. Shanahan, adopted:

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Shuey, adopted.

Section 4 being taken up and read and no amendments being offered was, on motion of Mr. Ganschow, adopted.

Section 5 being taken up and read.

Mr. Mills offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 5 by inserting after the word "Governor" in line 2, the words "who shall not be an American born citizen and" and in line 3 after the word "citizen" cut out the words "of the United States and" so the section as amended would read: No person shall be eligible to the office of Governor, or Lieutenant Governor who shall not be an American Born citizen and who shall not have attained the age of thirty five years and been for ten years next preceding his election, a citizen of this State. Neither the Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts nor Superintendent of Public Instruction shall be eligible to any other office during the period for which he shall have been elected.

And the amendment was lost.

There being no further amendments, section 5 was, on motion of Mr. Whitman, adopted.

Section 6 being taken up and read and no amendments being offered was, on motion of Mr. Carlstrom, adopted.

Section 7 being taken up and read and no amendments being offered was, on motion of Mr. Brenholt, adopted.

Section 8 being taken up and read and no amendments being offered was, on motion of Mr. Shanahan, adopted.

Section 9 being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 10 being taken up and read.

Mr. Paddock offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend by adding on page 3, section 10, after line 6, the following: "Provided, however, that the appointment of notaries public need not be confirmed by the Senate."

And the amendment was adopted.

There being no further amendments, section 10, as amended was, on motion of Mr. Shanahan, adopted.

Section 11 being taken up and read and no amendments being offered was, on motion of Mr. Shanahan, adopted.

Section 12 being taken up and read and no amendments being offered was, on motion of Mr. Latchford, adopted.

Section 13 being taken up and read.

Mr. Michaelson offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend Section 13 by striking out the words in lines 2 and 3 "upon such conditions and with such restrictions and limitations as he may think proper."

And the amendment was lost.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend in line 2, section 13 after the word "offenses" by adding the words "either unconditionally or."

And the amendment was adopted.

Mr. Wall moved that section 13, as amended be adopted.

Pending discussion, Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 13 by striking out in line 3 the words "as he may think proper" and inserting in lieu thereof the words "as may be provided by law."

And the amendment was lost.

The question recurring on the motion of Mr. Wall to adopt section 13, as amended, it was decided in the affirmative.

Section 14 being taken up and read.

Mr. Michaelson offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 14 by striking out the words in lines 3 and 4 "protect life or property."

Pending discussion, Mr. Gorman suggested the following in lieu of the pending amendment and the same was accepted by Mr. Michaelson:

Amend section 14 by striking out the words in lines 3 and 4 "protect life or property" and substitute therefor "in cases of floods and conflagrations and other disasters."

Pending further discussion, Mr. Carlstrom suggested the following in lieu of the suggested amendment of Mr. Gorman, which said suggestion was accepted by both Mr. Gorman and Mr. Michaelson:

Amend section 14 by adding after the word "property" in line 4 the words "endangered by any public disaster."

And the question being on the adoption of the foregoing as suggested finally by Mr. Carlstrom, a division was had resulting as follows: Yeas, 33; nays, 30.

And the amendment was adopted.

There being no further amendments, section 14, as amended was, on motion of Mr. Brenholt, adopted.

Section 15 being taken up and read and no amendments being offered was, on motion of Mr. Brenholt, adopted.

Section 16 being taken up and read.

Mr. Shanahan offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 16 by striking out in lines 15, 18 and 24 the words "or parts thereof".

Pending discussion, Mr. Whitman moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the amendment offered by Mr. Shanahan.

It was decided in the affirmative.

There being no further amendments section 16, as amended, was, on motion of Mr. Green, adopted.

Section 17 being taken up and read and no amendments being offered was, on motion of Mr. Lindly, adopted.

At the hour of 6:25 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, JUNE 3, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Trautmann, Chairman of the Committee on Executive Department, presiding.

The Committee of the Whole having, heretofore, had under discussion, on June 2, the consideration of Proposal No. 369, the same was again taken up.

And section 18 being read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 19 being taken up and read and no amendments being offered was, on motion of Mr. Hollenbeck, adopted.

Section 20 being taken up and read and no amendments being offered was, on motion of Mr. Whitman, adopted.

Section 21 being taken up and read and no amendments being offered was, on motion of Mr. Ganschow, adopted.

Section 22 being taken up and read and no amendments being offered was, on motion of Mr. Shuey, adopted.

Section 23 being taken up and read and no amendments being offered was, on motion of Mr. Moore, adopted.

Section 24 being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 25 being taken up and read and no amendments being offered was, on motion of Mr. Hollenbeck, adopted.

Section 26 being taken up and read and no amendments being offered was, on motion of Mr. Dupuy, adopted.

Section 27 being taken up and read and no amendments being offered was, on motion of Mr. Shuey, adopted.

Section 28 being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 29 being taken up and read.

Mr. Mills offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 29 by inserting the word "annually" after the word "to" in line 4 of said section.

Pending discussion, Mr. Dove offered the following amendment to the amendment, which was accepted by Mr. Mills:

Amend the amendment by adding before the word "annually" the words "at least."

Pending further discussion, Mr. Gorman offered the following amendment to the amendment, as amended, and moved its adoption:

Amend the amendment as amended by adding the word "regularly" in place of the words "at least annually".

By unanimous consent, Mr. Dove withdrew his amendment to Amendment No. 13, and the substitute as suggested by Mr. Gorman was accepted by Mr. Mills.

The question then being on the adoption of Amendment No. 13, as amended, it was decided in the negative.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 29 by striking out the word "uniform" in line 2 and inserting after the word "system" the words "uniform within classes".

Pending discussion, Mr. Dupuy moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 14, offered by Mr. Hamill, a division was had resulting as follows: Yeas, 25; nays, 33.

And the amendment was lost.

Mr. Sneed offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 29 in line 2 after the word "required" by adding the words "in accordance with the laws passed by the General Assembly."

Amend section 29 in line 4 after the word "town" by adding the words "city and drainage districts".

Mr. Elting offered the following as a substitute for the amendment offered by Mr. Sneed, and moved its adoption:

Amend section 29 by inserting after the word "accounts" in line 3 the words "for the use" and by inserting in line four of said section after the word "to" the words "require in" and after the word "audit" in said line 4 the word "of" so that said section when amended will read as follows:

Section 29. The Auditor of Public Accounts in addition to his duties prescribed by law shall be required to establish a uniform system for the conduct of the fiscal affairs and accounts for the use of all county, town, and school officers, and to supervise such system and to require an audit of the accounts of such officers.

And the substitute was lost.

The question recurring on the adoption of the amendment offered by Mr. Sneed, the same was divided and the motion, being put on the first half of the amendment as follows:

Amend section 29 in line 2 after the word "required" by adding the words "in accordance with the laws passed by the General Assembly".

It was decided in the negative.

The motion being then put on the second half of the amendment as follows:

Amend section 29 in line 4 after the word "town" by adding the words "city and drainage districts".

It was decided in the negative.

The question then being on the adoption of section 29, it was decided in the affirmative.

Mr. Mills moved that the vote by which section 14 was, heretofore, adopted be now reconsidered.

Pending discussion, at the hour of 11:17 o'clock a. m., Mr. Dupuy moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 15, 1920.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Trautmann, Chairman of the Committee on Executive Department, presiding.

The Committee of the Whole having, heretofore, had under discussion, on June 3, the consideration of Proposal No. 369, the same was again taken up.

And the pending question being the adoption of the motion of Mr. Mills to reconsider the vote by which section 14 was heretofore adopted.

It was decided in the affirmative.

Whereupon Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 14 by striking out in line 4, the words "endangered by any public disaster."

Pending consideration, Mr. Gorman offered the following as a substitute for Amendment No. 16 and moved its adoption:

Amend section 14 by striking out the words "protect life and property."

And the question being on the adoption of the substitute for Amendment No. 16, it was decided in the negative.

The question recurring on the adoption of Amendment No. 16, it was decided in the affirmative.

Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend by striking out all of section 14 and inserting in lieu thereof section 14 of Article 5 of the Constitution of 1870, as follows:

Section 14. The Governor shall be commander-in-chief of the military and naval forces of the State (except when they shall be called into service of the United States); and may call out the same to execute the laws suppress insurrection, and repel invasion.

The question being on the adoption of Amendment No. 17, a division was had resulting as follows: Yeas, 26; nays, 44.

And the amendment was lost.

There being no further amendments, section 14, as amended, was, on motion of Mr. Paddock, adopted.

Mr. Whitman moved that the vote by which section 29 was, heretofore adopted, be reconsidered.

And the motion prevailed.

Mr. Whitman, thereupon, offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend section 29 by striking out in lines 2 and 3 the words "for the conduct of the fiscal affairs and" and insert the word "of" before accounts in line 3, and change the word "of" after "accounts" to "for".

Section 29 would then read "The Auditor of Public Accounts in addition to his duties prescribed by law shall be required to establish a uniform system of accounts for all county, town and school officers, and to supervise such system and to audit the account of such officers."

And the amendment was adopted.

There being no further amendments, section 29, as amended was, on motion of Mr. Dupuy, adopted.

Mr. Traeger thereupon moved that Proposal No. 369 as amended, be adopted by the Committee of the Whole and reported to the Convention with the recommendation that it do pass.

And the motion prevailed.

Proposal No. 370 being taken up and read at large.

Mr. Dupuy moved its adoption.

Pending consideration, Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend Proposal No. 370, by inserting in line 1 after the word "provide" the following words "after the expiration of the term of office of those then in office".

And the amendment was lost.

The question recurring on the motion of Mr. Dupuy that Proposal No. 370 be adopted.

It was decided in the negative.

The reports from the Committee on Executive Department having been disposed of, at the hour of 11:15 o'clock a. m., Mr. Trautmann called Mr. Dunlap to the chair.

And the Committee of the Whole thereupon proceeded to the consideration of Proposal No. 361, reported from the Committee on Agriculture.

Proposal No. 361 being taken up and read at large.

Mr. Dunlap called Mr. Gray to the chair, in order that he might speak, from the floor, on the Proposal.

Pending consideration, Mr. Gorman offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend Proposal No. 361, in line 4, after the word "lands" by inserting the words "residences and business buildings."

And the amendment was lost.

Mr. Dunlap having resumed the chair, Mr. Gray moved that the Committee do now rise, report progress and ask leave to sit again.

And the question being on that motion, a division was had resulting as follows: Yeas, 28; nays, 38.

And the motion was lost.

Pending further discussion, Mr. Trautmann moved that debate be now closed and that the Committee proceed to vote on the adoption of Proposal No. 361.

And the motion prevailed.

At the hour of 12:50 o'clock p. m., Mr. Dupuy moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, JUNE 16, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Dunlap, Chairman of the Committee on Agriculture, presiding.

The Committee of the Whole having, heretofore, had under discussion, on June 15, the consideration of Proposal No. 361, the same was again taken up.

Mr. Hamill moved that further consideration of Proposal No. 361 be postponed until Tuesday, June 22, in order that the report from the Committee on Legislative Department, being Proposal No. 366, might be disposed of.

Mr. Green raised the point of order that, under the rules, the Committee of the Whole could not postpone the consideration of certain matters to a certain date.

The Chair ruled the point of order not well taken.

The question then being on the adoption of the motion to postpone, a division was had resulting as follows: Yeas, 25; nays, 25.

And the motion was lost.

Mr. Dunlap requested Mr. Dove to take the chair in order that he might offer an amendment and speak further on the subject from the floor.

Mr. Dove having taken the chair, Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend Proposal No. 361 by inserting after the word "constitution" in line 5, the following sentence: The State, however, shall not become indebted in any manner for the establishment and maintenance of such funds unless the question of incurring such indebtedness shall be submitted to the voters at a general election and be approved by a majority of those voting on the question."

Pending discussion, Mr. Barr moved that further consideration of Proposal No. 361, together with Amendment No. 2, be postponed and that the Committee proceed to the next subject pending on the General Orders namely the report of the Committee on Legislative Department, being Proposal No. 366.

The motion prevailed.

And at the hour of 9:35 o'clock a. m., Mr. Dove called Mr. Shanahan to the chair and the Committee proceeded to the further consideration of Proposal No. 366.

The Majority and Minority Reports of the Committee on Legislative Department on sections 6, 7, and 8 of Proposal No. 366, were taken up and read at large.

Mr. Barr moved that the Minority Report signed by delegates from Cook County, be not adopted as part of the Constitution.

Mr. Hamill moved as a substitute that the Minority Report, submitted by the delegates from Cook County be substituted for the Majority Report.

Mr. Shanahan requested Mr. DeYoung to take the chair in order that he might address the Committee from the floor.

At the conclusion of his address, Mr. Shanahan resumed the chair.

The question being on the adoption of the substitute motion by Mr. Hamill, a division was had resulting as follows: Yeas, 27; nays, 50.

And the substitute was lost.

Mr. Barr, thereupon, by unanimous consent, withdrew his motion.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 6 of the Majority Report in the 4th paragraph on page 2 by striking out the word "the" after the word "of" and inserting in lieu thereof the word "its".

And the amendment was adopted.

Pending consideration, Mr. Dietz offered the following resolution and moved its adoption:

RESOLVED, that this Committee recommend to the Convention that the subject matter of section 6, 7, and 8 of Committee Proposal No. 366, be referred by the Convention to a Conference Committee of eleven delegates to the Convention, composed of five members from Cook County, five members from counties other than Cook, to be appointed by the President, and of which Committee the President shall be chairman, for consideration and report.

Pending discussion, at the hour of 6:27 o'clock p. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the question being on the adoption of the motion of Mr. Lindly, a division was had resulting as follows: Yeas, 55; nays, 29.

And the motion prevailed.

THURSDAY, JUNE 17, 1920.

At the hour of 9:28 o'clock a. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

Mr. Dunlap, Chairman of the Committee on Agriculture, presiding.

Mr. Barr moved that the further consideration of the report of the Committee on Legislative Department, being Proposal No. 366, be postponed temporarily and that the Committee proceed to the further consideration of the report of the Committee on Agriculture, being Proposal No. 361.

And the motion prevailed.

Mr. Dunlap requested Mr. Goodyear to take the chair in order that he might speak on the proposition from the floor.

And the question being the adoption of Amendment No. 2, offered on June 15.

Mr. Dunlap offered the following as a substitute for Amendment No. 2, and moved its adoption:

Amend Proposal No. 361, by inserting after the word "constitution" in line 5, the following sentence; "The State, however, shall not make any appropriations or become indebted in any manner for the establishment, maintenance and administration of such funds unless the question of making such appropriations or incurring such indebtedness shall be submitted to the voters at a general election and be approved by a majority of those voting on the question."

At the conclusion of his speech, Mr. Dunlap resumed the chair.

Pending consideration, Mr. Stewart moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the substitute for Amendment No. 2, it was decided in the affirmative.

The question then being on the adoption of Proposal No. 361, as amended, a division was had resulting as follows: Yeas, 46; nays, 29.

And Proposal No. 361, as amended, was adopted.

The report from the Committee on Agriculture on Proposal No. 361, having been disposed of, at the hour of 1:30 o'clock p. m., Mr. Dunlap called Mr. Shanahan to the chair.

And the Committee of the Whole proceeded to the further consideration of the report from the Committee on Legislative Department, being Proposal No. 366.

The pending question being the resolution offered by Mr. Dietz. Mr. Dietz, by unanimous consent, withdrew his resolution.

Mr. Garrett offered the following substitute for sections 6 and 7 and moved their adoption:

SUBSTITUTE FOR SECTION 6 OF THE LEGISLATIVE COMMITTEE'S MAJORITY REPORT.
OFFERED BY MR. GARRETT.

Section 6. The General Assembly shall apportion the State every twelve years, beginning with the year one thousand nine hundred and twenty-one, into fifty-seven Senatorial Districts, each of which shall elect one senator whose term of office shall be four years, and the basis of senatorial apportionment shall be the number of electors who voted for Governor at the last regular election at which a governor was elected previous to the apportionment.

The territory now constituting the County of Cook shall be divided by the General Assembly into nineteen senatorial districts, and the number of such electors in that territory shall be divided by the number nineteen and the quotient shall be the ratio of representation in the senate for that territory.

The territory now constituting the remainder of the state shall be divided by the General Assembly into thirty-eight senatorial districts, and the number of such electors in that territory shall be divided by the number thirty-eight and the quotient shall be the ratio of representation in the senate for that territory.

When a county contains two or more ratios of its territory it shall be divided by the General Assembly into as many senatorial districts as it has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines; all other senatorial districts shall be bounded by county lines.

All senatorial districts shall be formed of compact and contiguous territory, and the districts in each territory shall contain as nearly as practicable an equal number of such electors but in no case less than four-fifths of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes so that one half as nearly as practicable shall be chosen biennially.

SUBSTITUTE FOR SECTION 7 OF THE LEGISLATIVE COMMITTEE'S MAJORITY REPORT.
OFFERED BY MR. GARRETT.

Section 7. The General Assembly shall apportion the State every twelve years beginning with the year one thousand nine hundred and twenty-one, into one hundred and fifty-three representative districts, each of which shall elect one representative whose term of office shall be two years, and the basis of representative apportionment shall be the number of electors who voted for Governor at the last regular election at which a Governor was elected, previous to the apportionment.

Representative districts shall be formed of contiguous and compact territory, bounded by county lines, or in the case of counties entitled to more than one representative, by precinct or ward lines, and shall contain as nearly as practicable an equal number of electors, but no district shall contain less than four-fifths of the representative ratio.

Counties containing not less than the ratio and four-fifths may be divided into separate districts and shall be entitled to two representatives, and to one additional representative for each number of electors, equal to the ratio contained by such counties in excess of twice the number of said ratio.

The territory of any county as constituted at the time of the adoption of this Constitution shall never be entitled to more than seventy-six representatives.

Mr. Gorman offered the following amendment to the substitute offered by Mr. Garrett and moved its adoption:

Amend section 7 by striking out the last paragraph thereof which reads as follows: "The territory of any county as constituted at the time of the adoption of this Constitution shall never be entitled to more than 76 representatives."

Pending discussion, Mr. Gorman withdrew his amendment.

Pending further discussion, Mr. Carlstrom moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the substitute sections for sections 6 and 7 of the Majority Report, a division was had resulting as follows: Yeas, 45; nays, 19.

And the substitute sections were adopted.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT NO. 3.

Amend section 8 of the Majority Report of the Committee on Legislative Department by striking out the words in the second line thereof "taking of the decennial federal census" and substituting therefor the words "time fixed in this constitution for making any such apportionment."

And the amendment was adopted.

The question then being on the adoption of the Supplemental Majority Report on sections 6, 7 and 8 of Proposal No. 366, as amended, a division was had resulting as follows: Yeas, 45; nays, 19.

And the Supplemental Majority Report, as amended, was adopted.

At the hour of 7:03 o'clock p. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 22, 1920.

At the hour of 10:25 o'clock a. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

Proposal No. 211 was taken up and read at large.

Whereupon Mr. Michaelson moved that the report of the Committee on Legislative Department, recommending that Proposal No. 211 be rejected, be concurred in.

And the motion prevailed.

The supplemental report of the Committee on Legislative Department recommending that Amendment No. 4, to section 27 of Proposal No. 366 (trading stamps or trade premiums) be not adopted was taken up and read.

Whereupon Mr. Hamill moved that the recommendation of the Committee be concurred in.

And the motion prevailed.

The supplemental report of the Committee on Legislative Department reported back a substitute for Amendment No. 3, to be known as section 231½ of Proposal No. 366 and recommending that Amendment No. 3 be rejected and that the substitute be placed on the General Orders, was taken up and read.

Whereupon Mr. Hamill moved that the substitute be adopted.

And the motion prevailed.

Section 27 of Proposal No. 366 being next taken up was, on motion of Mr. Paddock, adopted.

Mr. Lindly moved that the vote by which section 33 was heretofore stricken out, be reconsidered.

And the motion prevailed.

Whereupon Mr. Carlstrom offered the following substitute for section 33 and moved its adoption:

Whenever any death, disability or retirement fund shall have been or shall be created by law, and a part of the compensation of a public officer or employe is required to be deferred and contributed thereto, as the whole or as a part thereof, such public officer or employe or his beneficiary may have a vested interest therein as may be provided by law, but such interest shall attach only the fund accumulated, and shall impose no obligation upon the State to create or maintain such fund.

Mr. Miller offered the following amendment to the substitute section which was accepted by Mr. Carlstrom:

In line 6 between the words "have and Vested" change "a" to "such" so as to read "have such vested."

Pending discussion, Mr. Mighell offered the following amendment to the substitute section and moved its adoption:

Strike out all after the word "law" in line 7 and insert in lieu thereof the following: "but such interest shall attach only to the fund accumulated, allocated and maintained for that particular officer or employe and shall impose no obligation upon the State or any municipality or political division thereof to create or maintain such fund."

And the amendment was lost.

Pending discussion, Mr. Hamill moved that further consideration be postponed.

And the motion prevailed.

At the hour of 10:50 o'clock a. m., Mr. Scanlan moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 22, 1920.

At the hour of 10:55 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the two reports from the Committee on Distinction between Constitutional and Legislative Subjects.

Mr. Dietz, Chairman of the Committee on Distinction Between Constitutional and Legislative Subjects, presiding.

The report of the Committee on Distinction on Proposal No. 81, recommending that the Proposal be re-referred to the proper committee for consideration, on its merit, was taken up and read.

Whereupon, Mr. Corlett moved that the report be adopted.

And the motion prevailed.

The report of the Committee on Distinction on Proposal No. 213 recommending that the same be rejected was taken up and read at large.

Whereupon, Mr. Hamill moved that the report be adopted.

And the motion prevailed.

At the hour of 10:55 o'clock a. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

TUESDAY, JUNE 22, 1920.

At the hour of 11:00 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the report of the Committee on Agriculture being Proposal No. 372.

Mr. Dunlap, Chairman of the Committee on Agriculture, presiding. Proposal No. 372 being taken up and read at large.

Mr. Dunlap called Mr. Gee to the chair in order that he might speak from the floor.

Mr. Dunlap having resumed the chair, Mr. Hamill moved that the Committee of the Whole do not concur in the report of the Committee on Agriculture and that Article 13 of the Constitution of 1870 be omitted from the new Constitution.

Whereupon, Mr. Whitman moved as substitute that Article 13 of the Constitution of 1870 be substituted for Proposal No. 372, reported by the Committee on Agriculture.

Pending discussion, Mr. Hamill, by unanimous consent withdrew his motion.

And the question then being on the motion of Mr. Whitman to substitute Article 13 of the Constitution of 1870 for Proposal No. 372.

It was decided in the affirmative.

Article 13 was then taken up and read at large.

Whereupon Mr. Hamill moved that Article 13 be omitted from the new Constitution.

Mr. Trautmann moved to amend the motion to read except section 7 thereof, which amendment was accepted by Mr. Hamill.

Pending discussion, Mr. Paddock moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the motion to omit Article 13, except section 7, a division was had resulting as follows: Yeas, 19; nays, 31.

And the motion was lost.

Section 1 being taken up and read and no amendments being offered was, on motion of Mr. Jack, adopted.

Section 2 being taken up and read.

Mr. Trautmann moved to mend in line 3 by striking out the words "one hundred thousand" and inserting in lieu thereof the words "fifty thousand."

Whereupon, Mr. Carlstrom offered the following as a substitute and moved its adoption:

Amend section 2 by striking out the words in line 2 and 3 "situated in any town or city of not less than one hundred thousand inhabitants" and substituting in lieu thereof the words "issuing warehouse receipts".

Pending discussion, by unanimous consent, Mr. Carlstrom withdrew his substitute and offered in lieu thereof the following:

Amend section 2 by striking out the word "one" in line 3 and substituting therefor the word "two" and by adding the word "inhabitants" in said line 3, the words "and in all cities and villages where either State or Federal grain inspection now is or may hereafter be provided or established".

Pending discussion, Mr. Gray moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the substitute offered by Mr. Carlstrom.

It was decided in the negative.

The question recurring on the adoption of the motion offered by Mr. Trautmann.

It was decided in the negative.

Mr. Jack thereupon moved that section 2 be adopted.

And on that motion a division was had resulting as follows: Yeas, 29; nays, 22.

And the motion prevailed and section 2 was adopted.

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Brenholt, adopted.

Section 4 being taken up and read and no amendments being offered was, on motion of Mr. Kerrick, adopted.

Section 5 being taken up and read and no amendments being offered was, on motion of Mr. Gray, adopted.

Section 6 being taken up and read.

Mr. Green offered the following amendment and moved its adoption: Strike out the word "and" in line 5 between words "Producers and Shippers" and insert after the word "shippers" the words "consumers and others interested".

And the amendment was adopted.

Mr. Gilbert offered the following amendment and moved its adoption:

Insert the words "powers and" in line 6 before the word "remedies".

And the amendment was lost.

There being no further amendments, section 6, as amended was, on motion of Mr. Lindly, adopted.

Section 7 being taken up and read.

Mr. Trautmann offered the following as a substitute and moved its adoption:

The General Assembly may pass laws for the inspection of grain and for the protection of producers, shippers, receivers and consumers of grain and produce.

Pending consideration, Mr. Hamill moved to amend the substitute by striking out the word "may" in line 1 and inserting the word "shall."

The question being on the motion of Mr. Hamill a division was had resulting as follows: Yeas, 34; nays, 14.

And the motion prevailed.

Pending further discussion, Mr. Dawes moved to amend by inserting after the words "inspection of grain" the words "and produce."

And the motion prevailed.

The question then being on the adoption of the substitute as amended, it was decided in the affirmative.

The question recurring on the adoption of section 7, as amended, a division was had resulting as follows: Yeas, 33; nays, 20.

And the motion prevailed.

The question then being on the adoption of Proposal No. 372 as amended, a division was had resulting as follows: Yeas, 33; nays, 22.

And the Proposal, as amended, was adopted.

At the hour of 6:50 o'clock p. m., Mr. Traeger moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, JUNE 23, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

The Committee of the Whole having, heretofore, had under discussion on June 22, the consideration of Proposal No. 366, the same was again taken up.

And the pending question being the substitute offered by Mr. Carlstrom, for section 33.

Mr. Miller offered the following amendment to the substitute which was accepted by Mr. Carlstrom:

In line 6 between the words "have" and "vested" change "a" to "such" so as to read "have such vested".

Pending discussion, Mr. Mighell offered the following amendment to the substitute and moved its adoption:

Strike out all after the word "law" in line 7 and insert in lieu thereof the following: "but such interest shall attach only to the fund accumulated, allocated and maintained for that particular officer or employee and shall impose no obligation upon the State or any municipality or political division thereof to create or maintain such fund."

And the amendment was lost.

The question recurring on the adoption of the substitute, as amended, a division was had resulting as follows: Yeas, 43; nays, 18.

And the substitute was adopted.

The question then being on the adoption of section 33, as amended, it was decided in the affirmative.

Section 30 being taken up and read and no amendments being offered was, on motion of Mr. Paddock, adopted.

Section 31 being taken up and read.

Mr. Dunlap offered the following as a substitute and moved its adoption:

The General Assembly may pass laws: (1) permitting the owners and lessees of lands and of minerals to construct drains, ditches, and levees upon or across the lands of others for agricultural, sanitary, and mining purposes; (2) providing for the organization of drainage districts and investing their corporate authorities with powers of eminent domain, taxation and special assessments, and with such other appropriate powers as the General Assembly may deem necessary, for the development, construction, and maintenance of flood control, irrigation and of drainage for sanitary, agricultural, and mining purposes; and (3) may provide for the development, construction and maintenance of such projects in whole by such drainage districts or in part at the expense of such drainage districts and in part by the State or any political sub-division thereof.

The authority given for the accomplishment of the purposes set forth in this section shall not deprive the General Assembly of the power to provide other means for the accomplishment thereof.

Mr. Wilson offered the following amendment to the substitute and moved its adoption:

Strike out in the 15th and 16th lines the following words, "And in part by the State or any political sub-division thereof."

The question being on the adoption of the amendment to the substitute offered by Mr. Dunlap a division was had resulting as follows: Yeas, 26; nays, 35.

And the amendment was lost.

Mr. Dunlap moved to amend the substitute by striking out the word "taxation" in line 7.

And the motion prevailed.

Mr. Gale offered the following amendment to the substitute and moved its adoption:

Insert in the 14th line after the word "or" and before the word "in" the following words "for the purpose of making surveys and straightening and improving water courses."

And the amendment was adopted.

The question then being on the adoption of the substitute, as amended, it was decided in the affirmative.

There being no further amendments, section 31, as amended, was, on motion of Mr. Lindly, adopted.

Mr. Lindly thereupon moved that Proposal No. 366, as amended, be adopted by the Committee of the Whole and reported to the Convention with the recommendation that it do pass.

And the question being on that motion, a division was had resulting as follows: Yeas, 46; nays, 21.

And the motion prevailed.

Mr. Hamill gave notice that he had voted in the affirmative and that he would move to reconsider.

Whereupon Mr. Dunlap raised the point of order that it was out of order to reconsider in Committee of the Whole.

The Chair ruled the point well taken.

The report of the Committee on Legislative Department recommending that Proposals numbered 6, 25, 37, 57, 80, 87, 128, 141, 143, 163, 183, 184, 189, 221, 228, 237, 243, 293, 305, 335, 336, 350, 356, and 352, be rejected, was taken up and read at large.

Whereupon Mr. Brenholt moved that the report of the Committee be adopted.

And the motion prevailed.

At the hour of 11:30 o'clock a. m., Mr. Lindly moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, JUNE 23, 1920.

At the hour of 11:35 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the joint report from the Committees on Municipal Government and Chicago and Cook County, being Proposal No. 374.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

Proposal No. 374 was taken up and read at large and considered section by section as follows:

Section 1 being taken up and read.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1, in line 6 by inserting after the word "no" the word "such".

Pending discussion Mr. Sutherland offered the following amendment to Amendment No. 1, which was accepted by Mr. Jarman:

Amend section 1, in line 6 by striking out after the word "and" the words "no power" and inserting in lieu thereof the words "no such power of local self-government and corporate action".

And the question being on the adoption of the amendment as amended.

It was decided in the affirmative.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 2 by inserting after the word "law" in line 8 the words "which shall be subject to general laws in matter relating to State affairs" and also by striking out in line 1 the words "subject to existing or future laws".

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1 by striking out the word "law" at the end of line 8 and adding the following:

"But the power to pass laws or regulations relating to the subjects of the Practice of Medicine, Health and Sanitation shall remain and rest solely in the General Assembly as at present, and such powers delegated to cities, villages and incorporated towns under existing laws shall continue in force until, and except as, modified by the General Assembly subsequent to the adoption of this Constitution".

Also by striking out all of lines 11 and 12.

And the amendment was lost.

Mr. Six offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 1 by striking out after the first word of line 6 all of lines 6 to 15 inclusive and adding the following:

The grant or delegations of powers by the State shall be the subject to the following:

The State is supreme in all activities of municipalities or other agencies in which the State has a sovereign interest regardless of any grant or delegation of power herein.

The State has a sovereign interest in the enforcement of laws and the fair election of officials in all parts of the State.

The supervision and control of education of the children of this State shall remain the duty and function of the State and shall never be surrendered.

The State shall determine the extent of all powers granted or delegated. The State shall not be superceded in the right to make and enforce;

(A) Laws relating to property rights and obligations of municipalities or other agencies;

(B) Laws which determine or impose penalties;

(C) Laws providing for the removal of municipal officers or representatives exercising sovereign powers.

The general police power of the State shall not be surrendered. The State shall exercise the power of taxation for State purposes and constitutional provisions for separation of the objects of local and State taxation shall not be construed as a surrender of general State supervision of taxation for local purposes.

Pending consideration at the hour of 6:18 o'clock p. m., Mr. Brenholt moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, JUNE 24, 1920.

At the hour of 9:20 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

The Committee of the Whole having, heretofore, had under discussion, on June 23, the consideration of Proposal No. 374, the same was again taken up.

And the pending question being the adoption of Amendment No. 4, offered by Mr. Six, to section 1.

Mr. Hull called Mr. Garrett to the chair in order that he might speak on the pending amendment from the floor.

At the conclusion of his speech, Mr. Hull, resumed the chair.

The question then being on the adoption of Amendment No. 4, it was decided in the negative.

Mr. Miller offered the following amendment to section 1 and moved its adoption:

AMENDMENT No. 5.

Amend section 1 by adding after the word "law" in line 8 the following: "This grant of power shall not be effective in the case of any city, village or incorporated town unless and until such city, village or incorporated town shall have adopted a charter in accordance with section 9 of this Article.

And the amendment was adopted.

Mr. Coolley offered the following amendment to section 1 and moved its adoption:

AMENDMENT No. 6.

Amend by adding after the word "cities" in line 1 the words "of more than one million inhabitants" and strike out of lines 2 and 3 the words "villages and incorporated towns."

Pending consideration, Mr. Coolley withdrew his Amendment No. 6, and offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 1 by adding after the word "cities" in line 1 the words "of less than one million inhabitants".

And the amendment was lost.

Mr. Dietz offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 1, as amended, by adding at the end thereof the following: "Except as in the several sections of this Article otherwise expressly pro-

vided, the laws of the State shall prevail over the charter and ordinance provisions of any city, village and incorporated town adopting the charter provisions of this Article.

And the amendment was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 1 by striking out lines 9 to 15 inclusive.

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 29; nays, 25.

And the amendment was adopted.

Whereupon Mr. Davis moved that section 1, as amended, be adopted.

And on that motion a division was had resulting as follows: Yeas, 34; nays, 20.

And the motion prevailed.

Section 2 being taken up and read and no amendments being offered was, on motion of Mr. Sutherland, adopted.

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Sutherland, adopted.

Section 4 being taken up and read.

Mr. Dupee offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 4 by inserting before the first word in line 1 the words "the corporate authorities of".

And the amendment was adopted.

There being no further amendments, section 4, as amended was, on motion of Mr. Davis, adopted.

Section 5 being taken up and read and no amendments being offered was, on motion of Mr. Todd, adopted.

Section 6 being taken up and read.

Mr. Sutherland offered the following substitute for section 6 and moved its adoption:

The power of cities, villages and incorporated towns to own, acquire, construct, operate, or let or lease for operation public utilities or to sell the product or service of public utilities so owned or operated and to fix the rates therefor, shall not be denied by law.

The question being on the adoption of the substitute, a division was had resulting as follows: Yeas, 29; nays, 20.

And the substitute was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 7 by inserting after the word "utilities" in line 4 the words "to any such municipality or" and after the word "people" in line 4 insert the word "thereof" and strike out the words "of any city, village or incorporated town" in line 4 after the word "people".

Pending discussion, Mr. Whitman moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 11, it was decided in the affirmative.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 7 by inserting after the word "inviolable" in line 6 the following words "and when such contract shall be for a term of more than five years, the same shall be submitted to the electors of the municipality and approved by a majority of those voting thereon."

The question being on the adoption of Amendment No. 12, a division was had resulting as follows: Yeas, 21; nays, 26.

And the amendment was lost.

There being no further amendments, Mr. Sutherland moved that section 7 be adopted.

And on that motion a division was had, resulting as follows: Yeas, 18; nays, 32.

And the motion was lost.

Section 8 being taken up and read.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 8 by striking out in line 9 the words "This provision shall apply to any statute or ordinance heretofore passed.

And the amendment was lost.

Mr. Dupee offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 8 by adding to line 9 the following: "whose provisions are within the terms of this section."

And the amendment was adopted.

There being no further amendments, section 8, as amended was, on motion of Mr. Dupee, adopted.

At the hour of 6:10 o'clock p. m., Mr. Davis moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

FRIDAY, JUNE 25, 1920.

At the hour of 9:25 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

The Committee of the Whole having, heretofore, had under discussion on June 24, the consideration of Proposal No. 374, the same was again taken up.

And section 9 being read.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 9 by inserting in line 5 after the word "thereof" the words "proposed as therein provided".

And the amendment was adopted.

Mr. Corcoran offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 9 by striking out the last four lines being lines 11, 12, 13 and 14.

Pending consideration, Mr. Dupuy moved that further consideration of Proposal No. 374 be postponed.

And the motion was lost.

The question recurring on the adoption of Amendment No. 16, a division was had as follows: Yeas, 9; nays, 20.

And the amendment was lost.

Mr. Dietz offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 9 by striking out all of the second paragraph except the last sentence and by striking out the word "other" in line 6, of second paragraph and inserting in lieu thereof the word "all".

Pending consideration, at the hour of 10:30 o'clock a. m., Mr. Todd moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

FRIDAY, JUNE 25, 1920.

At the hour of 10:35 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the reports from the Committee on Bill of Rights being Proposals numbered 375 and 376.

Mr. Rinaker, Chairman of the Committee on Bill of Rights, presiding.

Proposal No. 375 being taken up and read at large, Mr. Corlett moved its adoption.

And the motion prevailed.

Proposal No. 376 being taken up and read at large, was considered section by section as follows:

Section 1 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 2 being taken up and read and no amendments being offered was, on motion of Mr. Traeger, adopted.

Section 3 being taken up and read.

Mr. Scanlan moved that consideration of section 3 be postponed.

And the motion prevailed.

Section 4 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 5 being taken up and read.

Mr. Scanlan moved that consideration of section 5 be postponed.

And the motion prevailed.

Section 6 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 7 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 8 being taken up and read.

Mr. Scanlan moved that consideration of section 8 be postponed.

And the motion prevailed.

Section 9 being taken up and read.

Mr. Gee moved that consideration of section 9 be postponed.

And the motion prevailed.

Section 10 being taken up and read.

Mr. Hamill moved that consideration of section 10 be postponed.

And the motion prevailed.

Section 11 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 12 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 13 being taken up and read.

Mr. Scanlan moved that consideration of section 13 be postponed.

And the motion prevailed.

Section 14 being taken up and read.

Mr. Carlstrom moved that consideration of section 14 be postponed.
And the motion prevailed.

Section 15 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 16 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 17 being taken up and read.

Mr. Mills moved that consideration of section 17, be postponed.

And the motion prevailed.

Section 18 being taken up and read and no amendments being offered was, on motion of Mr. Scanlan, adopted.

Section 19 being taken up and read.

Mr. Hamill moved that consideration of section 19 be postponed.

And the motion prevailed.

Section 20 being taken up and read.

Mr. Green moved that consideration of section 20 be postponed.

And the motion prevailed.

At the hour of 11:15 o'clock a. m., Mr. Green moved that the Committee do now rise, report progress, and ask leave to sit again.

And the motion prevailed.

MONDAY, JUNE 28, 1920.

At the hour of 3:45 o'clock p. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

Mr. Coolley, member of the Committee on Miscellaneous Subjects, presiding.

The report of the Committee on Miscellaneous Subjects, recommending that Proposals numbered 195, 314, 315, 342 and 333 be rejected, being the next matter pending on the General Orders, the same was taken up and considered as follows:

Proposal No. 195, being taken up and read.

The report of the Committee was, on motion of Mr. Sutherland, concurred in.

Proposal No. 314, being taken up and read.

The report of the Committee was, on motion of Mr. Hamill, concurred in.

Proposal No. 315, being taken up and read.

The report of the Committee was, on motion of Mr. Hamill, concurred in.

Proposal No. 342, being taken up and read.

Mr. Jarman moved that consideration of Proposal No. 342 be postponed.

And the motion prevailed.

Proposal No. 333 being taken up and read.

The report of the Committee was, on motion of Mr. Hamill, concurred in.

At the hour of 4:25 o'clock p. m., Mr. Sutherland moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 29, 1920.

At the hour of 11:00 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

The Committee of the Whole, having, heretofore had under discussion, on June 25, the consideration of Proposal No. 374, the same was again taken up.

And the pending question being Amendment No. 17, offered to section 9, by Mr. Dietz.

Mr. Hull called Mr. Garrett to the chair in order that he might speak on the pending amendment.

At the conclusion of his address, Mr. Hull resumed the chair.

The question then being on the adoption of Amendment No. 17, a division was had resulting as follows: Yeas, 25; nays, 29.

And the amendment was lost.

Mr. Shanahan moved that section 9, as amended, be adopted.

And on that motion, a division was had resulting as follows: Yeas, 30; nays, 27.

And the motion prevailed.

Section 10 being taken up and read, and no amendments being offered was, on motion of Mr. Garrett, adopted.

Section 11 being taken up and read.

Mr. Dietz offered the following amendment and moved its adoption:

AMENDMENT NO. 18.

Amend section 11 by striking out the word "counties" in line 1 and by adding after the word "corporations" in line 2 the words "in the County of Cook".

And the amendment was lost.

Mr. Garrett moved that section 11 be adopted.

And on that motion a division was had resulting as follows: Yeas, 27; nays, 26.

And the motion prevailed.

Mr. Mighell offered the following as a new section to be known as section 12, and moved its adoption:

Section 12. This article shall not apply to any city village or town which has less than one hundred thousand population.

And the question being on the adoption of section 12 a division was had resulting as follows: Yeas, 31; nays, 30.

And section 12 was adopted.

Mr. Jarman moved that Proposal No. 374, as amended, be not adopted.

And the motion prevailed.

At the hour of 12:43 o'clock p. m., Mr. Revell moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 29, 1920.

At the hour of 4:02 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

The Committee of the Whole, having heretofore had under discussion, on this day, the consideration of Proposal No. 374, the same was again taken up.

And the vote by which the Proposal, as a whole, was not adopted was, by unanimous consent, deemed reconsidered.

Whereupon Mr. Dupee moved that section 8, thereof, as amended, be reported to the Convention.

And the motion prevailed.

Mr. Todd moved that section 5 thereof, be reported to the Convention.

And the motion prevailed.

At the hour of 4:30 o'clock p. m., Mr. Green moved that the Committee do now rise and report.

And the motion prevailed.

TUESDAY, JUNE 29, 1920.

At the hour of 4:35 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Rinaker, Chairman of the Committee on Bill of Rights, presiding.

The Committee of the Whole, having heretofore had under discussion, on June 25, the consideration of Proposal No. 376, the same was again taken up.

Whereupon, Mr. Mills moved that consideration of section 3 be further postponed.

And the motion prevailed.

Section 5 being taken up.

Mr. Corlett offered the following as a substitute for section 5 and moved its adoption:

The right of trial by jury shall remain inviolate, but may be waived in all but capital cases.

The trial of civil cases by a jury of less than twelve may be authorized by law.

Women shall be eligible to jury service, but shall not be required to serve.

A division of the question being requested by Mr. Jarman, a vote was first taken on the following portion:

The right of trial by jury shall remain inviolate, but may be waived in all but capital cases."

Mr. Carlstrom moved that the first portion of the substitute for section 5 be adopted.

And on that motion a division was had resulting as follows: Yeas, 18; nays, 37.

And the motion was lost.

The second portion was then taken up, which portion is as follows:

The trial of civil cases by a jury of less than twelve may be authorized by law."

Mr. Corlett moved that the second portion be adopted.

And on that motion a division was had resulting as follows: Yeas, 22; nays, 40.

And the motion was lost.

The third portion was next taken up, which portion is as follows:

Women shall be eligible to jury service, but shall not be required to serve.

Mr. Sutherland moved to amend by striking out the entire portion and inserting in lieu thereof the words "Women may be eligible to jury service."

Pending discussion, Mr. Sutherland withdrew his amendment.

Mr. Dunlap moved to amend by striking out the third portion, which motion was ruled out of order by the Chair.

Mr. Kerrick moved to amend the third portion to read as follows: "Women shall be permitted to serve upon juries."

Mr. Jarman moved to amend by inserting the word "not" after the word "shall" in the amendment offered by Mr. Kerrick.

Mr. Barr raised the point of order that the amendment of Mr. Jarman was out of order.

And the Chair ruled the point well taken.

The question then being on the adoption of the amendment offered by Mr. Kerrick, it was decided in the negative.

The question recurring on the adoption of the third portion of the substitute offered by Mr. Corlett, a division was had resulting as follows: Yeas, 27; nays, 20.

And the third portion of the substitute was adopted.

At the hour of 6:55 o'clock p. m., Mr. Trautmann moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, JUNE 30, 1920.

At the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Rinaker, Chairman of the Committee on Bill of Rights, presiding.

The Committee of the Whole, having heretofore had under discussion, on yesterday, the consideration of Proposal No. 376, the same was again taken up.

The pending question being the consideration of section 5.

Mr. Dietz offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 5 by striking out in line 4, the words "and less than an unanimous verdict in civil cases".

Pending discussion, Mr. W. A. Johnson raised the point of order that the amendment was not in order for the reason that it embraced the same subject matter as that considered on yesterday in the rejection of the second portion of Mr. Corlett's substitute.

The point of order being sustained by the Chair.

Mr. Dunlap moved to reconsider the vote by which the second portion of Mr. Corlett's substitute was rejected.

And the motion prevailed.

Mr. Corlett, thereupon, by unanimous consent, withdrew the second portion of his substitute in order that the amendment of Mr. Dietz might be considered.

The question then being on the adoption of Amendment No. 1, it was decided in the affirmative.

Mr. Gee moved that section 5 be stricken out and that section 5 of the Constitution of 1870 be substituted in lieu thereof.

Pending discussion, Mr. Jarman moved to amend the substitute offered by Mr. Gee by adding at the end thereof the following, "But women shall not be eligible to jury service."

And the amendment to the substitute was lost.

The question recurring on the adoption of the substitute for section 5, offered by Mr. Gee, a division was had resulting as follows: Yeas, 22; nays, 41.

And the substitute was lost.

Mr. Dietz moved that section 5, as amended, be adopted.

Pending consideration, Mr. Dunlap moved to strike out the last clause of section 5, as amended.

And the motion was lost.

The question recurring on the motion of Mr. Dietz that section 5, as amended, be adopted, it was decided in the affirmative.

Section 3 being taken up and read.

Mr. Mills moved its adoption.

Pending discussion, Mr. Sutherland moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of section 3, a division was had resulting as follows: Yeas, 48; nays, 18.

And section 3 was adopted.

Section 8 being taken up and read.

Mr. Shuey offered the following as a substitute and moved its adoption:

AMENDMENT No. 2.

No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger. A full panel of the grand jury shall consist of fifteen persons, and in finding a bill of indictment at least eleven of the grand jury shall be present and agree to the finding.

Pending discussion, Mr. Green offered the following amendment to the substitute which said amendment was accepted by Mr. Shuey in lieu of his substitute, to-wit:

"No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except upon written waiver of indictment being filed by the defendant, and except in cases in which the punishment is by fine or by imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger; a full panel of the grand jury shall consist of fifteen persons and in finding a bill of indictment at least eleven of the grand jury shall be present and agree to the finding."

Pending discussion, Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of the amendment offered by Mr. Green and accepted by Mr. Shuey, a division was had resulting as follows: Yeas, 24; nays, 35.

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 8 by inserting after the word "of" in line 3 the letter "a" and after the word "court" in line 3 the words "of record".

And the amendment was adopted.

There being no further amendments section 8, as amended, was, on motion of Mr. Davis, adopted.

Section 9 being taken up and read.

Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 9 of Article 2, after word "committed" line 7 by adding: "Provision may be made by law, for taking deposition of a non-resident witness, in criminal cases, other than a homicide case, by the State or the accusces to be used for or against the accusces."

And the amendment was lost.

There being no further amendments, section 9 was, on motion of Mr. Lindly, adopted.

Section 10 being taken up and read and no amendments being offered was, on motion of Mr. Revell, adopted.

Section 13 being taken up and read.

Mr. Charles Woodward offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 13 by adding at the end of said section after the word "excess" the words "or any part thereof".

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend by inserting after the word "sell" in line eleven the word "encumber."

And the amendment was lost.

Mr. Dupee offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 13 by adding in line eleven after the word "improvement" the following: "but in no event more than will be sufficient to form suitable building lots abutting upon the same."

Pending consideration, by unanimous consent, Mr. Dupee withdrew Amendment No. 7.

Whereupon Mr. Morris offered the following as a substitute for the last portion of section 13 beginning with the last two words in line six as follows:

AMENDMENT No. 8.

The General Assembly may authorize the State or any county, city, village or incorporated town to take in furtherance of any public improvement, by and with the approval of the court as to the necessity for such taking and the quantity to be taken, a reasonable quantity of land in excess of that which is actually to be occupied by the improvement, but only to the extent necessary to avoid leaving fragmentary tracts as a result of such improvement, such excess taking to be in fee simple, and to hold, sell or lease such excess.

Pending discussion, Mr. Miller offered the following amendment to the substitute and moved its adoption:

Amend the substitute by striking out the words "but only to the extent necessary to avoid leaving fragmentary tracts as a result of such improvement" and inserting in lieu thereof the following: "but only to the extent of fragmentary tracts".

And the amendment was lost.

The question recurring on the adoption of the substitute offered by Mr. Morris, a division was had resulting as follows: Yeas, 23; nays, 37.

And the substitute was lost.

There being no further amendments section 13, as amended was, on motion of Mr. Revell, adopted.

Section 14 being taken up and read.

Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT NO. 9.

Amend section 14 by adding in line one after the word "contracts" the words "including municipal contracts, franchises and licenses".

The question being on the adoption of the amendment a division was had resulting as follows: Yeas, 25; nays, 34.

And the amendment was lost.

There being no further amendments section 14 was, on motion of Mr. Lindly, adopted.

Section 17 being taken up and read.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT NO. 10.

Amend section 17 by striking out in lines one and two the words "except as may be modified by other provisions of this Constitution".

Pending discussion, Mr. Mills offered the following as a substitute for section 17 and the pending amendment, to-wit:

All elections shall be free, equal and honest, and the General Assembly shall provide by law for the secrecy of every legal ballot, and for the detection and rejection of every illegal ballot cast at all general and special elections in the State of Illinois, and shall also provide by law for the disfranchisement of every election officer or other person found guilty of violating any of the election laws of the State of Illinois. The election franchise may be exercised by both men and women citizens.

The question being on the adoption of the substitute it was decided in the negative.

The question recurring on the adoption of Amendment No. 10.

It was decided in the affirmative.

Mr. Hamill moved to amend section 17 by striking out the words "and the elective franchise may be exercised by both men and women citizens."

And the motion prevailed.

Whereupon Mr. Green moved that section 18 of the present Constitution be submitted for the amended section 17 of the Committee's report.

And the motion prevailed.

On motion of Mr. Lindly section 17, as amended, was adopted.

Section 19 being taken up and read.

Mr. Hamill moved to amend by striking out of lines four and five the words "the State is and shall ever remain representative in its system of government and not a pure democracy."

And the motion prevailed.

Mr. Hamill moved to further amend by striking out of lines two, three, and four the words "the Republican form of government shall never be abandoned, modified or impaired within this State."

And on that motion a division was had resulting as follows: Yeas, 17; nays, 4.

And the motion was lost.

Mr. Lindly thereupon moved that section 19, as amended, be adopted.

And the motion prevailed.

Section 20 being taken up and read.

Mr. Fifer moved to amend by striking out the entire section.

And the motion prevailed.

At the hour of 6:12 o'clock p. m., Mr. Hamill moved that the Committee do now arise, report progress, and ask leave to sit again.

And the motion prevailed.

THURSDAY, JULY 1, 1920.

At the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole for the purpose of further considering reports from the Committee on Bill of Rights, being Proposals numbered 129, 136, and 282.

Mr. Rinaker, Chairman of the Committee on Bill of Rights, presiding.

Proposal No. 129 was taken up and read at large.

Whereupon Mr. Davis moved that further consideration of Proposal No. 129 be postponed.

And the motion prevailed.

Proposal No. 136 was taken up and read at large.

Whereupon Mr. Morris moved the adoption of section 1.

Pending consideration, Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT NO. 1.

Amend Proposal No. 136, by striking out in line four the words "doing anything" and inserting in lieu thereof the words "any legal right".

And the amendment was lost.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT NO. 2.

Amend Proposal No. 136, by striking out the word "person" where it appears in lines 3 and 4 and substituting in lieu thereof the word "citizen" and by adding after the word "anything" in line 4 the following words "that any other citizen may do".

And the amendment was adopted.

The question then being on the adoption of the section, as amended, it was decided in the affirmative.

Mr. Sutherland, thereupon, moved that Proposal No. 136, as amended, be adopted.

And the motion prevailed.

Proposal No. 282 was taken up and read at large.

Whereupon Mr. Green moved that the Committee of the Whole concur in the report of the Committee on Bill of Rights recommending the rejection of the Proposal.

And the motion prevailed.

Mr. Revell moved that the sections adoption of Proposal No. 376 and the section adopted of Proposal No. 136 be now consolidated and adopted as a whole.

And the motion prevailed.

Mr. Green moved that Proposal No. 376, as amended, be reported to the Convention with the recommendation that it do pass.

And the motion prevailed.

At the hour of 10:55 o'clock a. m., Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, JULY 1, 1920.

At the hour of 11:00 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the report from the Committee on Public Works and Improvements, being Proposal No. 377.

Mr. Lindly, Chairman of the Committee on Public Works and Improvements, presiding.

Proposal No. 377 was taken up and read at large and considered section by section as follows:

Section 1 being taken up and read.

Mr. Jarman moved its adoption.

Pending discussion, Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

And on that motion a division was had resulting as follows: Yeas, 26; nays, 21.

The motion not having received a two-thirds vote was declared lost.

* * * * *

The question being on the adoption of section 1 it was decided in the affirmative.

At the hour of 1:05 o'clock p. m., Mr. Shanahan moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, JULY 1, 1920.

At the hour of 8:02 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Lindly, Chairman of the Committee on Public Works and Improvements, presiding.

The Committee of the Whole having, heretofore, on this day, had under discussion the consideration of the report from the Committee on Public Works and Improvements, being Proposal No. 377, the same was again taken up.

And section 2 being read, Mr. Wilson moved its adoption.

Pending discussion, at the hour of 10:40 o'clock p. m., Mr. Gale moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JULY 6, 1920.

At the hour of 10:25 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Lindly, Chairman of the Committee on Public Works and Improvements, presiding.

The Committee of the Whole having, heretofore, on July 1, had under discussion the consideration of the report from the Committee on Public Works and Improvements, being Proposal No. 377, the same was again taken up.

And the pending question being the motion of Mr. Wilson to adopt section 2.

Mr. Hull moved to amend the motion to read "That section 2 be adopted with the recommendation to the Convention that this section be submitted separately to the people."

Whereupon Mr. Jarman offered the following as a substitute for section 2 and moved its adoption:

The General Assembly shall never made either additional appropriations or authorize bonds to be issued and sold for the construction, maintenance, operation, extension, enlargement or equipment of the Illinois Waterway or its appurtenances, in addition to the bonds heretofore authorized, except as otherwise provided in section 3 of this Article, unless the law making such appropriation or authorizing such bonds shall first be submitted to a vote of the people of the State at a general election and have been approved by a majority of all the votes polled at such election.

Pending discussion, Mr. Paddock moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question being on the adoption of the substitute offered by Mr. Jarman for section 2, a division was had resulting as follows: Yeas, 26; nays, 35.

And the substitute was lost.

The question then being on the adoption of the amendment offered by Mr. Hull to the motion of Mr. Wilson that section 2 be adopted.

It was decided in the negative.

The question recurring on the motion of Mr. Wilson that section 2 be adopted, a division was had resulting as follows: Yeas, 44; nays, 20.

And section 2 was adopted.

Section 3 being taken up and read and no amendments being offered was, on motion of Mr. Ireland, adopted.

Section 4 being taken up and read, Mr. Revell moved its adoption.

Mr. Six offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 4 by inserting after the word "State" in line 3 the words "at a general election".

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 4 by striking out in line 2 the words "except as provided herein".

And the amendment was lost.

The question then being on the adoption of section 4, as amended, it was decided in the affirmative.

Section 5 being taken up and read, Mr. Scanlan moved its adoption.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 5 by striking out in line 2 the words "for purposes of transportation or".

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, it was decided in the affirmative.

Section 6 being taken up and read.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 6 by striking out in line 2, the words "for the maintenance and preservation thereof", and in lines 3 the words "any fund other than".

And the amendment was adopted.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 6 by adding at the end thereof the following: Otherwise than as in this Article provided, the General Assembly shall never loan the credit of the State or make appropriations from the treasury thereof, in aid of canals.

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, it was decided in the affirmative.

Section 7 being taken up and read.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 7 by adding after the word "power" in line 1 the words "or railway or terminal purposes".

And the amendment was adopted.

Mr. Six offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 7 by adding at the end thereof the following: "After the expiration of any lease or revaluation period the State shall have the right to retake the property for itself or for a new lessee, upon the payment of a fair, just and sufficient compensation for the property, and for all dependent property if taken, and if the dependent property is not taken, then fair, just and sufficient compensation be paid for all severance damages. Provision may be made that old lessee shall have priority over any new lessee."

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 17; nays, 32.

And the amendment was lost.

The question then being on the adoption of section 7, as amended, it was decided in the affirmative.

Pending discussion, Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend Proposal No. 377 by adding the following as a new section to be known as section 8.

The State shall be liable for all damages to real estate, crops or timber which shall be overflowed or otherwise damaged by or from the water caused to flow through such waterway, and no statutes of limitations shall bar the recovery of such damages.

The question being on the adoption of Amendment No. 8, a division was had resulting as follows: Yeas, 24; nays, 34.

And the amendment was lost.

Mr. Revell moved that Proposal No. 377, as amended, be adopted as a whole.

And the motion prevailed.

At the hour of 4:20 o'clock p. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

TUESDAY, NOVEMBER 9, 1920.

At the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the three reports from the Committee on Revenue, Taxation and Finance, being Proposals numbered 378, 380 and 381.

Mr. Gale, Chairman of the Committee on Revenue, Taxation and Finance, presiding.

The several reports having been read at large, were taken up for consideration section by section.

Whereupon Mr. Gale called Mr. Whitman to the chair and thereupon presented, on behalf of a majority of the Committee on Revenue, Taxation and Finance the following in lieu of section 1 of the Majority Report which was, by unanimous consent, accepted:

Section 1. The power of taxation shall never be surrendered, suspended, or contracted away. All taxes shall be levied and collected under general law and for public purposes only. The general assembly shall provide for the levy of taxes upon property, by valuation, so that, every persons and corporation shall pay a tax in proportion to the value of his, her of its property; such value to be ascertained by some person or persons to be elected or appointed in such manner as the general assembly shall direct, and not otherwise; but the general assembly shall have power to tax money, notes, stocks, securities, royalties, bonds, credits, participations in profits or property, and evidence of indebtedness, or any one or more of such classes of property, at such rates and in such manner uniform as to each class as may be provided by general law. Taxes may be levied also on income; if the income tax be graduated and progressive, the highest rate shall not exceed six times the lowest rate; and not exceeding \$500.00 to a person not the head of a family whose net income is less than \$1,000.00 and not exceeding \$1,000.00 to the head of a family whose total net income is less than \$2,000.00 may be exempted from income tax. Taxes levied by valuation upon property in this State and paid shall be deducted from the tax on income derived therefrom by the person or corporation paying such property tax. The general assembly may provide that the tax on income derive from any personal property shall be substituted for, and be in lieu of, the property tax thereon, but in such case the rate of income tax so substituted shall be uniform and substantial and there shall be no exemptions therefrom, except as provided in section 3 of this Article. Taxes may also be levied on privileges, franchises and occupations uniform as to class.

Mr. Kerriek moved that the Minority Report of the Committee on Revenue, Taxation and Finance, being Proposal No. 380, be substituted for section 1 of the Majority Report.

Pending discussion of the motion.

At the hour of 5:30 o'clock p. m., Mr. Corcoran moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion was lost.

Pending further discussion, at the hour of 5:40 o'clock p. m., Mr. Dunlap moved that the Committee do now rise, report progress and ask leave to sit again.

On that motion a division was had resulting as follows: Yeas, 42; nays, 22.

And the motion prevailed.

WEDNESDAY, NOVEMBER 10, 1920.

At the hour of 9:05 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Gale, Chairman of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having, heretofore, had under discussion on yesterday, the consideration of the three reports from the Committee on Revenue, Taxation and Finance, being Proposals numbered 378, 380 and 381, the same were again taken up.

Whereupon Mr. Gale requested Mr. Whitman to take the chair.

The pending question being on the motion of Mr. Kerrick to substitute the Minority Report, being Proposal No. 380, for section 1 of the Majority Report, as amended.

A division was had resulting as follows: Yeas, 21; nays, 40.

And the motion was lost.

Mr. Shney presented the following in lieu of the Minority Report, being Proposal No. 381, heretofore submitted by him, which was, by unanimous consent, accepted:

The General Assembly shall have power to levy taxes by valuation on all property in this state uniform as to persons and property without discrimination.

Or the General Assembly shall have power to levy taxes without discrimination as to persons or property according to valuation on all real estate and tangible personal property; and in lieu of all taxes on intangible personal property, the General Assembly shall have power (and in case no other taxes are levied on intangible personal property, the General Assembly shall) levy an income tax' at a rate to be determined by the General Assembly, on all incomes, subject to deductions hereinafter provided.

In the event that the General Assembly, by virtue of the foregoing provision, levy an income tax in accordance therewith the General Assembly shall provide that tax-payer paying ad valorem taxes, shall return his entire income, including income arising out of property subject to ad valorem taxes, and that such tax-payer may deduct the amount of ad valorem taxes he is required to pay from that part of his income taxes computed on income arising out of property, upon which he is required to pay ad valorem taxes.

The General Assembly shall also have power to impose taxes upon franchises, privileges and occupations by general law, uniform as to the class upon which it operates.

The income tax may be graduated and progressive, but the highest rate shall not exceed six times the lowest rate; and not exceeding Five Hundred Dollars to a person not the head of a family whose total net income is less than One Thousand Dollars, and not exceeding One Thousand Dollars to the head of a family whose total net income is less than Two Thousand Dollars may be exempted from income taxes.

The term intangible shall be construed to include money on hands, on deposits, or at interest, bonds, shares of stock, notes and choses in action.

No dividend paid by corporations to stockholders shall be listed as income where the corporation has been required to list its income for taxation.

The General Assembly shall have power to impose ad valorem taxes on all intangible property within this State, owned by any person or corporation not paying income taxes in this State.

If any income tax is levied against a corporation which pays a certain part of its gross income to the State in lieu of taxes, any such payment may be deducted from its income tax. But such deduction shall only be made from tax upon income arising out of that part of the property of such corporation which contributes to the gross income upon which is calculated the percentage paid to the State.

The income tax shall be a substantial tax and shall approximate the ad valorem tax burden.

Mr. Shuey moved that the Minority Report, being Proposal No. 381, as amended, be adopted in lieu of section 1 of the Majority Report, as amended.

Pending consideration, at the hour of 12:30 o'clock p. m., Mr. Davis moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, NOVEMBER 10, 1920.

At the hour of 2:03 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole, having, heretofore, had under discussion, on this day, the consideration of the reports from the Committee on Revenue, Taxation and Finance, the same were again taken up.

The pending question being the motion of Mr. Shuey, that the Minority Report, being Proposal No. 381, as amended, be adopted in lieu of section 1 of the Majority Report, as amended.

It was decided in the negative.

Mr. Gale, thereupon, moved that section 1 of the Majority Report, as amended, be adopted.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 of Proposal No. 378 by striking out of lines 9, 10, 11, 12, 13 and 14 the following; "but the General Assembly shall have power to tax money, notes, stocks, securities, royalties, bonds, credits, participations in profits or property, and evidences of indebtedness, or any or more of such classes of property, at such rates and in such manner uniform as to each class as may be provided by general law."

Mr. Taff moved to lay the amendment on the table.

Whereupon, Mr. Dunlap raised the point of order that a motion to table in Committee of the Whole was not in order.

The Chair held the point of order not well taken.

The question then being on the motion to table, a division was had resulting as follows: Yeas, 33; nays, 21.

And the motion prevailed.

Mr. Mack offered the following as a substitute for section 1 of the Majority Report, as amended, and moved its adoption:

Section 1. The power of taxation shall never be surrendered, suspended or contracted away. All taxes shall be levied and collected under general law and for public purposes only. The General Assembly shall provide for the levy of taxes upon real property and tangible personal property by valuation, so that every person and corporation shall pay a tax in proportion to the value of his, her or its real property and tangible personal property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct and not otherwise. Taxes shall be levied also on all incomes at a uniform rate, and not exceeding \$500.00 to a person not the head of a family whose total net income is less than \$1,000.00 and not exceeding \$1,000.00 to the head of a family whose total net income is less than \$2,000.00 may be exempted from income tax. Taxes levied by valuation upon property in this State and

paid shall be deducted from the tax on income derived therefrom by the person or corporation paying such property tax. The tax on income derived from intangible property, shall be in lieu of any property tax thereon. Taxes may also be levied on privileges, franchises and occupations uniform as to class. The income tax on intangible property shall be real and substantial.

Pending consideration, at the hour of 5:00 o'clock p. m., Mr. Dunlap moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion was lost.

The question recurring on the adoption of the substitute for section 1 of the Majority Report offered by Mr. Mack.

Mr. Miller offered the following amendment to the substitute and moved its adoption:

Insert in line 10 of the substitute for section 1, after the word "otherwise" the following words "but the General Assembly shall have power to tax money, notes, stocks, securities, royalties, bonds, credits, participations in profits or property, and evidences of indebtedness, or any one or more of such classes of property, at such rates and in such manner uniform as to each class as may be provided by general law."

Pending consideration, at the hour of 5:30 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, NOVEMBER 11, 1920.

At the hour of 2:20 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having, heretofore, had under discussion, on yesterday, the consideration of the reports from the Committee on Revenue, Taxation and Finance, the same were again taken up.

The pending question at the conclusion of the sitting of the Committee of the Whole on yesterday being the adoption of the amendment of Mr. Miller to the substitute for section 1 of Proposal No. 378 offered by Mr. Mack.

And the same, together with section 1 of said Proposal, having been recalled by the Convention from the Committee of the Whole, on this day, recommitted to the Committee on Revenue, Taxation and Finance and by them reported back to the Convention and again placed on the General Orders, was taken up.

Whereupon Mr. Gale moved that the report of the Committee on Revenue, Taxation and Finance on matters recommitted to it, in reference to section 1 of Proposal No. 378, be adopted.

Mr. Mack offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 of Proposal No. 378 by striking out in line 20 the word "personal" and inserting in lieu thereof the word "intangible".

Pending consideration, Mr. Rinaker offered the following amendment to Amendment No. 2, which was accepted by Mr. Mack:

Insert in line 20 after the word "a" the word "uniform", also by inserting after the word "on" the word "all" also by striking out the words "any personal" in said line and inserting in lieu thereof the word "intangible", so that said line will read "May provide a uniform tax on all income derived from intangible property".

Pending further consideration, Mr. Gray moved that debate be now closed and that the Committee proceed to vote.

The question being on that motion, a division was had resulting as follows: Yeas, 55; nays, 11.

And the motion prevailed.

The question then being on the adoption of Amendment No. 2, as amended, a division was had resulting as follows: Yeas, 41; nays, 19.

And the amendment, as amended, was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1 of Proposal No. 378 by striking out in lines 10, 11 and 12 the words "taxes may be levied also on incomes: if the income tax be graduated and progressive the highest rate shall not exceed six times the lowest rate;" and inserting in lieu thereof the words "The General Assembly may provide a uniform tax also on incomes."

Pending discussion, at the hour of 6:00 o'clock p. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

FRIDAY, NOVEMBER 12, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having, heretofore, had under discussion, on yesterday, the consideration of the reports from the Committee on Revenue, Taxation and Finance, the same was again taken up.

The pending question being the adoption of Amendment No. 3, offered by Mr. Green.

A division was had resulting as follows: Yeas, 20; nays, 35.

And the amendment was lost.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 1 of the Majority Report as follows: In line 12 strike out the word "six" and insert the word "three".

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 24; nays, 29.

And the amendment was lost.

Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 1 by striking out all of lines nineteen to twenty-three, inclusive, as amended, and by adding at the end of line nine the following:

The General Assembly may provide by law for the levy and collection of taxes on intangible property by other or different methods or processes, than by valuation but such tax shall be uniform and governed by the rules of equitable distribution of the burden of taxation upon all property so that the proportionate tax rate upon intangible property shall approximate the proportionate tax rate on intangible property."

Pending discussion, Mr. Dietz offered the following amendment to Amendment No. 5, which amendment was accepted by Mr. Carlstrom:

Amend Amendment No. 5, so that it will read as follows: "Amend section 1 by striking out all of lines nineteen to twenty-three inclusive, as amended, and by adding at the end of line nine the following:

"The General Assembly may provide by law for the levy and collection of taxes on intangible property by other or different methods or processes, than by valuation including a tax on the income therefrom but such tax shall be uniform and governed by the rules of equitable distribution of the burden of taxation.

Pending further discussion, Mr. Davis moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 5, as amended, a division was had resulting as follows: Yeas, 22; nays, 24.

And the amendment was lost.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT NO. 6.

Amend section 1 of Proposal No. 378, as amended, by inserting, at the beginning of line 5 the following words: "real estate and tangible personal" so that the said line shall read "real estate and tangible personal property by valuation so that every person and corporation" Also amend line 20 by striking out "may" and inserting "shall".

The question being on the adoption of Amendment No. 6, a division was had resulting as follows: Yeas, 18; nays, 33.

And the amendment was lost.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT NO. 7.

Amend section 1 of Proposal No. 378 by striking out the words "principles of taxation fixed in this Constitution" in line 29 and 30 and inserting in lieu thereof the words "principles of uniformity".

And the amendment was lost.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT NO. 8.

Amend section 1 of Proposal No. 378 by striking out the word "six" in line 12 and inserting in lieu thereof the word "four".

The question being on the adoption of Amendment No. 8, a division was had resulting as follows: Yeas, 27; nays, 25.

And the amendment was adopted.

Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT NO. 9.

Amend section 1 of Proposal No. 378, beginning with the word "and" on line 12 striking out to the word "taxes" on line 15 and in place thereof insert "and in either case the General Assembly shall provide reasonable exemptions thereto".

The question being on the adoption of Amendment No. 9, a division was had resulting as follows: Yeas, 18; nays, 30.

And the amendment was lost.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT NO. 10.

Amend section 1 of Proposal No. 378 by striking out of lines 12 to 15 the words after "and" in line 12 up to the word "taxes" in line 15 and inserting the following "exemptions of \$1,000 to a person not the head of a family and \$2,000 to a person the head of a family and \$200 for each dependent person in such family shall be made".

And the amendment was lost.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 1 of Proposal No. 378 by striking out the words "not exceeding \$500 to a person not the head" in line 12 and all of lines 13, 14 and 15 to and including the word "tax" and inserting the following "there shall be exempted from such income tax income to the extent of \$500 to a single person and income to the extent of \$1000 to the head of a family".

The question being on the adoption of Amendment No. 11, a division was had resulting as follows: Yeas, 6; nays, 38.

And the amendment was lost.

The question then being on the adoption of the report of the Committee on Revenue, Taxation and Finance with reference to section 1, as amended, in Committee of the Whole, it was decided in the affirmative.

At the hour of 12:45 o'clock p. m., Mr. Miller moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

MONDAY, NOVEMBER 15, 1920.

At the hour of 3:20 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having, heretofore, had under discussion, on November 12, the consideration of the reports of the Committee on Revenue, Taxation and Finance, the same were again taken up.

Section 2 being taken up and read.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 2 of Proposal No. 378 in line 4 by inserting after the word "county" the following "in which it originated".

Pending discussion, Mr. Barr moved that section 2, together with Amendment No. 12, be reported back to the Convention with the recommendation that they be recommitted to the Committee on Revenue, Taxation and Finance.

And the motion prevailed.

Section 3 being taken up and read.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 3 of Proposal No. 378 by striking out all after the word "state" in line 2 to and including the word "purposes" in line 6.

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 3 of Proposal No. 378 by inserting in line 2 after the word "state" a comma followed by the following words: "household furniture actually owned and used by any individual who shall return all of his or her income for taxation in accordance with law."

Mr. Morris offered the following amendment to Amendment No. 14, and moved its adoption:

Amend section 3 of Proposal No. 378 by inserting in line 2 after the word "state" a comma followed by the following words: "household furniture actually in use as such to the extent of one thousand dollars in value".

And the amendment to Amendment No. 14, was adopted.

The question recurring on the adoption of Amendment No. 14, as amended, it was decided in the affirmative.

Mr. Wall moved to reconsider the vote by which Amendment No. 14, was adopted.

And on that motion a division was had resulting as follows: Yeas, 26; nays, 9.

And the motion prevailed.

Mr. Wall, thereupon, offered the following amendment to Amendment No. 14, as amended, and moved its adoption:

Amend Amendment No. 14, as amended, by striking out the words "one thousand" and inserting in lieu thereof the words "five hundred".

And the amendment was adopted.

The question then being on the adoption of Amendment No. 14, as amended, it was decided in the affirmative.

Mr. Cruden offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 3 of Proposal No. 378 by adding after the word "purposes" in line 5 the following, to-wit: Including pasonages owned and occupied as such by religious organizations, entitled to exemptions under this section.

The question being on the adoption of Amendment No. 15, a division was had resulting as follows: Yeas, 23; nays, 21.

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 3 in line 4 by striking out the words "industrial and trade organizations".

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 3 in line 3 by striking out the words "agricultural and horticultural societies".

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend section 3 in line 4 and 5 by striking out the words "and for incorporated societies of war veterans".

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 19.

Amend section 3 in line 4 by striking out the word "religious".

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 20.

Amend section 3 in line 5 by striking out the word "cemetery".

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 21.

Amend section 3 in line 5 by striking out the word "charitable".

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 22.

Amend section 3 in line 5 by inserting after the word "purposes" "and corporations not for pecuniary profit whose object is the advancement of musical culture".

And the amendment was lost.

Mr. Jack moved to reconsider the vote by which Amendment No. 16, striking out of line 4 of section 2 the words "industrial and trade organizations" was heretofore adopted.

Mr. Dupuy moved a division of the question.

And the motion prevailed.

The question then being on the motion to reconsider the vote by which the word "industrial" was stricken out of line 4 of section 3, a division was had resulting as follows: Yeas, 27; nays, 21.

And the motion prevailed.

The question then being on the motion to reconsider the vote by which the words "and trade organization" were stricken out of line 4 of section 3.

It was decided in the affirmative.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 23.

Amend section 3 by adding in line 6 after the word "law" the following: "The General Assembly shall by law define what organizations and societies fall with the classes above named."

And the amendment was lost.

Mr. Scanlan offered the following amendment and moved its adoption:

AMENDMENT No. 24.

Amend section 3 by inserting after the word "be" in line 2 the words "owned and".

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 25.

Amend section 3 by striking out the word "for" in line 3 after the word "exclusively" substituting the word "by" also by striking out the

word "for" in line 3 before the word "incorporated" and substituting the word "by" also by inserting in line 4 before the word "for" the word "and".

And the amendment was adopted.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 26.

Amend section 3 by striking out of line 2 the word "profit" and inserting in lieu thereof the word "income".

Pending discussion, Mr. Dupuy offered the following as a substitute for Amendment No. 26:

Amend section 3 by striking out in line 2 the words "but not for profit".

The question being on the adoption of the substitute for Amendment No. 26, a division was had resulting as follows: Yeas, 19; nays, 28.

And the substitute was lost.

The question recurring on the adoption of Amendment No. 26, it was decided in the negative.

Mr. Dove offered the following as a substitute for section 3, as amended:

The Property of the State, counties and other municipal corporations both real and personal, household furniture actually in use as such to the extent of five hundred dollars in value, and such other property as may be used exclusively for agricultural, and horticultural societies, for incorporated societies of war veterans, for school, religious, cemetery and charitable purposes including parsonages owned and occupied as such by religious organizations entitled to exemptions under this section, may be exempted from taxation, but such exemptions shall be only by general law. In the assessment of real estate incumbered by public easement any depreciation occasioned by such easement may be deducted in the valuation of such property.

And the substitute for section 3, as amended, was adopted.

Mr. Moore offered the following amendment to section 3, as amended, and moved its adoption:

AMENDMENT No. 27.

Amend section 3 by inserting after the word "law" the words: But no property of any school, college or university in which doctrines tending to subvert the Constitution of the United States or of the Constitution of the State of Illinois, are taught, shall enjoy any exemption from taxation.

And the amendment was lost.

Mr. Barr offered the following amendment to section 3, as amended, and moved its adoption:

AMENDMENT No. 28.

Amend section 3 in line 2 by inserting the words "of this State" after the word "corporations".

And the amendment was lost.

The question then being on the adoption of section 3, as amended, it was decided in the affirmative.

At the hour of 10:32 o'clock p. m., Mr. Sutherland moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, NOVEMBER 16, 1920.

At the hour of 9:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having, heretofore, had under discussion, on yesterday, the consideration of the reports of the Committee on Revenue, Taxation and Finance, the same were again taken up.

And section 4 being read.

Mr. Hamill offered the following as a substitute and moved its adoption:

AMENDMENT No. 29.

Section 4. No sale of real estate for delinquent taxes shall be made except upon a judgment of a court of record, after notice to the owner, and not less than two years shall be allowed the owner to redeem from such sale.

The question being on the adoption of the substitute for section 4, a division was had resulting as follows: Yeas, 31; nays, 21.

And the substitute was adopted.

Mr. Sutherland offered the following amendment to section 4, as amended, and moved its adoption:

AMENDMENT No. 30.

Amend section 4, as amended, by adding at the end thereof the following "and there shall be no such sale except on application of and conducted by the County Treasurer.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 31.

Amend section 4, as amended, by adding after the words "delinquent taxes" the words "and special assessments".

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 32.

Amend section 4, as amended, by inserting after the word "years" in the 6th line the words "after judgment" and striking out the last three words "from such sale".

And the amendment was lost.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 33.

Amend section 4, as amended, by adding at the end, thereof the following "but the legislature may provide for enforcing the lien of such taxes or assessments by a proceeding in the nature of a foreclosure in equity after the period of redemption has expired.

And the amendment was adopted.

Mr. Jack offered the following as a substitute for section 4, as amended, and moved its adoption:

AMENDMENT No. 34.

Section 4. The General Assembly shall provide, in all cases where it may be necessary to sell real estate for the non-payment of taxes or special assessments for State, County or municipal or other purposes, that a return of such unpaid taxes or assessments shall be made to the County Treasurer, and that shall be no sale of said property for any of said taxes or assessments but by said officer, upon the order or judgment of some court of record. The General Assembly may provide for the foreclosure in equity of the lien of such taxes or assessments hereafter created; and it may also provide that the purchaser at any tax sale hereafter had shall have a lien upon the real estate purchased by him at such sale for the sum or sums properly paid out by him with interest thereon, and may, within one year after the period of redemption has expired or after receiving a tax deed, or in case of forfeiture (in addition to other remedies arising out of said order or judgment and sale) enforce such lien by a proceeding in the nature of a foreclosure in equity subject to such conditions as the General Assembly may impose.

The right of redemption from all sales of real estate for the non-payment of taxes or special assessments of any character whatever, shall exist in favor of owners and persons interested in such real estate, for a period of not less than two years from such sales thereof. And the General Assembly shall provide by law for reasonable notice to be given to the owners or parties interested, by publication or otherwise, of the fact of the sale of the property for such taxes or assessments and when the time or redemption shall expire. But the General Assembly shall not be precluded from providing by law such other means for enforcing payment of taxes and assessments, delinquent and otherwise, as it may see fit.

The question being on the adoption of the substitute for section 4, as amended, a division was had resulting as follows: Yeas, 29; nays, 27.

And the substitute was adopted.

Mr. Sutherland moved that section 4, as amended, be adopted.

Pending discussion, Mr. Miller moved that the vote by which the substitute, offered by Mr. Jack, was adopted, be reconsidered.

And the question being on the motion to reconsider, a division was had resulting as follows: Yeas, 35; nays, 15.

And the motion prevailed.

The question then being on the adoption of the substitute offered by Mr. Jack, for section 4, as amended, it was decided in the negative.

Pending further discussion, Mr. Green moved that debate be now closed and that the Committee proceed to vote.

And on that motion a division was had resulting as follows: Yeas, 40; nays, 4.

And the motion prevailed.

The question recurring on the adoption of section 4, as amended, a division was had resulting as follows: Yeas, 50; nays, 6.

And section 4, as amended, was adopted.

By direction of the Chairman and by unanimous consent, the words "and parties interested" were inserted between the words "owner" and "to" in the fourth line of section 4.

Section 5 being taken up and read and no amendments being offered, was on motion of Mr. Davis, adopted.

Section 6 being taken up and read.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 35.

Amend section 6 in line 2 by adding after the word "village" the following "and park districts".

And the amendment was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 36.

Amend section 6 in line 3 by striking out the words "of contiguous property".

And the amendment was lost.

Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 37.

Amend section 6 in line 3 by inserting after the word "assessment" the word "or".

And the amendment was adopted.

There being no further amendments, section 6, was, on motion of Mr. Sutherland, adopted.

Section 7 being taken up and read.

Whereupon, Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 38.

Amend section 7 by inserting in line 4 after the word "taxes" the parenthesis and words "(but not taxes upon income)" and in line 5 after the word "taxes" the parenthesis and words "(but not taxes upon income)".

And the amendment was adopted.

The question then being on the adoption of section 7, as amended, it was decided in the affirmative.

Section 8 being taken up and read and no amendments being offered, was, on motion of Mr. Sutherland, adopted.

Mr. Hull offered the following amendment to Proposal No. 378 and moved its adoption:

AMENDMENT No. 39.

Amend Proposal No. 378 by adding thereto three new sections to be known as Section 9, 10, and 11 as follows:

Section 9. For the purposes (or any one or more of them) of acquiring, constructing, owning, leasing, maintaining, and operating such income-

producing properties as it is by law authorized to own or operate (or to own and operate) for the supply of transportation, communication, light, heat, power, water and other public utilities (or any of them) any city or other municipal corporation may issue interest-bearing bonds, in excess of any limitation of indebtedness otherwise prescribed in this Constitution, to an amount not at any time exceeding in the aggregate fifteen per centum on the full value of the taxable real property therein, to be ascertained by the last assessment for State and county purposes previous to the issuance of such bonds. Any city or other municipal corporations issuing such bonds shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest thereon as it falls due and also to pay and discharge the principal thereof within thirty years from the date thereof.

Section 10. Unless otherwise provided in the act of any city, or other municipal corporation, authorising the issuance of any bonds for the purpose of financing any income-producing public utility, such bonds shall be held to be issued in excess of the limitation prescribed by section 8 of this Article. Each issue of bonds, or of other securities, by any city, or other municipal corporation, for the aforesaid purpose, shall be payable in substantially equal annual installments of principal and interest combined, beginning not more than five years from the date thereof. No such bonds or other securities shall be issued until the proposition therefor shall have been consented to by a majority of the legal voters of such city or other municipal corporation voting upon the question.

Section 11. Any city, or other municipal corporation, issuing bonds in excess of the limitation of indebtedness prescribed by section 8 of this Article, for the purpose of financing any income-producing public utility, shall, not less than four months prior to the time when any tax for the payment and discharge of the principal of and interest on such bonds, or of the principal of and interest on any other indebtedness incurred for the purpose of financing the same utility, shall by law become collectible, deposit or cause to be deposited with the treasurer thereof, out of the gross earnings of the utility for the financing of which the indebtedness to be discharged by such tax was incurred, a sum equivalent in amount to such tax, the funds so deposited to be used solely for the purpose of paying and discharging such indebtedness, both as to principal and interest, as the same falls due. To the extent that funds to be used for the payment of any such indebtedness, as to either principal or interest, shall be deposited with the treasurer of any such city or other municipal corporation prior to the collection of such tax, such tax shall not be collected, but no subsequent loss or misappropriation of the funds so deposited shall relieve such city or other municipal corporation of its liability to pay such indebtedness.

Any city or other municipal corporation issuing bonds in excess of the limitation of indebtedness prescribed by section 8 of this Article, for the purpose of financing any income-producing public utility, shall thereafter (irrespective of the subsequent amortization of the debt evidenced by any bonds or other securities whatsoever, issued for the financing of such utility) establish and maintain such rates or charges for the service supplied as are necessary to provide sufficient revenue (in addition to amounts required for the payment of the principal of and interest on all outstanding bonded or other indebtedness incurred for the financing of such utility) to pay and discharge at least all costs and expenses involved in or incidental to the ownership, operation, and maintenance of such utility, including expenditures and reserves for repairs and renewals necessary to maintain the properties in first class condition in every respect at all times.

The provisions of this section and of sections 8, 9, and 10 of this Article shall be self-executing, but laws not in conflict therewith may be passed to facilitate their operation. Any taxpayer of any city or other municipal corporation owning or operating any such utility shall have the right to enforce all provisions of said sections by appropriate proceedings in any court of competent jurisdiction, but the right of such taxpayer with respect to the enforcement thereof shall not be exclusive. It shall be the

duty of courts of general jurisdiction to enforce all such provisions and for such purpose they shall have all necessary powers, including the power to control and regulate the service supplied by any such utility.

Proposed section 9 being taken up and read.

Mr. Hull moved that said section 9 be adopted as section 9 of Proposal No. 378.

Pending discussion, at the hour of 5:20 o'clock p. m., Mr. Sutherland moved that the Committee do now rise, report progress, and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, NOVEMBER 17, 1920.

At the hour of 9:05 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having, heretofore, had under discussion, on yesterday, the consideration of the reports of the Committee on Revenue, Taxation and Finance, the same were again taken up.

The pending question being the motion of Mr. Hull, that the proposed section 9 be adopted as section 9 of Proposal No. 378.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 40.

Amend proposed section 9 by striking out the words "and other public utilities" where they appear in line 5 thereof.

And the amendment was adopted.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 41.

Amend proposed section 9 in line 5 between the word "them" and the word "any" the following words "The General Assembly may by general law authorize" and insert the word "to" in place of "may" in line 6.

And the amendment was adopted.

Mr. Quinn offered the following amendment and moved its adoption:

AMENDMENT No. 42.

Amend proposed section 9 in line 5 by striking out after the word "city" the words "or other municipal corporation".

And the amendment was adopted.

Mr. Quinn offered the following amendment and moved its adoption:

AMENDMENT No. 43.

Amend proposed Section 9 by striking out in line 10 after the word "city" the words "or other municipal corporation".

And the amendment was adopted.

The question then being on the adoption of proposed section 9 as section 9 of Proposal No. 378, a division was had resulting as follows: Yeas, 37; nays, 24.

And section 9 was adopted.

Section 10 being taken up and read.

Mr. Hull moved that the proposed section 10 be adopted as section 10 of Proposal No. 378.

Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 44.

Amend proposed Section 10 by inserting in line 9 the words "vote of three fifths" after the word "by" and striking out the word "majority".

The question being on the adoption of Amendment No. 44, a division was had resulting as follows: Yeas, 44; nays, 7.

And the amendment was adopted.

Mr. Quinn offered the following amendment and moved its adoption:

AMENDMENT No. 45.

Amend proposed section 10 by striking out in lines 2, 5 and 10 the words "or other municipal corporations".

And the amendment was adopted.

The question being on the adoption of the proposed section 10, as amended, as section 10 of Proposal No. 378.

It was decided in the affirmative.

Section 11 being taken up and read.

Mr. Hull moved that the proposed section 11 be adopted as section 11 of Proposal No. 378.

Mr. Revell gave notice that he would move to reconsider the vote by which the amendments to sections 9 and 10 were heretofore adopted.

Mr. Quinn offered the following amendment and moved its adoption:

AMENDMENT No. 46.

Amend proposed section 11 by striking out in lines 1, 14, 17, 18 and 33 the words "or other municipal corporations" after the word "city" in each line.

And the amendment was adopted.

Mr. Quinn offered the following amendment and moved its adoption:

AMENDMENT No. 47.

Amend proposed section 11 by inserting between lines 17 and 18 a new paragraph reading as follows: Any deficit so, or otherwise created, through or on account of such utility shall never be paid from the general or other funds of said city, nor create any liability against said city which may be satisfied by taxes generally or specially levied, but the same may only be paid from revenues coming to said city through such utility.

Pending discussion, Mr. Green offered the following as a substitute for section 11 and the pending amendment offered by Mr. Quinn:

For the purpose of enabling cities or other municipal corporations to acquire, construct, lease, maintain and operate such income-producing properties as may be by law defined and designated "public utilities" the General Assembly may by providing for state supervision and regulation uniformly applicable to both municipally and privately, owned and operated public utilities of like character, authorize by general law such municipal corporations to become indebted to an amount not exceeding in the aggre-

gate fifteen per centum of the full value of the taxable real property therein, from which authorized aggregate however shall be deducted any existing indebtedness of any other municipal corporation in which such taxable real property may be located; but no such additional indebtedness as in this section provided shall be incurred except the proposition therefor shall have been first authorized by a majority of the legal voters of such municipal corporation voting upon the question.

Pending further discussion, Mr. Sutherland moved that debate be now closed and that the Committee proceed to vote.

And on that motion a division was had resulting as follows: Yeas, 18; nays, 26.

And the motion was lost.

The question then being on the adoption of the substitute for the proposed section 11 and pending amendment, offered by Mr. Green, a division was had resulting as follows: Yeas, 15; nays, 39.

And the substitute was lost.

Mr. Rinaker offered the following as a substitute for the proposed section 11 and pending amendment and moved its adoption:

No liability incurred or deficit arising by reason of any public utility, shall be met or paid out of any tax, general or special but shall be paid only out of the revenues received from that or some other utility owned by such city, and no such utilities or the securities issued on their account shall be exempt from taxation or assessment.

And the substitute was lost.

By unanimous consent, Mr. Quinn amended his pending amendment to the proposed section 11, so that it would read as follows:

Amend the proposed section 11 by inserting between line seventeen and eighteen a new paragraph reading as follows:

Any deficit so, or otherwise, created, through on on account of such utility, shall never be paid or satisfied from the general or other funds of such city. Nor shall it create any liability against such city which may be satisfied by taxes generally or specially levied—but may only be satisfied through revenues coming to such city through such utility, or from the sale of bonds or other obligations, which in the aggregate shall never exceed the limit of indebtedness above fixed.

The question then being on the adoption of the amendment, as amended, to the proposed section 11, a division was had resulting as follows: Yeas, 24; nays, 35.

And the amendment was lost.

Mr. Six offered the following amendment to the proposed section 11 and moved its adoption:

AMENDMENT No. 48.

Amend proposed section 11 by adding a new paragraph between the lines 17 and 18 as follows:

Any city owning or operating any public utility shall conform to all requirements with respect to the keeping of accounts and the audit thereof and to the making of reports that shall be prescribed by law with respect to such matters for any other persons or corporations owning or operating a like utility.

And the amendment was adopted.

The question then being on the adoption of proposed section 11, as amended, a division was had resulting as follows: Yeas, 33; nays, 24.

And section 11, as amended, was adopted.

By unanimous consent, the words "except as otherwise provided herein" were added at the end of line 31, after the word "article" of section 11.

Mr. Hamill offered the following amendment to Proposal No. 378 to be known as section 12, and moved its adoption:

AMENDMENT No. 49.

Section. 12 No municipal corporation shall incur any debt for acquiring, constructing or operating any income-producing property for the supply of transportation, communication, light, heat, power or water, unless such debt shall be authorized and provision for the payment thereof and interest thereon be made as in section 9, 10, and 11 of this Article provided.

And section 12, was adopted.

Mr. Gee offered the following amendment to Proposal No. 378 to be known as section 13 and moved its adoption:

AMENDMENT No. 50.

Section 13. The foregoing sections 9, 10, 11 shall only apply to cities having at least a population of 100,000, according to the last U. S. Census, of resident inhabitants.

The question being on the adoption of proposed section 13, a division was had resulting as follows: Yeas, 18; nays, 45.

Mr. Green offered an amendment to Proposal No. 378 to be known as section 13 and moved its adoption:

AMENDMENT No. 51.

Section 13. The term income as used in this article shall not be construed to include the mere advance in value of property.

Pending discussion, Mr. Davis offered the following as a substitute for the amendment offered by Mr. Green, and moved its adoption:

Section 13. Income for the purposes of this article is defined to be the product or return received as the result of personal effort or the investment of capital either separately or combined, or the profits arising from the prosecution of any business, profession, calling, occupation or adventure but shall not include the advancement in value of any capital fund, property or investments.

And the substitute for Amendment No. 51, was lost.

The question then being on the adoption of Amendment No. 51, offered by Mr. Green, it was decided in the negative.

Mr. Johnson moved that the vote by which section 3 was heretofore adopted be reconsidered for the purpose of amendment.

And the motion was lost.

At the hour of 5:00 o'clock p. m., Mr. Hull moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, NOVEMBER 17, 1920.

At the hour of 5:10 o'clock p. m., the Convention went into Committee of the Whole for the consideration of the reports from the Committee on Judicial Department, being Proposals numbered 383 and 384.

Mr. DeYoung, Chairman of the Committee on Judicial Department, presiding.

Mr. DeYoung called Mr. Cutting to the chair.

Proposal No. 383 was taken up and read at large.

Pending consideration, at the hour of 6:25 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

THURSDAY, NOVEMBER 18, 1920.

At the hour of 9:05 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cutting, member of the Committee on Judicial Department, presiding.

The Committee of the Whole having, heretofore had under discussion, on yesterday, the consideration of the reports from the Committee on Judicial Department, being Proposals numbered 383 and 384, the same were again taken up.

Section 1 being read.

Mr. Brenholt offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 of Proposal No. 383 by inserting before the word "county" in line 3 the following words "city courts".

The question being on the adoption of the amendment a division was had resulting as follows: Yeas, 2; nays, 65.

And the amendment was lost.

By unanimous consent, the word "the" in line 4 after the word "and" in section 1, was stricken out.

The question then being on the adoption of section 1, it was decided in the affirmative.

Section 2 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 3 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 4 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

On motion, consideration of sections 5, 6 and 7 were temporarily postponed.

Section 8 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 9 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 10 being taken up and read.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 10 or Proposal No. 383 in line 8 by adding after the words "Mount Vernon" the words "until otherwise provided by law".

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 10 of Proposal No. 383 by inserting in lines 4 and 5 after the words "said districts" the words "and the number thereof".

And the amendment was lost.

By unanimous consent a comma (,) was placed in line 9 after the word "each" in section 10.

The question then being on the adoption of section 10, it was decided in the affirmative.

Section 11 being taken up and read.

By unanimous consent, the words "death or" were inserted in line 4 after the word "is" in section 11.

The question then being on the adoption of section 11, it was decided in the affirmative.

Section 12 being taken up and read.

Mr. Morris offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 12 of Proposal No. 383 by striking out in the 2nd line the sentence beginning with the words "The Supreme Court" down to and including the word "appoint" on the 3rd line—and insert in lieu thereof the words "There shall be elected at the annual election in November A. D., 1922" strike out of said section all the words in said section beginning with the words "The Supreme Court in the 6th line down to and including the words "by appointment" in the 9th line.

Pending discussion, Mr. L. C. Johnson moved that debate be now closed and that the Committee proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 4, it was decided in the negative.

There being no further amendments, section 12, was, on motion, adopted.

Section 13 being taken up and read.

By unanimous consent, the word "of" in line 2 of section 13, was changed to "or."

The question then being on the adoption of section 13, it was decided in the affirmative.

Section 14 being taken up and read.

Mr. Brenholt offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 14 of Proposal No. 383 by striking out the word "is" after the word "county" in the first line and inserting in lieu thereof the following "and city courts as now established are" also strike out the words "and on the" being the last three words in said line 1 and also strike out all of lines 2, 3 and 4.

Mr. Gorman raised the point of order that Amendment No. 5, was out of order, for the reason that it was not applicable.

Which point of order was sustained by the Chair.

The question then being on the adoption of section 14, it was decided in the affirmative.

Section 15 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 16, being taken up and read.

By unanimous consent, the last word in section 16 was stricken out and the word "observed" inserted.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 16 of Proposal No. 383 in line 11 by adding after the word "state" the following "outside" of the counties that are separate circuits".

And the amendment was lost.

The question then being on the adoption of section 16, it was decided in the affirmative.

Section 17 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 18 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 19 being taken up and read.

Mr. DeYoung moved that section 19 be adopted.

Mr. Brenholt offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 19 in line 3 by striking out the word "may" and inserting the words "shall where city courts are not established".

And the amendment was lost.

The question then being on the adoption of section 19, it was decided in the affirmative.

Section 20 being taken up and read.

By unanimous consent, all words after the word "court" in line 5 were stricken out.

Mr. DeYoung then moved that section 20 be adopted.

And the motion prevailed.

Section 21 being taken up and read.

Mr. Wall offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 21 of Proposal No. 383 by striking out the words "two thousand" in line 7 and inserting in lieu thereof the words "three thousand".

And the amendment was lost.

The question then being on the adoption of section 21, it was decided in the affirmative.

Section 22 being taken up and read.

Mr. Lindly offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 22, Proposal No. 383 by striking out all words after the word "court" in line 9 to and including the word "districts" in line 12.

And the amendment was lost.

Mr. Mills offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 22 of Proposal No. 383 by striking out in line 14 the words "seventy-five" and inserting in lieu thereof the words "sixty-five".

Mr. Mighell offered the following as a substitute and moved its adoption:

Amend section 22 of Proposal No. 383 by striking out in line 14 the words "seventy-five" and inserting in lieu thereof the words "one hundred thousand".

The question being on the adoption of the substitute.

It was decided in the negative.

The question recurring on the adoption of Amendment No. 10, it was decided in the negative.

The question then being on the adoption of section 22, it was decided in the affirmative.

Section 23 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 24 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 25 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 26 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 27 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 28 being taken up and read.

By unanimous consent the words "or appointed" were inserted at the end of line 8 in section 28.

Mr. DeYoung then moved that section 28 be adopted.

And the motion prevailed.

Section 29 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 30 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 31 being taken up and read.

By unanimous consent the following corrections were made in section 31: Insert the word "one" after the word "thirty" in line 1. Strike out the word "the" preceding the word "judges" in line 6. Insert the words "elected or appointed" after the word "judges" in line 8.

Mr. DeYoung then moved that section 31 be adopted.

And the motion prevailed.

Section 32 being taken up and read.

Mr. Morris offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 32 of Proposal No. 383 by inserting in line 2 before the word "district" the words "Circuit or".

And the amendment was lost.

By unanimous consent the words "not less than five" were stricken out of section 32, in line 1, after the word "designate."

Mr. DeYoung then moved that section 32 be adopted.

And the motion prevailed.

Section 33 being taken up and read.

Consideration of the same was, by unanimous consent, temporary postponed.

Section 34 being taken up and read.

By unanimous consent, the word "justice" was amended to read "justices" after the word "chief" in line 4.

Mr. DeYoung then moved that section 34 be adopted.

And the motion prevailed.

Section 35 being taken up and read.

By unanimous consent, the letter "s" was added to the word "court" in line 1, making it read "courts."

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 35 by striking out all after the word "assignment" in line 7.

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 7; nays, 17.

And the amendment was lost.

Mr. DeYoung moved that section 35 be adopted.

And the motion prevailed.

Section 36 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 37 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 38 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 39 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 40 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 41 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 42 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 43 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 44 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 45 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 46 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 47 being taken up and read.

By unanimous consent the word "court" was inserted after the words "appellate" and "circuit" in line 2 and after the words "appellate" and "circuit" in lines 6 and 7 of section 47.

Mr. DeYoung then moved that section 47 be adopted.

And the motion prevailed.

Mr. Green moved that the vote by which section 47 was heretofore adopted be reconsidered.

And the motion prevailed.

Mr. Sutherland gave notice that he would move to reconsider the vote by which section 46 was heretofore adopted.

Section 48 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 49 being taken up and read.

By unanimous consent, the words "of each house" were added at the end of line 1, section 49, also the word "journals" was changed to "journal."

Mr. DeYoung then moved that section 49 be adopted.

And the motion prevailed.

Section 50 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 51 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

Section 52 being taken up and read and no amendments being offered, was, on motion of Mr. DeYoung, adopted.

At the hour of 7:05 o'clock p. m., Mr. Green moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

MONDAY, NOVEMBER 22, 1920.

At the hour of 3:10 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Cutting, member of the Committee on Judicial Department, presiding.

The Committee of the Whole, having, heretofore, had under discussion, on November 18, the reconsideration of the vote by which section 47 of Proposal No. 383 was adopted, the same was again taken up.

Whereupon Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 47 by striking out all after the word "Judge" in line 6, and inserting the following:

"of any other court shall receive any other compensation perquisite or benefit in any form whatever, nor shall he perform any duties other than judicial, or engage in the practice of the law, in the State of Illinois, as a councillor solicitor or attorney, so long as he shall hold the office of such justice or judge."

Pending discussion, by unanimous consent, further consideration of section 47 and the pending amendments were postponed.

Mr. Cutting having called Mr. DeYoung to the chair.

Section 33, heretofore temporary passed, was taken up for consideration and, on motion, further postponed.

Mr. Green moved that sections 5 and 6 of the Minority Report be substituted for sections 5 and 6 of the Majority Report.

Pending discussion, at the hour of 4:00 o'clock p. m., Mr. Lindly moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

MONDAY, NOVEMBER 22, 1920.

At the hour of 4:05 o'clock p. m., the Convention went into Committee of the Whole for the consideration of the reports from the Committee on Initiative, Referendum and Recall, being Proposals numbered 367, 368 and 371.

Mr. Dove, Chairman of the Committee on Initiative, Referendum and Recall, presiding.

Mr. Dove laid before the Committee several communications from Mr. Herbert S. Biglow of Cincinnati, Ohio, in defense of certain statements made by him in an address before the Committee on February 17, 1920, which were read at large for the information of the Committee.

Proposals numbered 367, 368 and 371, also the Minority Report presented by Mr. Dove, on May 20, were taken up and read at large.

By unanimous consent the first five lines of section 8 of Proposal No. 368 were stricken out.

Mr. Dove called Mr. Latchford to the chair.

Pending discussion, Mr. Carlstrom raised the point of order, quoting Rule 45, that all Proposals should be first read at large and then considered section by section.

Which point of order was sustained by the Chair.

Mr. Wolff moved that section 1 of the Majority Report, being Proposal No. 367, be now considered.

And the motion prevailed.

Mr. Wolff thereupon moved that section 1 be adopted.

Mr. Dove moved as a substitute that the Minority Report offered by him on May 20 be substituted for section 1 of the Majority Report.

Mr. Dove resumed the chair.

Mr. Corcoran moved as a substitute that the Minority Report, being Proposal No. 368, be substituted for section 1 of the Majority Report.

Which motion was ruled out of order by the Chair.

Mr. Corcoran thereupon appealed from the decision of the Chair.

Pending discussion, Mr. Dove withdrew his substitute motion for the motion offered by Mr. Wolff.

Whereupon the motion offered by Mr. Corcoran that Minority Report be substituted for section 1 of the Majority Report was declared in order.

Pending further discussion, Mr. Corcoran withdrew his motion.

The question then being on the adoption of section 1 of Proposal No. 367, the Majority Report.

Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 of Proposal No. 367 in line 21 after the word "proposition" by striking out the words "and by" and inserting in lieu thereof the following: "of which approving majority vote not more than one third shall come from territory now including in a single county and shall also consist of".

Mr. Michaelson moved that Amendment No. 1 be laid on the table. Which motion was ruled out of order by the Chair.

The question being on the adoption of Amendment No. 1, it was decided in the negative.

Mr. Scanlan offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 of Proposal No. 367, by inserting after the word "without" in line 13 the word "material".

And the amendment was lost.

The question then being on the adoption of section 1, a division was had resulting as follows: Yeas, 15; nays, 40.

And the section was lost.

Section 2 being taken up and read.

Mr. Trautmann offered the following amendment and moved its adoption: *

AMENDMENT No. 3.

Amend section 2 by adding the following after line 39 as a separate paragraph.

"F" No act or part thereof shall be submitted to the electors on referendum petition which makes appropriations for the ordinary and contingent expenses of the State Government and State Institutions, or which affects the pleading practice or procedure of the Courts."

The question being on the adoption of Amendment No. 3, a division was had resulting as follows: Yeas, 23; nays, 35.

And the amendment was lost.

At the hour of 11:05 o'clock p. m., Mr. Sutherland moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, NOVEMBER 23, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Dove, Chairman of the Committee on Initiative, Referendum and Recall, presiding.

The Committee of the Whole having, heretofore, had under discussion, on yesterday, the consideration of the reports from the Committee on Initiative, Referendum and Recall, being Proposals numbered 367, 368, 371, and the report of Mr. Dove presented on May 20, the same were again taken up.

And the pending question being the adoption of section 2 of Proposal No. 367.

Mr. Wolff moved to reconsider the vote by which Amendment No. 3, to section 2, was lost.

And the question being on the motion to reconsider, a division was had resulting as follows: Yeas, 27; nays, 37.

And the motion was lost.

The question then being on the adoption of section 2, a division was had resulting as follows: Yeas, 20; nays, 45.

And section 2 was lost.

Section 3 being taken up and read, Mr. O'Brien moved its adoption.

And the motion was lost.

Section 4 being taken up and read, Mr. O'Brien moved its adoption.

And the motion was lost.

Proposal No. 368 was taken up and considered section by section as follows:

Section 1 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 2 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 3 being taken up and read, Mr. Corcoran moved its rejection.

And the motion prevailed.

Section 4 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 5 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 6 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 7 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 8 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Section 9 being taken up and read, Mr. Coreoran moved its rejection.

And the motion prevailed.

Proposal No. 371, was taken up and considered section by section as follows:

Section 1 was taken up and read.

And the question being on the adoption of the section, it was decided in the negative.

The Minority Report presented by Mr. Dove on May 20, was then taken up and read.

Whereupon Mr. Goodyear moved that the report be adopted.

And the question being on the motion to adopt, a division was had resulting as follows: Yeas, 44; nays, 19.

The motion prevailed and the report was adopted.

At the hour of 10:40 o'clock a. m., Mr. Paddock moved that the Committee do now rise and report progress.

And the motion prevailed.

TUESDAY, NOVEMBER 23, 1920.

At the hour of 10:35 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the report from the Committee on Chicago and Cook County, being Proposal No. 385.

Mr. Hull, Chairman of the Committee on Chicago and Cook County, presiding.

Proposal No. 385, was taken up, read at large and considered section by section as follows:

Mr. Hull having called Mr. Wilson to the chair.

Section 1 was taken up and read, and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 2 being taken up and read.

Mr. Hamill moved to reconsider the vote by which section 1 was, heretofore, adopted.

And the motion prevailed.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 of Proposal No. 385 by striking out all words after the word "purpose" in line 3 down to and including the word "law" in line 6.

Pending consideration, Mr. Hamill, by unanimous consent, amended his amendment by adding prior to the word "subject" in line 1 the words "except as expressly limited by law."

Pending further consideration, Mr. Hamill withdrew his amendment.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 by striking out the first six words in line 1 and inserting in lieu thereof the words "except as expressly limited by law" and striking out all after the word "purposes" in line 3 down to and including the word "law" in line 6.

And the amendment was adopted.

Mr. Hull moved that section 1, as amended, be now adopted.

And the motion prevailed.

The question then being on the adoption of section 2.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 2 by changing the word "laws" in line 16 to read "statutes".

And the amendment was adopted.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 2 by striking out in line 17 the words "not be in conflict with" and inserting in lieu thereof the words "conform to the".

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 2 by striking out all after the word "delegates" in line 5 to and including the word "convention" in line 8.

And the amendment was lost.

Mr. Rinaker offered the following as a substitute for section 2 and moved its adoption:

Section 2. A certified copy of any charter or of any amendment thereto, which may be adopted by the City of Chicago hereunder, shall be filed with the Secretary of State of the State of Illinois, within thirty days after the adoption by vote of the citizens and shall not take effect until so filed.

And the substitute was lost.

The question recurring on the adoption of section 2, as amended, it was decided in the affirmative.

Section 3 being taken up and read, Mr. Hull moved its adoption.

And the question being on that motion, a division was had resulting as follows: Yeas, 31; nays, 3.

And the motion prevailed.

Section 4 being taken up and read.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 4 by striking out the words "public utilities" in line 2 and inserting in lieu thereof the words "property for the supply of transportation, communication, light, gas, power or water".

Pending discussion, further consideration of section 4 and the pending amendment were temporary postponed.

Section 5 being taken up and read.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 5 by striking out the words "shall be authorized to" in line 1 and inserting in lieu thereof the word "may".

Pending discussion, Mr. Todd moved that further consideration of section 5 and the pending amendment be temporary postponed.

And the motion prevailed.

Section 6 being taken up and read.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 6 by adding at the end thereof the following: "This section shall not apply to warehouses where provision concerning public warehousing appears in this Constitution."

Pending consideration, at the hour of 6:00 o'clock p. m., Mr. Todd moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, NOVEMBER 24, 1920.

At the hour of 9:25 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Chicago and Cook County, being Proposal No. 385.

Mr. Wilson, member of the Committee on Chicago and Cook County, presiding.

The pending question being the adoption of Amendment No. 7, to section 6, offered by Mr. Hull.

Mr. Hull thereupon withdrew his amendment.

And offered the following in lieu thereof, and moved its adoption:

AMENDMENT No. 8.

Amend section 6 of Proposal No. 385 by striking out in line 2 the words "government or to the" and inserting in lieu thereof the words "Governmental" and also in line 5 by striking out the words "government or the" and inserting "governmental".

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, it was decided in the affirmative.

Section 7 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 8 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 9 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 10 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 11 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 12 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 13 being taken up and read.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 13 of Proposal No. 385 by striking out the period after the figures "1915" in line 7 and inserting the following "or any amendment thereof".

And the amendment was adopted.

The question then being on the adoption of section 13 as amended, it was decided in the affirmative.

Section 14 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

At the hour of 10:45 o'clock a. m., Mr. Dawes moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows: Yeas, 13; nays, 16.

And the motion was lost.

Section 15 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 16 being taken up and read and no amendments being offered was, on motion of Mr. Hull, adopted.

Section 17 being taken up and read.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 17 of Proposal No. 385 by inserting before the words "The General Assembly" in line 1 the following "Subjects to sections 8, 9, 10, 11 and 12 of the Revenue Article".

At the hour of 10:53 o'clock a. m., Mr. Miller moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

MONDAY, NOVEMBER 29, 1920.

At the hour of 3:30 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Chicago and Cook County, being Proposal No. 385.

Mr. Wilson, member of the Committee on Chicago and Cook County, presiding.

The pending question being the adoption of Amendment No. 10, to section 17, offered by Mr. Hull.

It was decided in the affirmative.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 17 of Proposal No. 385 by adding at the end thereof a new paragraph to read as follows:

"Such an ordinance shall not be adopted oftener than once in ten years and the maximum limit of indebtedness, when so extended shall never exceed ten per cent of the full value of taxable property within the corporate limits of the City of Chicago as ascertained by the last assessments for State and County taxes.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 17 of Proposal No. 385, as amended, by adding at the end thereof a new section to read as follows:

"The limit of special indebtedness made possible under sections 9, 10, 11 of the Revenue Article shall in no case be increased under the provisions of this section.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 17 in line 2 after the word "Chicago" by adding the following "after the consolidation with said city of all of the municipal corporations lying wholly or partly within said city".

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 22; nays, 13.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 17, as amended, by adding at the end of the second paragraph after the words "County taxes" a new paragraph to read as follows: "Such an ordinance if rejected shall not be resubmitted within two years from the date of such original submission".

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 17 by striking out the word "voters" in line 6 and inserting in lieu thereof the words "tax payers".

And the amendment was lost.

The question then being on the adoption of section 17, as amended, a division was had resulting as follows: Yeas, 22; nays, 15.

And the section, as amended, was adopted.

Section 1 of Article 2 of Proposal No. 385, being taken up and read, and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 2 being taken up and read.

Mr. Cutting offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 2 by striking out in line 3 and 4 the words "who shall be clerk of the County Court".

And the amendment was adopted.

The question then being on the adoption of section 2, as amended, it was decided in the affirmative.

Section 3 being taken up and read and no amendments being offered, was, on motion of Mr. Hull, adopted.

Section 4 being taken up and read.

Mr. Maher offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 4 by striking out in line 3 the following words "received by any county officer".

And the amendment was adopted.

By unanimous consent, the words "at least monthly" were inserted after the word "treasurer" in line 4 of section 4.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend section 4 by striking out the second sentence beginning with the word "all" in line 2 down to and including the word "treasurer" in line 4.

And the amendment was lost.

The question then being on the adoption of section 4, as amended, it was decided in the affirmative.

Section 5 being taken up and read.

Mr. Maher offered the following amendment and moved its adoption:

AMENDMENT No. 19.

Amend section 5 by striking out in line 3 the words "received by him".

The question being on the adoption of the amendments, a division was had resulting as follows: Yeas, 13; nays, 14.

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 20.

Amend section 5 by striking out in line 1 the words "a semi-annual" and by inserting the words "at least semi-annually" after the word "oath" in line 2.

And the amendment was adopted.

The question being on the adoption of section 5 as amended, it was decided in the affirmative.

Section 6 being taken up and read.

Mr. Cruden offered the following amendment and moved its adoption:

AMENDMENT No. 21.

Amend section 6 by striking out in lines 4 and 6 the words "a majority" and inserting in lieu thereof the words "three fifths".

And the amendment was lost.

The question then being on the adoption of section 6, it was decided in the affirmative.

Section 7 being taken up and read.

Mr. Cruden offered the following amendment and moved its adoption:

AMENDMENT No. 22.

Amend section 7 by striking out in line 4 the words "a majority" and inserting in lieu thereof the words "three fifths".

And the amendment was lost.

The question then being on the adoption of section 7 it was decided in the affirmative.

Section 8 being taken up and read.

Mr. Cruden offered the following amendment and moved its adoption:

AMENDMENT No. 23.

Amend section 8 by striking out in line 22 the words "a majority" and inserting in lieu thereof the words "three fifths".

And the amendment was lost.

Mr. Maher offered the following amendment and moved its adoption:

AMENDMENT No. 24.

Amend section 8 by inserting after the word "law" in line 23 the words "enacted thereafter".

And the amendment was adopted.

The question then being on the adoption of section 8, it was decided in the affirmative.

Section 4 of Article 1 of Proposal No. 385, having been heretofore temporarily postponed, was again taken up.

Whereupon, Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 25.

Amend section 4 of Article 1 by inserting in line 2 after the words "to sell" the words "the same or", also by adding at the end of line 3 the following "but maybe reasonably regulated by general law".

And the amendment was adopted.

The question then being on the adoption of section 4 as amended, a division was had resulting as follows: Yeas, 21; nays, 19.

And section 4, as amended, was adopted.

Section 5 of Article 1 of Proposal No. 385, having been heretofore temporarily postponed, was again taken up.

Whereupon Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 26.

Amend section 5 by striking out in line 2 the word "acquisition" and in line 3 the words "ownership, leasing, maintenance and operation of public or" and all of line 4. Insert before the word "local" the word "of" in line 3.

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, it was decided in the affirmative.

Mr. Sutherland moved that the vote by which section 3, was heretofore adopted, be reconsidered.

Pending consideration, at the hour of 11:05 o'clock p. m., Mr. Miller moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows: Yeas, 14; nays, 27.

And the motion was lost.

The question recurring on the motion to reconsider the vote by which section 3 was heretofore adopted.

A division was had resulting as follows: Yeas, 15; nays, 18.

And the motion was lost.

The question then being on the adoption of Proposal No. 385, as a whole.

It was decided in the affirmative.

At the hour of 11:20 o'clock p. m., Mr. Hull moved that the Committee do now rise and report.

And the motion prevailed

TUESDAY, NOVEMBER 30, 1920.

At the hour of 9:10 o'clock a. m., the Convention went into Committee of the Whole.

Mr. DeYoung, Chairman of the Committee on Judicial Department, presiding.

The Committee of the Whole having, heretofore, had under discussion, on November 22, the consideration of the reports of the Committee on Judicial Department, being Proposals numbered 383 and 384, the same were again taken up.

Mr. DeYoung, having called Mr. Cutting to the chair.

Mr. Todd, member of the Committee on Judicial Department, stated to the Committee of the Whole that for unavoidable reasons, he had not had an opportunity to sign the Minority Report, presented by a number of members of the Committee, before it was printed but that he coincided with the views expressed in the Minority Report.

Sections 5, 6 and 7 of Proposal No. 383 having been heretofore temporarily postponed, were taken up for consideration.

Whereupon Proposal No. 384, offered as a Minority Report for sections 5, 6 and 7 of the Majority Report, was also taken up and read.

Whereupon Mr. Green moved that section 5 of the Minority Report be substituted for section 5 of the Majority Report.

And on that motion, a division was had resulting as follows: Yeas, 43; nays, 33.

It was decided in the affirmative.

The question then being on the adoption of section 5, as substituted, a division was had resulting as follows: Yeas, 44; nays, 32.

And section 5, was adopted.

Pending further consideration, Mr. Hamill moved that sections 6 and 7 of the Majority and Minority Reports, together with sections 33 and 47 of the Majority Report be reported back to the Convention with the recommendation that they be recommitted to the Committee on Judicial Department.

And the motion prevailed.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend Proposal No. 383 by adding a new section thereto to read as follows:

Section — No action or proceeding shall be open to objection on the ground that a merely declaratory judgment or decree or order is sought thereby and the Court may make a binding declaration or right, whether any consequential relief is or could be claimed, or not, in such cases and in such manner as may be provided by law.

Mr. Dupuy moved that Amendment No. 14, offered by Mr. Jarman, be reported back to the Convention with the recommendation that it be committed to the Committee on Judicial Department for consideration.

And the motion prevailed.

Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend Proposal No. 383 by adding thereto a new section to read as follows:

Section — The concurrence of not less than five justices of the Supreme Court must be had in all causes brought for review by way of writ of error, appeal or otherwise which involves questions of the validity of statutes or municipal ordinances.

Mr. Dupuy moved that Amendment No. 15, be reported back to the Convention with the recommendation that it be committed to the Committee on Judicial Department for consideration.

And the motion prevailed.

Mr. Miller offered the following amendment to Proposal No. 383 and recommended that it be reported back to the Convention with the recommendation that it be committed to the Committee on Judicial Department for consideration:

AMENDMENT No. 16.

Amend Proposal No. 383 by adding thereto a new section as follows:

Whenever electors of Cook County equal in number to one-tenth of the vote cast for all candidates for President of the County Board of Commissioners at the last preceding election thereof shall petition the Chief Justice of the Circuit Court of said county to submit to a vote of the electors thereof the proposition as to whether said county shall adopt "a system of appointment of Cook County Circuit and District Judges", it shall be the duty of such Chief Justice to submit such proposition to a special county election to be called by such Judge within ninety days, by entering of record in said court an order to that effect. But if at any such special election such proposition shall not be adopted, said proposition shall not be again submitted for two years. Such election shall be held under the election laws in force in Cook County. If such proposition receives the affirmative vote of a majority of those voting thereon "a system of appointment of Cook County Circuit and District Judges" shall be adopted, and the Chief Justice shall proclaim the adoption thereof. Such election shall be held under the election laws in force in Cook County. The form of such petition, and of its verification, and of the ballots to be used in such election and the manner of voting therein, and the public notice thereof to be given, and the method of certification and recording of the result of said election, shall be prescribed by law, or by the Supreme Court in case the same shall not have been prescribed by law.

After the adoption of such proposition, the method of choosing judges of the Circuit and District Courts of Cook County shall be as follows: Upon the occurrence of a vacancy in the office of any judge in said county, the Governor shall fill such vacancy by appointment, from a list of eligible persons furnished to him by a majority of the Judges of the Supreme Court, including a majority of the Judges thereof from the Seventh Supreme Judicial District, which list shall contain the names of four or more persons for each judge to be appointed, no more than half of whom shall be affiliated with the same political party.

Excepting as in this section is otherwise provided, each judge appointed by the Governor for said county of Cook shall hold his office during good

behavior. At the annual election in November, A. D. 1927, and at the annual election in November of every sixth year thereafter, an election shall be held in the County of Cook to enable the duly qualified electors thereof to express their approval or disapproval of the judges so appointed and then in office. The method of voting and the form of ballots to be used at such elections shall be prescribed by law. If at any such election a majority of the electors of said county voting at such election shall by their votes express their disapproval of any such judge, his office shall, after the expiration of ninety days therefrom become vacant, and he shall be ineligible to appointment as a judge of said court for a period of six years thereafter.

And the motion prevailed.

At the hour of 5:30 o'clock p. m., Mr. Trautmann moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, DECEMBER 1, 1920.

At the hour of 10:00 o'clock a. m., the Convention went into Committee of the Whole, for the consideration of matters on the General Orders.

Mr. O'Brien, Chairman of the Committee on Miscellaneous Subjects, presiding.

Proposal No. 382, being the first matter on the General Orders for consideration, was taken up and read at large.

Mr. O'Brien having called Mr. Brandon to the chair.

Mr. Cooley moved that Proposal No. 382 be adopted.

And on that motion a division was had resulting as follows: Yeas, 46; nays, 12.

And the motion prevailed.

Proposal No. 297 being the next matter on the General Orders, was taken up and read at large.

Whereupon Mr. Dupuy moved that the report of the Committee on Schedule be concurred in and that Proposal No. 297 be rejected.

And the motion prevailed.

Proposal No. 224 being the next matter on the General Orders, was taken up and read at large.

Whereupon Mr. Kunde moved that the report of the Committee on Miscellaneous Subjects be rejected and that Proposal No. 224 be adopted.

On that motion a division was had resulting as follows: Yeas, 11; nays, 44.

And the motion was lost.

Mr. Whitman moved that the report of the Committee on Miscellaneous Subjects on Proposal No. 224 be adopted and that the Proposal be rejected.

And the motion prevailed.

Proposal No. 342 being the next matter on the General Orders, was taken up and read at large.

Whereupon Mr. Hamill moved that the report of the Committee on Miscellaneous Subjects be adopted and that the Proposal be rejected.

On that motion a division was had resulting as follows: Yeas, 40; nays, 15.

And the motion prevailed.

Mr. Dupuy moved that the Attorney General be requested to render an opinion to the Constitutional Convention in reference to Proposal No. 382.

And the motion prevailed.

At the hour of 10:45 o'clock a. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, DECEMBER 1, 1920.

At the hour of 2:05 o'clock p. m., the Convention went into Committee of the Whole, for the reconsideration of sections 6 and 7 of Proposal No. 366.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

Mr. Barr moved to reconsider the vote by which Proposal No. 366 was heretofore adopted, as a whole, in Committee of the Whole, on June 23.

And the motion prevailed.

Mr. Barr thereupon moved to reconsider the vote by which section 6 of Proposal No. 366 was heretofore adopted.

And the motion prevailed.

Mr. Barr then offered the following as a substitute for section 6, and moved its adoption:

Section 6. The General Assembly shall apportion the State at any session which may be then pending, or if none, then at its first session following the adoption of this Constitution and in the year 1931 and every ten (10) years thereafter into fifty-seven (57) senatorial districts, each of which shall elect one senator whose term of office shall be four (4) years, and the basis of senatorial apportionment shall be the number of voters who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the County of Cook shall be divided by the General Assembly into nineteen (19) senatorial districts and the number of such voters in that territory shall be divided by the number nineteen (19) and the quotient shall be the ration of representation in the senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-eight (38) senatorial districts and the number of such voters in that territory shall be divided by the number thirty-eight and the quotient shall be the ratio of representation in the senate for that territory.

When a county contains two (2) or more rations of its territory it shall be divided by the General Assembly into as many senatorial districts as it has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines, or both; all other senatorial districts shall be bounded by county lines.

All senatorial districts shall be formed of compact and contiguous territory and the districts in each territory shall contain as nearly as practicable an equal number of such electors, but in no case less than four-fifths ($\frac{4}{5}$) of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes so that one-half as nearly as practicable shall be chosen biennially.

Mr. Davis offered the following amendment to the substitute offered for section 6 and moved its adoption:

AMENDMENT No. 1.

Amend the substitute for section 6 by striking out in line 5 the words and figures "fifty-seven (57)" and inserting in lieu thereof the words and figures "fifty-one (51)".

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 31; nays, 59.

And the amendment was lost.

Mr. Corcoran offered the following amendment to the substitute offered for section 6 and moved its adoption:

AMENDMENT No. 2.

Amend the substitute for section 6 by striking out all of line 2 after the word "state" all of line three and the word "and" in line 4.

And the amendment was lost.

The question recurring on the adoption of the substitute offered for section 6, a division was had resulting as follows: Yeas, 58; nays, 30.

And the substitute for section 6 was adopted.

The question then being on the adoption of section 6, as amended, it was decided in the affirmative.

Mr. Barr moved to reconsider the vote by which section 7 of Proposal No. 366, was heretofore, adopted.

And the motion prevailed.

Mr. Barr, thereupon, offered the following as a substitute for section 7 and moved its adoption:

Section 7. At the same time that the senatorial apportionment is made the State shall be apportioned into representative districts.

Members of the House of Representatives shall be elected for the term of two (2) years from each county or district.

Each county shall be entitled to one representative in the House of Representatives. Each county having a population in excess of fifty thousand (50,000) shall have one additional representative for each additional fifty thousand (50,000) population, or major fraction thereof.

Each county entitled to more than one representative shall be divided by the General Assembly into as many representative districts as there are representatives to be elected from such county. Such districts shall be formed of compact and contiguous territory bounded by precinct line and containing as nearly as practicable an equal number of inhabitants, but in no case less than four-fifths ($\frac{4}{5}$) of the quotient resulting from dividing the population of that county by the number of representatives to which it is entitled.

Mr. Gale offered the following amendment to the substitute for section 7 and moved its adoption:

AMENDMENT No. 3.

Amend the substitute offered for section 7 by inserting after paragraph 3 the following: "when any County shall be found to have less than 15,000 population within its boundaries as ascertained by the Federal Census immediately preceding any apportionment such county shall thereupon become consolidated with the adjoining county of least population and the apportionment herein provided for shall apply to such consolidated county."

The question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 36; nays, 52.

And the amendment was lost.

At the hour of 5:40 o'clock p. m., Mr. Corcoran moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion was lost.

At the hour of 5:42 o'clock p. m., Mr. Corcoran moved that the Committee do now take a recess until 8:00 o'clock p. m.

And the motion was ruled out of order.

Pending discussion, at the hour of 5:45 o'clock p. m., Mr. Barr moved that the Committee do now rise, report progress, and ask leave to sit again.

And the motion prevailed.

THURSDAY, DECEMBER 2, 1920.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Shanahan, Chairman of the Committee on Legislative Department, presiding.

The Committee of the Whole having had under discussion, on yesterday, the reconsideration of section 7, of Proposal No. 366, the same was again taken up.

And the pending question being the adoption of the substitute offered by Mr. Barr.

A division was had resulting as follows: Yeas, 48; nays, 36.

And the substitute was adopted.

The question then being on the adoption of section 7, as amended, it was decided in the affirmative.

Mr. Barr moved that Proposal No. 366, as amended, be again adopted as a whole and reported back to the Convention with the recommendation that it do pass.

And the motion prevailed.

Mr. Barr thereupon offered the following resolution and moved its adoption:

Resolved, That there be submitted to the voters of the State as an alternative proposition to be voted upon separately and become effective only as a substitute for section 7 of the Article on Legislative Department, if the Constitution shall be adopted, and if such substitute be also adopted, as shall be provided in the Article on Schedule, the following:

Section 7. The General Assembly, whenever the State shall be apportioned into senatorial districts, shall apportion the State by dividing the population of the State, as ascertained by the (last preceding) Federal census, by the number one hundred fifty-three, and the quotient shall be the ratio of representation in the House of Representatives.

The State shall be divided into one hundred and fifty-three representative districts each of which shall elect one representative, whose term of office shall be two years. Representative districts shall be formed of contiguous and compact territories bounded by county lines, and contain, as nearly as practicable, an equal number of inhabitants; but no district shall contain less than four-fifths of the representative ratio.

Counties containing not less than the ratio and three-fourths shall be divided into separate districts and shall be entitled to two representatives and to one additional representative for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

The question being on the adoption of the resolution, a division was had resulting as follows: Yeas, 60; nays, 16.

And the resolution was adopted.

Mr. Barr moved that the resolution be reported to the Convention with the recommendation that it be adopted and referred to the Committee on Schedule.

And the motion prevailed.

At the hour of 2:00 o'clock a. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

MONDAY, DECEMBER 6, 1920.

At the hour of 3:30 o'clock p. m., the Convention went into Committee of the Whole for the consideration of the report from the Committee on Agriculture, in relation to forestry, being Proposal No. 355.

Mr. Tanner, member of the Committee on Agriculture, presiding. Proposal No. 355 being taken up and read at large.

By unanimous consent the word "and" in line 4 was stricken out and the word "as" inserted in lieu thereof.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend Proposal No. 355 by striking out in line 4 the word "exclusively".

Pending consideration, Mr. Hamill raised the point of no quorum.

Whereupon a call of the Committee was had, resulting as follows: Present, 37.

Those answering present were: Messrs.

Brandon	Eiting	Jack	Morris	Tanner
Brenholt	Gale	Jarman	Paddock	Torrance
Clarke	Gilbert	Kerrick	Quinn	Traeger
Coolley	Goodyear	Lindly	Revell	Trautmann
Dawes	Green	Mighell	Rlnaker	Wall
Dietz	Hamill	Mills	Shuey	Whitman
Dove	Hogan	Moore	Sutherland	Mr. President
Dunlap	Ireland			Present—37.

There being less than a quorum present, at the hour of 5:00 o'clock p. m., Mr. Dunlap moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, DECEMBER 7, 1920.

At the hour of 9:50 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Tanner, member of the Committee on Agriculture, presiding.

The Committee of the Whole having had under discussion, on yesterday, the consideration of the report of the Committee on Agriculture, in relation to Forestry, the same was again taken up.

And the pending question being the adoption of Amendment No. 1, offered by Mr. Dunlap.

A division was had resulting as follows: Yeas, 7; nays, 29.

And the amendment was lost.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend Proposal No. 355 by striking out all beginning with the word "the" in line 2 and inserting in lieu thereof the following: "It shall be the policy of the State to promote re-forestation of wasted lands and the conservation of the water supply, for agricultural purposes, by appropriate legislation and this shall not be held to be forbidden by the Article on Revenue."

And the question being on the adoption of the amendment, a division was had resulting as follows: Yeas, 26; nays, 19.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend Proposal No. 355, as amended, by striking out all beginning with the word "the" in line 2, down to and including the word "state" in line 5 and inserting in lieu thereof the following: "The General Assembly shall not be precluded from passing laws not inconsistent with the general principals of Legislation laid down in this Constitution, in aid of, and for the encouragement of forestry."

Pending consideration, Mr. Sutherland withdrew his amendment.

Whereupon Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend Proposal No. 355, as amended, by striking out all beginning with the word "the" in line 2, down to and including the word "state" in line 5 and inserting in lieu thereof the following: "The General Assembly shall pass laws for the encouragement of forestry and may classify for taxation areas devoted to forests and forest culture."

Mr. Dupuy offered the following amendment to Amendment No. 4, and moved its adoption:

Amend Amendment No. 4 by inserting after the word "devoted" in line 4, the word "exclusively".

And the amendment was lost.

The question then being on the adoption of Amendment No. 4, a division was had resulting as follows: Yeas, 25; nays, 20.

And the amendment was adopted.

The question recurring on the adoption of the section, as amended, it was decided in the affirmative.

Mr. Dunlap moved that Proposal No. 355, as amended, be adopted, as a whole, and reported back to the Convention with the recommendation that it do pass.

And on that motion a division was had resulting as follows: Yeas, 37; nays, 11.

And the motion prevailed.

At the hour of 11:15 o'clock a. m., Mr. Dunlap moved that the Committee do now rise and report.

And the motion prevailed.

TUESDAY, DECEMBER 7, 1920.

At the hour of 11:20 o'clock a. m., the Convention went into Committee of the Whole, for the consideration of Proposal No. 129 reported from the Committee on Bill of Rights, with the recommendation that it be made a part of the proposed Constitution.

Mr. Rinaker, Chairman of the Committee on Bill of Rights, presiding.

Proposal No. 129 was taken up and read at large.

Whereupon Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend Proposal No. 129 by adding at the end thereof after the word "guaranteed" the following: "but any political party or association may voluntarily adopt or reject the provisions of any general law regulating the nomination of candidates for public office within this State or any political subdivision thereof.

Mr. Brandon offered the following amendment to Amendment No. 1, and moved its adoption:

Amend Amendment No. 1, by adding after the word "calculated" in line 4 the following "to awaken class consciousness".

And the amendment to the amendment was lost.

Pending further discussion, by unanimous consent, the amendment offered by Mr. Taff was accepted and made a part of Proposal No. 129.

The question then being on the adoption of Proposal No. 129, as a whole, a division was had resulting as follows: Yeas, 13; nays, 33.

And the Proposal was rejected.

Mr. Gale offered the following Proposal and moved its adoption:

Resolved that the following shall become a part of the Constitution of Illinois:

No law shall require primary elections except for county officials or for delegates to nomination conventions.

Mr. Hamill raised the point of order that the motion was not in order, in the Committee of the Whole.

And the point of order was sustained by the Chair.

At the hour of 3:55 o'clock p. m., Mr. Green moved that the Committee do now rise and report.

And the motion prevailed.

TUESDAY, DECEMBER 7, 1920.

At the hour of 4:00 o'clock p. m., the Convention went into Committee of the Whole.

Mr. Whitman, member of the Committee on Revenue, Taxation and Finance, presiding.

The Committee of the Whole having had under discussion, on November 17, the consideration of the report of the Committee on Revenue, Taxation and Finance, being Proposal No. 378, the same was again taken up.

And section 2 having been recommitted to the Committee on Revenue, Taxation and Finance, reported back to the Convention, on December 1, and placed on the General Orders, was read at large.

And by unanimous consent corrected as follows: By changing the word "is" in the 5th and 8th lines to "are" and by changing the word "collected" in the 4th and 8th lines to "extended."

Mr. Dunlap offered the following amendment to section 2 and moved its adoption:

AMENDMENT NO. 1.

Amend section 2 by striking out all of said section and substituting in lieu thereof the following: "The income tax herein authorized shall be levied and collected by some state authority and shall be distributed in such manner as shall be provided by law."

And the amendment was lost.

The question then being on the adoption of section 2, it was decided in the affirmative.

The question recurring on the adoption of Proposal No. 378, as a whole, it was decided in the affirmative.

At the hour of 4:55 o'clock p. m., Mr. Gale moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, DECEMBER 8, 1920.

At the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cutting, member of the Committee on Judicial Department, presiding.

The Committee of the Whole, having had under discussion, on November 30, the consideration of the reports of the Committee on Judicial Department, being Proposals numbered 383 and 384, the same were again taken up.

Whereupon Mr. DeYoung moved that the vote by which section 19 was heretofore adopted be reconsidered.

And the motion prevailed.

Mr. DeYoung thereupon offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 19 in line 4 by inserting after the word "city" the words "wholly or partly" and also by inserting in line 6 after the word "city" the words "or part thereof".

And the amendment was adopted.

Mr. DeYoung then moved that section 19, as amended, be adopted.

And the motion prevailed.

Section 33 being taken up.

Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend section 33 in line 5 by inserting before the word "sessions" the words "criminal branches of said Court shall be provided by the County of Cook. All other branches or". And also in line 6 by striking out the word "provided" and inserting in lieu thereof the words "held in quarters furnished" And in line 7 by inserting after the word "such" the words "branches or".

And the amendment was adopted.

Mr. DeYoung moved that section 33, as amended, be adopted.

And the motion prevailed.

Section 47 being taken up.

Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 19.

Amend section 47 in line 5 by inserting after the word "officer" the words "after it has been fixed by law" and also in line 7 by inserting before the word "district" the words "County Court or the".

And the amendment was adopted.

Mr. DeYoung moved that section 47, as amended, be adopted.

And the motion prevailed.

Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 20.

Amend Proposal No. 383 by adding a new section thereto to be known as section 38 after a renumbering of the sections.

Section 38. Whenever electors of Cook County equal in number to one-tenth of the vote cast for all candidates for President of the County Board of Commissioners at the last preceding election thereof shall petition the Chief Justice of the Circuit Court of said county to submit to a vote of the electors thereof the proposition as to whether said county shall adopt the system for the appointment of the judges of the Circuit and District Courts of Cook County hereinafter provided, it shall be the duty of such chief justice to submit such proposition to a special county election to be called by such judge within ninety days, by entering of record in said court an order to that effect. But it at any such special election such proposition shall not be adopted, said proposition shall not be again submitted for two years. Such election shall be held under the election laws in force in Cook County. If such proposition receives the affirmative vote of a majority of those voting thereon, such system of appointment shall be adopted, and the chief justice shall proclaim the adoption thereof. The form of such petition, and of its verification, and of the ballots to be used in such election and the manner of voting therein, and the public notice thereof to be given, and the method of certification and recording of the result of said election, shall be prescribed by law, or by the Supreme Court in case the same shall not have been prescribed by law. After the adoption of such proposition, the method of choosing judges of the Circuit and District Courts of Cook County shall be as follows: Upon the occurrence of a vacancy in the office of any judge of said county, the Governor shall fill such vacancy by appointment, from a list of eligible persons furnished to him by a majority of the justices of the Supreme Court including a majority of the justices thereof from the Seventh Supreme Judicial District, which list shall contain the names of four or more persons for each judge to be appointed, not more than half of whom shall be affiliated with the same political party. Excepting as in this section is otherwise provided, each judge appointed by the Governor for said County of Cook shall hold his office during good behavior. At the annual election in November of every sixth year after the adoption of such system of appointment, an election shall be held in the County of Cook to enable the duly qualified electors thereof to express their approval or disapproval of the judges so appointed and then in office. The method of voting and the form of ballots to be used at such election shall be prescribed by law. If at any such election a majority of the electors of said county voting at such election shall by their votes express their disapproval of any such judge, his office shall, after the expiration of ninety days therefrom, become vacant, and he shall be ineligible to appointment as a judge of said court for a period of six years thereafter.

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 21.

Amend Proposal No. 383 by adding a new section thereto to be known as section 46 after a renumbering of the sections.

Section. 46. No action or proceeding shall be open to objection on the ground that a merely declaratory judgment or decree or order is sought thereby, and the Court may make a binding declaration of right, whether

any consequential relief is or could be claimed, or not, as may be provided by law.

And the amendment was adopted.

Mr. Gee moved to reconsider the vote by which section 47 was heretofore adopted.

And the motion prevailed.

Mr. Gee thereupon offered the following amendment and moved its adoption:

AMENDMENT No. 22.

Amend section 47 by striking out all after the word "judicial" in line 9 and inserting the following" or engaged in the practice of the law so long as he shall hold the office of such justice or judge".

And the amendment was adopted.

Mr. DeYoung moved that section 47, as amended, be again adopted.

And the motion prevailed.

Section 6 of the Minority Report being taken up, Mr. Green moved that it be adopted as a substitute for section 6 of Proposal No. 383.

Pending discussion, at the hour of 3:50 o'clock p. m., Mr. Davis moved that the Committee do now rise, report progress and ask leave to sit again.

And on that motion a division was had resulting as follows: Yeas, 29; nays, 24.

And the motion prevailed.

THURSDAY, DECEMBER 9, 1920.

At the hour of 9:55 o'clock a. m., the Convention went into Committee of the Whole.

Mr. Cutting, member of the Committee on Judicial Department, presiding.

The Committee of the Whole having had under discussion, on yesterday, the consideration of the reports of the Committee on Judicial Department, being Proposals numbered 383 and 384, the same were again taken up.

And the pending question being the adoption of section 6 of the Minority Report, offered by Mr. Green, the same was, by unanimous consent, withdrawn.

Whereupon Mr. Todd offered the following as a substitute for section 6 of Proposal No. 383 and moved its adoption:

Section 6. The State shall be divided into six districts for the election of justices. The first district shall consist of the County of Cook and two justices shall be elected from the district. The State, outside of the County of Cook, shall be divided into five districts for the election of justices, and until otherwise provided by law, they shall be as follows:

Second District: (Herein insert names of counties.)

Third District: (Herein insert names of counties.)

Fourth District: (Herein insert names of counties.)

Fifth District: (Herein insert names of counties.)

Sixth District: (Herein insert names of counties.)

One justice shall be elected from each of said districts numbered 2, 3, 4, 5 and 6.

And the substitute was adopted.

The question then being on the adoption of section 6, as amended, it was decided in the affirmative.

Mr. Todd offered the following as a substitute for section 7, of Proposal No. 383, and moved its adoption:

Section 7. The justices of the Supreme Court in office at the time of the adoption of this Constitution shall continue to hold office during the respective terms for which they were elected or appointed and until their successors are elected and shall qualify. The term of office of justices of the Supreme Court elected after the adoption of this Constitution, other than justices elected or appointed to fill unexpired terms, shall be nine years from the day of their election.

(Herein insert provisions for the extension of the terms of the present justices, if necessary, to conform to the re-apportionment plan and the election hereafter of justices in as nearly equal numbers as possible every third year. Provision shall also be made for the election of the additional justice from the first district in the year 1924 and for the election of the two justices from that district in dicerent years.)

Pending discussion, Mr. Dove offered the following amendment to the substitute for section 7, and moved its adoption:

Amend by striking out in line 8 before the word "years" the word "nine" and substituting in lieu thereof the word "ten".

And the amendment was adopted.

The question being on the adoption of the substitute, as amended, it was decided in the affirmative.

The question then being on the adoption of section 7, as amended, it was decided in the affirmative.

Mr. Green moved that Proposal No. 383, as amended, be now adopted as a whole and reported to the Convention, with the recommendation that it do pass.

And the motion prevailed.

At the hour of 11:00 o'clock a. m., Mr. Green moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, FEBRUARY 15, 1922.

At the hour of 5:45 o'clock p. m., the Convention went into Committee of the Whole for the purpose of considering revenue questions.

Mr. Gale, Chairman of the Committee on Revenue, Taxation and Finance, presiding.

Mr. Green moved that it be the sense of this Committee that the Revenue Article provide or require that if the Legislature sees fit to levy an income tax, it be levied at a uniform rate.

Pending discussion, Mr. Miller suggested that in addition to the words "A uniform rate" there be added the words "as distinguished from a progressive rate."

And Mr. Sutherland suggested that there be further added, the words, "if a general income tax be levied on incomes from whatever source derived."

Both of which suggestions were accepted by the mover of the motion.

The question then being on the motion, as above agreed upon, a division of the Committee was had resulting as follows: Yeas, 22; nays, 30.

And the motion was lost.

At the hour of 10:25 o'clock p. m., Mr. Dunlap moved that the Committee do now rise, report and ask that the Committee be discharged.

Mr. Trautmann moved, as a substitute, that the Committee do now rise, report progress and ask leave to sit again.

And the question being on the adoption of the substitute, it was decided in the affirmative.

THURSDAY, FEBRUARY 16, 1922.

At the hour of 10:27 o'clock p. m., the Convention went into Committee of the Whole for the purpose of considering revenue questions.

Mr. Gale, Chairman of the Committee on Revenue, Taxation and Finance, presiding.

Mr. Hamill moved that the following question be now considered: "Shall all exemptions from income taxes be forbidden?"

And the question being on the adoption of that motion, a division was had resulting as follows: Yeas, 9; nays, 38.

And the motion was lost.

Mr. Sutherland moved that the following question be now considered:

"Shall the General Assembly be required, if it levies an income tax, to fix the same rate upon incomes from property that are fixed upon incomes from other sources?"

And the motion prevailed.

Mr. Miller offered the following as a substitute and moved its adoption:

"Shall the General Assembly be precluded from placing a different rate upon income derived from property from that imposed upon income derived from other sources?"

The question being on the adoption of the substitute, a division was had resulting as follows: Yeas, 5; nays, 37.

And the substitute was lost.

The Chairman called the attention of the Committee to the next proposition, which was as follows, to-wit:

"Shall exemptions be limited to income from personal services or shall exemptions be allowed from incomes both from property and personal services?"

And the question being on the adoption of the proposition, a division was had resulting as follows: Yeas, 26; nays, 19.

And the proposition was adopted.

At the hour of 12:20 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 13, 1922.

At the hour of 3:35 o'clock p. m., the Convention went into Committee of the Whole, for the consideration of the report of the Committee on Future Amendment of the Constitution.

Mr. Moore, member of the Committee on Future Amendment to the Constitution, presiding.

The report of the Committee was taken up and read at large, as follows:

Section 1. Whenever two-thirds of the members of each House of the General Assembly shall, by a vote entered upon the journals thereof, concur that a Convention is necessary to revise, alter or amend the Constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a Convention, the General Assembly shall, at the next session, provide for a Convention, to consist of double the number of members of the Senate, to be elected in the same manner, at the same places, and in the same districts. The General Assembly shall, in the act calling the Convention, designate the day, hour place of its meeting, fix the pay of its members and officers, and provide for the payment of the same, together with the expenses necessarily incurred by the Convention in the performance of its duties. Before proceeding the members shall take an oath to support the Constitution of the United States, and of the State of Illinois, and to faithfully discharge their duties as members of the Convention. The qualification of members shall be the same as that of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the General Assembly. Said Convention shall meet within three months after such election, and prepare such revision alteration or amendments of the Constitution as shall be deemed necessary, which shall be submitted to the electors for their ratification or rejection, at an election appointed by the Convention for that purpose, not less than two nor more than six months after the adjournment thereof; and unless so submitted and approved, by a majority of the electors voting at the election, no such revision, alteration or amendments shall take effect.

Section 2. Amendments to this Constitution may be proposed in either House of the General Assembly, and if the same shall be voted for by two-thirds of all the members elected to each of the two Houses, such proposed amendments, together with the yeas and nays of each House thereon, shall be entered in full on their respective journals, and said amendments shall be submitted to the electors of this State for adoption or rejection, at the next election of members of the General Assembly, in such manner as may be prescribed by law. The proposed amendments shall be published in full at least three months preceding the election, and if a majority of the electors voting at said election shall vote for the proposed amendments, they shall become a part of this Constitution. But the General Assembly shall have no power to propose amendments to more than two articles of this Constitution at the same session, nor to the same articles oftener than once in four years.

Section 1 was taken up for consideration.

Whereupon Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 by striking out in the sixth and following lines the words: "provide for a convention to consist of double the number of members of the Senate to be elected in the same manner in the same places, in the same districts" and insert in lieu thereof: "enact a law to provide for a convention the delegates to which shall be elected two from each district and each district to consist of three contiguous representative districts. The law calling for the convention shall designate what representative districts shall be combined for the purpose of forming delegate districts."

And the question being on the adoption of the amendment, a division was had, resulting as follows: Yeas, 20; nays, 45.

And the amendment was lost.

The question then being on the adoption of section 1, a division of the Committee was had, resulting as follows: Yeas, 45; nays, 20.

And section 1 was adopted.

Section 2 was taken up for consideration.

Whereupon Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 2 by striking out of line 9 all after the word "election" and in line 10 the words "voting at same election" and substitute therefor the following "and if voters equal in number to a majority of the votes cast for members of the House of Representatives."

The question being on the adoption of the amendment, a division of the Committee was had, resulting as follows: Yeas, 36; nays, 22.

And the amendment was adopted.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 2 by striking out the word "two" where it appears in the line next to the last line and inserting the word "three."

And the amendment was lost.

The question then being on the adoption of section 2, as amended, it was decided in the affirmative.

At the hour of 6:35 o'clock p. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

THURSDAY, JUNE 15, 1922.

At the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole, for the consideration of the report of the Committee on Schedule.

Mr. G. A. Dupuy, Chairman of the Committee on Schedule, presiding.

The report of the Committee was taken up and read at large, as follows:

REPORT OF THE COMMITTEE ON SCHEDULE.

Your Committee on Schedule respectfully reports to the Convention the following sections and recommends their adoption:

That no inconvenience may arise from the alterations and amendments made in the constitution of this state, and to carry the same into complete effect, it is hereby ordained and declared:

Section 1. That all laws in force at the adoption of this constitution, not inconsistent therewith, and all rights, actions, prosecutions, claims, and contracts of this state, individuals, or bodies corporate, shall continue to be as valid as if this constitution had not been adopted.

Section 2. That all fines, taxes, penalties and forfeitures, due and owing to the state of Illinois under the present constitution and laws, shall inure to the use of the people of the state of Illinois, under this constitution.

Section 3. Recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this constitution, to the people of the state of Illinois, to any state or county officers or public body, shall remain binding and valid; and rights and liabilities upon the same shall continue, and all crimes and misdemeanors shall be tried and punished as though no change had been made in the constitution of the State.

Section 4. All persons now filling any office or appointment shall continue the exercise of the duties thereof and according to their respective commissions or appointments, unless by this constitution it is otherwise directed.

Section 5. Except as otherwise provided in this Constitution all persons elected to any office at the November election in 1922 shall continue in office during the term for which they are respectively elected subject to such changes in their duties as may be prescribed by this Constitution.

Section 6. In order that elections be held regularly in November, all persons who shall hereafter be elected to any office of the state or of any political subdivision thereof at any election held prior to the November election nineteen hundred twenty-three, shall hold office until the next ensuing November election following the date when the term of such office would otherwise expire.

Except as otherwise provided in this constitution, every person holding any office of this state or of any political subdivision thereof at the time of the adoption of this constitution, and whose term of office shall expire after the November election nineteen hundred twenty-three, shall continue in office until the November election next ensuing the time when such term of office would otherwise regularly expire.

Section 7. After the adoption of this Constitution when the state is first apportioned for members of the senate, it shall be provided that three

of the additional members shall be elected the first time for a term of two years and the three additional members for a term of four years.

Section 8. The terms of office of the Justices of the Supreme Court now in office shall expire at the several dates now provided by law.

Section 9. On the day this constitution is submitted to the people for ratification and election shall be held for a Justice of the Supreme Court in the first judicial district designated in this constitution, at which election every person entitled to vote according to the terms of this constitution shall be allowed to vote, and the election shall be otherwise conducted, returns made and certificate issued in accordance with existing laws. If, upon canvassing the votes for and against the adoption of this constitution it shall appear that this constitution shall not have been adopted, then no certificate of election shall be issued for said justice.

The Justice, if elected and commissioned shall hold his office until the first Monday of June, nineteen hundred and thirty-three, but he shall not enter upon the discharge of his duties until the first Monday of June, nineteen hundred and twenty-four, unless prior to that time there shall be a vacancy from any district on the Supreme Court in which case he shall fill such vacancy until the first Monday of June, nineteen hundred and twenty-four.

When the term of office of the Justice residing in the second district (elected from the sixth district under the constitution of 1870) expires on the first Monday of June, nineteen hundred twenty-four this said office shall cease to exist.

The successors in office of the Justices now in office shall be elected on the first Monday in June in the years in which the respective terms expire.

The Justice from the first district shall be elected for a term to expire on the first Monday of June, nineteen hundred thirty-five.

The Justice from the fifth district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-five.

The Justice from the fourth and sixth districts shall each be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-three.

The justice for the third district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-seven.

The justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine.

After the expiration of the terms as above specified, the term of each justice shall be ten years from the day of his election. The justices from the first district shall be elected on the first Monday of June in the year in which their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the year in which their terms expire.

Section 10. Any justice or judge now in office shall be eligible to reelection after the adoption of this constitution.

Section 10A. Until otherwise provided by law, the judges of the Appellate court of the first district shall receive the same salaries as are paid to the judges of the Circuit courts within said district, and the Judges of the Appellate Courts of the second, third and fourth districts shall each receive \$8,500 per annum. Such salaries shall be payable in the same manner, at the same time, and from the same sources as the salaries of the judges of the circuit Court within such districts respectively.

Section 11. On the first Monday of May A. D. 1923, the Circuit, Superior, Criminal County and Probate Court of Cook county, the municipal court of Chicago and the city court of Chicago Heights shall be consolidated into one court of record to be known as the Circuit Court of Cook county.

Section 12. The judges of the Circuit, Superior, County and Probate Courts of Cook County in office on the first Monday of May, A. D. 1923, except the judges of the Circuit and Superior courts of Cook County, by the adoption of this Constitution made judges of the Appellate Court for the first

district, whose office as judges of the Circuit and Superior Court of said county thereby cease to exist, shall be the judges of said consolidated court and shall continue to hold office during the respective terms for which they were elected or appointed, and until their successor are elected and shall qualify. The chief justice and the associate judges of the Municipal Court of Chicago shall be associate judges of said Circuit Court and shall continue to hold office during the respective terms for which they were elected or appointed as chief justice or associate judges of the Municipal Court of Chicago and one year in addition thereto, at the end of which terms their respective offices as associate judges of said Circuit Court shall cease to exist.

Section 13. The associate judges of the Circuit Court of Cook County shall, until the termination of their respective offices, perform such judicial duties in the classes of cases which were within the jurisdiction of the Criminal Court of Cook County at the time of the adoption of this Constitution, and also in the classes of cases arising in the County of Cook of which, if arising in the city of Chicago, the Municipal Court of Chicago had jurisdiction at the time of the adoption of this Constitution, as they may be assigned to perform, and during the periods of their terms of office as such associate judges, they shall receive the salaries allowed them by laws in force on the first Monday of May, A. D. 1922, one-half of which salaries shall be payable out of the State treasury and one-half out of the county treasury of Cook County.

Section 14. The judge of the County Court of the County of Cook, who shall be in office at the time of the adoption of this Constitution shall continue to exercise, during the time for which he was elected, or until otherwise provided by law, the same control and supervision over all matters of election as provided by law. After the expiration of his term of office all such authority and supervision shall devolve upon the chief justice of the civil division of said Circuit Court until otherwise provided by law.

Section 15. The County Court of each county, other than the County of Cook, is hereby continued and on the third day of December, 1923, the County and Probate Courts in each county, other than in the county of Cook where both courts exist, shall be consolidated into one court to be known as the County Court.

Section 16. The judges of the County and Probate Courts in counties other than the County of Cook, in office on the third day of December, 1923, shall be judges of such consolidated court, and shall continue to hold office during the terms for which they were elected, and until their successors are elected and shall qualify.

Section 17. Unless prior to the first Monday of December, A. D. 1923, the General Assembly shall fix the salaries of county judges and of probate judges (other than those of the county of Cook), the salaries of such judges shall, from and after that date, until otherwise provided by law, be as follows: Such salaries shall be increased by the addition of 50 per cent of the present salary, with a minimum salary of two thousand five hundred dollars in counties having a population of less than fifteen thousand; in counties having a population of fifteen thousand and not over forty thousand, a minimum salary of four thousand dollars, and with a minimum salary of five thousand dollars in counties having a population of over forty thousand or more. The county shall continue to pay the salary now provided by law, until the whole of such salaries become payable from the state treasury as in this constitution provided, and until that time the increase of salary provided herein shall be payable monthly out of the state treasury.

Section 18. The provisions contained in the last sentence of Section 126 in Article V shall not, so far as same affect the judges of the county and probate courts, become effective until the first Monday of December, A. D. 1923, unless hereafter prior to that date the General Assembly shall have fixed the salaries of such judges.

Section 19. The clerk of the Circuit Court of Cook County in office on the first Monday of May, A. D. 1923, shall be the clerk of the Circuit Court herein provided, and the clerks of the Superior, Criminal and Probate Courts

of Cook County and of the Municipal Court of Chicago shall, during the terms for which they were respectively elected, be associate clerks of the Circuit Court of Cook County, exercising as near as may be the same powers, including those relating to the selection, appointment, and discharge of all those employees theretofore in service in each of their respective offices; shall have same powers as theretofore in regard to the collection and disbursement of moneys. They shall perform the same duties and receive the same salaries as on the first Monday of May A. D. 1923. At the November election in the year A. D. 1924, and every four years thereafter, there shall be elected a clerk of the Circuit Court of Cook County.

In case there shall occur a vacancy in the office of the clerk of the Circuit Court of Cook County at any time prior to the November election in the year A. D. 1924, then and in that case such vacancy shall be filled by appointment by a majority of the judges and associate judges, of the Circuit Court of one of such associate clerks who shall hold office until the November election in 1924.

Section 20. The office of judge of the city court and judge of the Probate Court or probate judge shall be abolished from and after the respective consolidations of city and Probate Courts with other courts as in this Constitution provided. The office of justices of the peace and constable existing at the time of the adoption of this Constitution shall, from and after the election or appointment and qualification of justices of the peace and constables in the respective districts, towns or portions of towns, in accordance with the provisions of this Constitution as to such districts, towns or portions of towns, be abolished.

Section 21. The clerk of the County Court of each county, other than the County of Cook in office on the third day of December, 1923, shall be the clerk of the County Court and the clerk of the Probate Court of each county, other than the County of Cook, having a probate clerk, shall be the chief deputy county clerk of the County Court during the terms for which they were elected, and at the salaries received by them severally at the time of the adoption of this Constitution and at the expiration of the respective terms of office of the probate clerks in office on the third day of December 1923, said office of probate clerk be abolished.

Section 22. The bailiff of the Municipal Court of Chicago shall, upon the consolidation of the courts of Cook County as in this constitution provided become assistant sheriff of the County of Cook and he shall during his term have as near as may be the same powers, duties, and responsibilities as prior to such consolidation, including the charge of his deputies, with power of selection, appointment, and removal.

Section 23. This constitution shall be submitted to the people of the State of Illinois for adoption or rejection at an election to be held on Saturday, The county clerk of the respective counties of this state shall give notice between the.....and.....days of....., A. D. 1924, in the manner required by law for notices of general elections, that at such election this constitution will be submitted to the electors of this state for adoption or rejection.

Section 24. Every person entitled to vote under the provisions of this constitution, as defined in the article on suffrage and election, shall be entitled to vote for the adoption or rejection of this constitution, and such persons shall vote by ballot at their usual places of voting at a general election. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections, except that no registry shall be required at such election except in election districts in which registration of voters is now required for general elections. In such districts no person shall vote except those registered as required by existing laws. The polls shall be kept open at such election for the reception of ballots from the hour of seven o'clock in the morning until the hour of seven o'clock in the evening.

Section 25. The officers now required by law, in the case of general elections, to provide proper election supplies for each precinct or district,

shall provide, in the manner now required by law for conducting general elections, all necessary poll books, tally sheets, forms of return and ballots for such election. There shall be prepared and furnished one and one-tenth times as many ballots as there are voters in the election district in which such officers have jurisdiction.

Section 26. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the spaces on the right-hand margin of the ballot. Each ballot shall be a vote for a vote against the adoption of this constitution, as shall be indicated by the cross mark of the voter on the ballot.

Section 27. The ballots cast for and against this constitution shall be received and canvassed by the judges and clerks of such election and returned to the county clerks of their respective counties within five days after such election, in the same manner as ballots cast for members of the General Assembly are required by law to be received, canvassed, and returned to such county clerks.

Section 28. Returns shall be made by the several county clerks to the Secretary of State and shall show the aggregate number of votes cast in each county (a) for the adoption of this constitution, and (b) against the adoption of this constitution. Such returns shall be made by the several county clerks within fifteen days after such election; such returns shall within ten days thereafter be examined and canvassed by the Attorney General, the Secretary of State, the Auditor of Public Accounts, and the State Treasurer, or any three of them, in the presence of the Governor, and proclamation shall be made by the Governor forthwith of the result of the canvass. If it shall appear that a majority of the votes polled are for the new constitution, the same shall be the supreme law of the State of Illinois on and after.....the.....day of.....

GEORGE A. DUPUY, *Chairman,*
WM. E. TRAUTMAN,
PHILIP E. ELTING,
ANDREW H. MILLS,
ALBERT E. TAFF,
Committee on Schedule.

MINORITY REPORT OF COMMITTEE ON SCHEDULE.

The undersigned members of the Committee on Schedule beg leave to make a minority report as to sections 8 and 9, in substitution for which we offer following:

Section 8. The terms of office of the justices of the Supreme Court in office at the time of the adoption of this constitution are extended to the dates of the respective elections first to be held in the several districts established by this constitution which elections shall be held in the month of June, in the several years, and in the several districts, and (except as herein otherwise provided) every ten years thereafter, as follows:

In the four district, in 1925, for election of one justice.

In the fifth district, in 1925, for election of one justice.

In the sixth district, in 1925, for election of one justice.

In the third district, in 1927, for election of one justice.

In the first district, in 1927, for election of one justice.

In the second district, in 1931, for election of one justice.

The term of office of the justice residing in the second district (elected from the sixth district under the constitution of 1870) is hereby extended to the November election, 1927, at which time, or sooner in case of vacancy therein, such office shall cease to exist.

Section 9. On the day this constitution is submitted to the people for ratification an election shall be held for a Justice of the Supreme Court in the first judicial district designated in this constitution at which election every person entitled to vote according to the terms of this constitution shall be allowed to vote, and the election shall be otherwise conducted, returns made and certificate issued in accordance with existing laws. If, upon canvassing the votes for and against the adoption of this constitution

it shall appear that this constitution shall not have been adopted, then no certificate of election shall be issued for said justice.

One member of the court, to be elected by themselves, from among the members either of the first or the second district shall be designated, and serve as administrative executive of the Supreme Court, so long as there shall be two members of the court from the second district under this constitution; and while so designated, such justice shall be relieved from duty in the consideration of causes pending in said court.

Said justice from the first district, if elected and commissioned shall hold his office until the first Monday of June, nineteen hundred thirty-three.

The successor in office of the justice now in office in the first district under this constitution shall be elected on the first Monday of June, nineteen hundred twenty-seven, for a term to expire on the first Monday of June, nineteen hundred thirty-seven.

The successor of the justice now in office for the second district under this constitution shall be elected on the first Monday in June, nineteen hundred thirty-one, to expire on the first Tuesday after the first Monday in November, nineteen hundred forty-one.

The successor of the justice now in office for the third district under this constitution shall be elected on the first Monday in June, nineteen hundred twenty-seven for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-nine.

The successors in office of the justices now in office in the fourth and sixth districts under this constitution shall be elected on the first Monday in June, nineteen hundred twenty-five for terms to expire respectively on the first Tuesday after the first Monday in November, nineteen hundred thirty-five.

The successor in office of the justice now in office in the fifth district under this constitution, shall be elected on the first Monday in June, nineteen hundred twenty-five, for a term to expire on the first Monday in November, nineteen hundred thirty-seven.

GEORGE A. DUPUY,
PHILIP E. ELTING.

Section 1 was taken up for consideration and on motion of Mr. Cutting, was adopted.

Section 2 was taken up for consideration and on motion of Mr. Adams, was adopted.

Section 3 was taken up for consideration and on motion of Mr. Taff, was adopted.

Section 4 was taken up for consideration and on motion of Mr. Trautmann was adopted.

Section 5 was taken up for consideration and on motion of Mr. Taff, was adopted.

Section 7 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Sections 8 and 9 were taken up for consideration.

Whereupon, Mr. Elting moved that sections 8 and 9 of the Minority Report, be substituted for sections 8 and 9 of the majority report.

The question being on the motion to substitute, a division of the Committee was had, resulting as follows: Yeas, 25; nays, 31.

And the motion was lost.

Mr. Rinaker offered the following as a substitute for sections 8 and 9, and moved its adoption:

Substitute for section 8 and 9 of the majority report the following:

The term of office of the Justices of the Supreme Court in office at the time of the adoption of this Constitution, are extended to the dates of the

several elections first held in their respective districts, which elections shall be held on the following dates and every ten years thereafter, and by separate ballots for judicial officers only.

At the annual election in the year 1923, one justice in the first district.

At the annual election in the year 1925, one justice from the sixth district.

At the annual election in the year 1926, one justice from the fourth district.

At the annual election in the year 1927, one justice from the third district.

At the annual election in the year 1928, one justice from the fifth district.

At the annual election in the year 1929, one justice from the first district.

At the annual election in the year 1930, one justice from the second district, until which time, if there be two Justices residing in said district, the Supreme Court shall consist of eight Justices, only seven of whom shall take part in the decision of causes pending in said Court, and the remaining justice to be designated by the Court, shall administer its powers and duties other than the consideration of causes pending in that Court.

Mr. Hamill moved to lay the substitute on the table.

The question being on the motion to table, a division of the Committee was had, resulting as follows: Yeas, 30; nays, 20.

The motion prevailed.

And the substitute for sections 8 and 9 was ordered to lie on the table.

Mr. Jarman raised the point of no quorum and thereupon a call of the Committee was had, resulting as follows: Present, 57.

Those answering present are: Messrs.

Adams	De Young	Jack	Nichols	Stahl
Barr	Dietz	Jarman	O'Brien	Taff
Brenholt	Dunlap	Johnson, W. A.	Pinnell	Tebbens
Brewster	Dupue, E. H.	Kerrick	Rivaker	Traeger
Carlstrom	Dupuy, G. A.	Kunde	Rosenberg	Trautmann
Chew	Elting	Lindly	Scanlan	Wall
Clarke	Fifer	McEwen	Shanahan	Warren
Coolley	Ganschow	Melnert	Shuey	Whitman
Corlett	Gilbert	Miller	Six	Wilson
Cruden	Hamill	Mills	Smith	Woodward
Davis	Hogan	Moore	Sneed	Mr. President
Dawes	Hull			Present—57.

The Chairman announced that a quorum of the Committee was present.

The question then being on the adoption of sections 8 and 9, a division of the Committee was had, resulting as follows: Yeas, 44; nays, 14.

And sections 8 and 9 were adopted.

Section 10 was taken up for consideration.

The question being on the adoption of the section, a division of the Committee was had, resulting as follows: Yeas, 42; nays, 22.

And section 10 was adopted.

Mr. DeYoung offered the following as a new section to be known as section 10½, and moved its adoption:

Section 10½. The Judges of the circuit and superior courts of Cook County now serving as judges of the appellate court for the first district and its branches, shall become judges of the appellate court for the first district under this constitution to hold office until January 1, nineteen hundred twenty-nine. The judges of the appellate court of the second district, the appellate court of the third district and the appellate court of the fourth district under this constitution shall be appointed by the supreme

court as soon as may be after the adoption of this constitution to hold office until January first, nineteen hundred twenty-nine.

And the question being on the adoption of section 10 $\frac{1}{2}$ it was decided in the affirmative.

Section 11 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Section 12 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Section 10a was taken up for consideration.

Whereupon Mr. Corlett offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 10A by adding thereto the following:

Until otherwise provided by law each Appellate Judge shall have a clerk appointed and paid as now provided by law for Circuit Judges assigned to serve in the appellate court.

The question being on the adoption of the amendment, a division of the Committee was had, resulting as follows: Yeas, 20; nays, 29.

And the amendment was lost.

The question then being on the adoption of section 10a, it was decided in the affirmative.

Section 13 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Section 14 was taken up for consideration and on motion of Mr. Trautmann, was postponed.

Section 15 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Section 16 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Section 17 was taken up for consideration and on motion of Mr. Trautmann, was adopted.

Section 18 was taken up for consideration and on motion of Mr. Mills, was adopted.

Section 20 was taken up for consideration and on motion of Mr. Mills, was adopted.

Section 21 was taken up for consideration and on motion of Mr. Mills, was adopted.

Section 22 was taken up for consideration.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 22 by striking out the word "assisstant" in the third line and inserting in lieu thereof the word "associate."

And the amendment was adopted.

The question then being on the adoption of section 22, as amended, it was decided in the affirmative.

Section 14 was again taken up for consideration.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend the last sentence of section 14 by substituting therefor the following:

"After the expiration of his term of office all such authority and supervision shall devolve upon some elective county officer or officers as provided by law which provision shall be made by the General Assembly by the first day of July, A. D. 1925.

And the amendment was adopted.

The question then being on the adoption of section 14, as amended, it was decided in the affirmative.

Mr. Shanahan offered the following as a new section to be known as section 22A, and moved its adoption:

Note: Section to be offered as an additional section in Report of Schedule Committee and if adopted to be transferred to the proper section of the constitution by the Committee on Phraseology and Style.

(Section 29 Legislative Article Constitution of 1870)

Section 22A. The General Assembly shall pass for the protection of operative miners, providing for ventilation and the construction of escapement shafts or other appliances securing safety in mines; and shall provide for the enforcement thereof by such penalties and punishments as it deems proper.

And the question being on the adoption of section 22A, it was decided in the affirmative.

Section 24 was taken up for consideration.

Whereupon Mr. Mills offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 24 in next to the last line by striking out the word "seven" and inserting in lieu thereof the word "six."

And the amendment was adopted.

Pending further consideration, Mr. Trautmann moved that section 25, of the Article on Schedule in the present Constitution, together with sections 23 to 28, both inclusive, of this report, be reported to the Convention with the recommendation that they be referred to the Committee on Submission and Address.

And the motion prevailed.

At the hour of 1:20 o'clock p. m., Mr. Brenholt moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

TUESDAY, JUNE 20, 1922.

At the hour of 10:40 o'clock a. m., the Convention went into Committee of the Whole, for the further consideration of the report of the Committee on Schedule.

Mr. G. A. Dupuy, Chairman of the Committee on Schedule, presiding.

The Committee of the Whole, having heretofore had under discussion, on June 15, the consideration of the report of the Committee on Schedule, section 6 thereof was taken up for consideration.

Whereupon Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 6 by adding at the end thereof the following:

"Except as in this constitution otherwise provided, the term of office of every person holding any office of the State, or of any political subdivision thereof or municipal corporation therein shall expire at the time provided by existing laws. All persons who shall be elected to office at any election occurring prior to November, A. D. 1923, shall hold office during the regular term provided by law and for the additional time until the next ensuing November election.

And the amendment was adopted.

Pending further consideration, Mr. Lindly moved that further consideration of section 6, as amended, be postponed.

And the motion prevailed.

Section 19 was taken up for consideration and on motion of Mr. Shanahan, was postponed.

Mr. Six offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend the article on Schedule by adding thereto the following:

"Section 25 of the Judicial Article (VI) shall not prevent the appointment of sitting Judges of the Appellate Court to serve in Courts outside the districts in which such Judges reside.

Pending consideration, Mr. Barr moved that the foregoing amendment be reported to the Convention with the recommendation that it be referred to the Committee on Judicial Department.

And the motion prevailed.

Mr. Taff offered the following as a new section to be known as section 22B, and moved its adoption:

Section 22B. All laws of the State of Illinois and all official writings and the executive, legislative and judicial proceedings shall be conducted, preserved and published in no other than the English language; but the Supreme Court may, by rule, provide for the use in the files and records

of judicial proceedings of such abbreviations of words and sentences as the court may deem proper.

And the question being on the adoption of section 22B, it was decided in the affirmative.

Mr. Clarke offered the following as a new section to be known as section 18½, and moved its adoption:

Section 18½. Counties having a population of less than seventy-five thousand which have a county judge and a probate judge at the time of the adoption of this constitution, shall elect in nineteen hundred twenty-seven two county judges.

And the question being on the adoption of section 18½, it was decided in the affirmative.

Mr. Taff offered the following as a new section to be known as section 22C, and moved its adoption:

Section 22C. Each court into which, by the provisions of this Constitution, other courts are consolidated shall immediately, upon such consolidation succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successors, with full power and authority to dispose of the same, and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated.

And the question being on the adoption of section 22C, it was decided in the affirmative.

Mr. Taff offered the following as a new section to be known as section 22D, and moved its adoption:

Section 22D. All judicial circuits established by law at the adoption of this Constitution shall be preserved until changed by law.

And the question being on the adoption of section 22D, it was decided in the affirmative.

At the hour of 11:40 o'clock a. m., Mr. Davis moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, JUNE 21, 1922.

At the hour of 3:40 o'clock p. m., the Convention went into Committee of the Whole, for the further consideration of the report of the Committee on Schedule.

Mr. G. A. Dupuy, Chairman of the Committee on Schedule, presiding.

The Committee of the Whole, having heretofore had under discussion, on June 20, the consideration of the report of the Committee on Schedule, section 6 thereof was again taken up for consideration and was temporarily passed.

Mr. Trautmann offered the following as a new section to be known as section 10 $\frac{1}{4}$, and moved its adoption:

Section 10 $\frac{1}{4}$. The Clerk of the Supreme Court and the Clerks of the Appellate Courts holding office at the time this Constitution goes into effect shall hold office until the expiration of the terms of office to which they have been elected.

And the question being on the adoption of section 10 $\frac{1}{4}$, it was decided in the affirmative.

Mr. Trautmann offered the following as a new section to be known as section 13 $\frac{1}{4}$, and moved its adoption:

Section 13 $\frac{1}{4}$. The Judges of the Circuit Court of each Circuit, other than the County of Cook, in office at the time of the adoption of this Constitution, shall continue to hold office during the term for which they were elected or appointed and until their successors are elected and shall qualify.

And the question being on the adoption of section 13 $\frac{1}{4}$, it was decided in the affirmative.

Mr. Trautmann offered the following as a new section to be known as section 13 $\frac{1}{2}$, and moved its adoption:

Section 13 $\frac{1}{2}$. The Circuit Court of each county is hereby continued, and on the first Monday of November, A. D. 1927, the Circuit and city courts in each county other than Cook, where both courts exist, shall be consolidated into one court of record to be known as the Circuit Court.

And the question being on the adoption of section 13 $\frac{1}{2}$, it was decided in the affirmative.

Section 19 was again taken up for consideration.

Whereupon Mr. DeYoung offered the following as a substitute for section 19, and moved its adoption:

Amend section 19 by substituting therefor the following:

Section 19. The Clerk of the Circuit Court of Cook county in office on the first Monday of May, A. D. 1923, shall be the clerk of the Circuit Court herein provided, and the clerks of the Superior, Criminal, County and Probate Courts of Cook county and of the Municipal Court of Chicago shall, during the terms for which they were respectively elected, be associate clerks of the Circuit Court of Cook County, exercising as near as may be the same powers, including those relating to the appointment and discharge of

employes and to the collection and disbursement of monies and performing the same duties and receiving the same salaries as on the first Monday of May, A. D. 1923.

In case there shall occur a vacancy in the office of the clerk of the Circuit Court of Cook County at any time prior to the November election in the year A. D. 1924, then and in that case such vacancy shall be filled by appointment by a majority of the judges and associate judges, of the Circuit Court of one of such associate clerks who shall hold office until the November election in 1924.

And the question being on the adoption of section 19, as amended, it was decided in the affirmative.

Mr. Scanlan offered the following amendment and moved that it be reported to the Convention with the recommendation that it be referred to the Committee on Judicial Department:

AMENDMENT No. 7.

(To be transferred to Judiciary Article by Committee on Phraseology and Style if adopted by the Convention.)

"In any county where there are two county judges or more they shall determine by lot on the first Monday of January each year which one of them shall act as chief justice for the ensuing year."

Whereupon Mr. Jarman raised the point of order that the amendment was not in order in Committee of the Whole, for the reason that it was not germane to the matter contained in the schedule.

And the point of order was sustained.

At the hour of 4:20 o'clock p. m., Mr. Hamill moved that the Committee do now rise, report progress and ask leave to sit again.

And the motion prevailed.

WEDNESDAY, JUNE 21, 1922.

At the hour of 6:20 o'clock p. m., the Convention went into Committee of the Whole, for the further consideration of the report of the Committee on Schedule.

Mr. G. A. Dupuy, Chairman of the Committee on Schedule, presiding.

The Committee of the Whole, having heretofore had under discussion, today, the consideration of the report of the Committee on Schedule, section 6 thereof was again taken up for consideration.

In order to ascertain the sense of the Committee, with reference to municipal elections, Mr. Dunlap moved that all municipal elections expiring in April, 1923, be extended.

And the motion prevailed.

Mr. Trautmann moved that such extension shall not apply to the county of Cook.

And the motion prevailed.

The question then being on the adoption of section 6, as amended, it was decided in the affirmative.

At the hour of 6:27 o'clock p. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

THURSDAY, JUNE 22, 1922.

At the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole, for the consideration of the Majority and Minority Reports of the Committee on Industrial Affairs and Labor, submitted December 8, 1920.

Mr. Sneed, Chairman of the Committee on Industrial Affairs and Labor, presiding.

The Majority and Minority Reports having been taken up and read.

Pending discussion, Mr. Hamill moved that the Committee of the Whole report Proposal No. 232 to the Convention with the recommendation that it do not pass.

And the motion prevailed.

At the hour of 9:40 o'clock a. m., Mr. Hamill moved that the Committee do now rise and report.

And the motion prevailed.

THURSDAY, JUNE 22, 1922.

At the hour of 10:10 o'clock a. m., the Convention again went into Committee of the Whole for the consideration of the Majority and Minority Reports of the Committee on Industrial Affairs and Labor, submitted December 8, 1920, on a recommittal of its previous report by the Convention.

Mr. Scanlan, presiding.

Pending discussion, Mr. Miller offered the following as a substitute for the Majority and Minority Reports of the Committee on Industrial Affairs and Labor, and moved its adoption:

Resolved, That the following shall become a part of the Constitution of Illinois:

LABOR.

Section 1. The labor of a human being is an attribute of life and is not a commodity or article of commerce.

Section 2. The right of workmen to organize into trade and labor unions and to deal and speak through representatives chosen by themselves is declared and it shall not be abridged.

And the substitute was adopted.

Mr. Miller offered the following amendment to the substitute and moved its adoption:

Amend the substitute for the majority and minority reports of the Committee on Industrial Affairs and Labor by striking out all after the word and figure "Section 1" and inserting in lieu thereof the following:

"No law shall be passed denying the right of workmen to organize into trade and labor unions and to deal and speak through representatives chosen by themselves."

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

Amend the substitute for the majority and minority reports of the Committee on Industrial Affairs and Labor by striking out all after the word and figure "Section 1" and inserting in lieu thereof the following:

"The right of individuals to associate together for lawful purposes shall not be abridged or denied."

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

Amend the substitute for majority and minority reports of the Committee on Industrial Affairs and Labor by striking out the following: "and to deal and speak through representatives chosen by themselves."

Mr. Shanahan moved to lay the amendment on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Sutherland offered the following amendment and moved its adoption:

Amend the substitute for the majority and minority reports of the Committee on Industrial Affairs and Labor, by inserting after the word "speak" the words "individually or."

And the amendment was lost.

Pending further consideration, Mr. Sneed moved that the substitute for the Majority and Minority Reports of the Committee on Industrial Affairs and Labor, as amended, be adopted.

And the motion prevailed.

At the hour of 12:05 o'clock p. m., Mr. Dunlap moved that the Committee do now rise and report.

And the motion prevailed.

THURSDAY, JUNE 22, 1922.

At the hour of 5:55 o'clock p. m., the Convention went into Committee of the Whole, for the consideration of the report of the Committee on Submission and Address.

Mr. Green, Chairman of the Committee on Submission and Address, presiding.

The report of the Committee was taken up and read at large, as follows:

Your committee on Submission and Address respectfully makes the following report and moves its adoption by the Convention.

We recommend that the following sections be adopted and incorporated as a part of the schedule to the main body of the Constitution:

Section 1. This Constitution shall be submitted to the people of the State of Illinois for adoption or revision at an election to be held on Tuesday the twelfth day of December in the year nineteen hundred and twenty two. The county clerks of the respective counties of this State shall give notice between the first and tenth days of November, 1922, in the manner required by law for notices of general elections, that at such election this Constitution will be submitted to the electors of this State for adoption or rejection.

Section 2. Every person entitled to vote under the provisions of existing laws shall be entitled to vote for the adoption or rejection of this Constitution, and such persons shall vote by ballot. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections. The polls shall be kept open at such election from the hour of six o'clock in the morning until the hour of seven o'clock in the evening.

Section 3. The officers now required by law, in the case of general elections, to provide proper election supplies for each precinct or district, shall provide, in the manner now required by law for conducting general elections, all necessary poll books, tally sheets, form of return, and ballots for such election.

Section 4. The ballots to be used at such elections shall be substantially in the following form:

REVISED CONSTITUTION ELECTION BALLOT.

SHALL THE PROPOSED NEW CONSTITUTION BE ADOPTED	YES	
	NO	

Section 5. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the squares on the right-hand margin of the ballot. Each ballot cast shall be a vote for or a vote against the adoption of this constitution, as shall be indicated by the cross mark of the voter on the ballot.

Section 6. The ballots cast for and against this Constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

Section 7. Within fifteen days after such election, returns thereof shall be made by the several county clerks to the Secretary of State and shall show the aggregate number of votes cast in each county (a) for the adoption of this Constitution, and (b) against the adoption of this Constitution. Such returns shall within ten days thereafter be examined and canvassed by the Attorney General, the Secretary of State, the Auditor of Public Accounts, and the State Treasurer, or any three of them, in the presence of the Governor, and proclamation shall be made by the Governor forthwith of the result of the canvass. If it shall appear that a majority of the votes cast are for the new Constitution, the same shall be the Supreme law of the State of Illinois on and after.....the fifteenth day of January, A. D. 1923, and the existing Constitution shall thereupon cease in all its provisions.

Section 1 was taken up for consideration and, on motion, was adopted.

Section 2 was taken up for consideration.

Whereupon Mr. Dunlap offered the following amendment and moved its adoption:

Amend section 2 by striking out the figure "7" in the last line thereof and inserting in lieu thereof the figure "6".

The question being on the adoption of the amendment, a division of the Committee was had, resulting as follows: Yeas, 11; nays, 31.

And the amendment was lost.

The question then being on the adoption of section 2, it was decided in the affirmative.

Section 3 was taken up for consideration, and, on motion, adopted.

Section 4 was taken up for consideration, and, on motion, adopted.

Section 5 was taken up for consideration, and, on motion, adopted.

Section 6 was taken up for consideration, and, on motion, adopted.

Section 7 was taken up for consideration.

Whereupon Mr. Taff offered the following amendment and moved its adoption:

Amend section 7 by striking out the rest of the sentence after the word "show" in line 3, and inserting in lieu thereof the following:

"(a) the aggregate number of electors voting in each county, (b) the aggregate number of votes cast for the adoption of this Constitution, and (c) the aggregate number of votes cast against the adoption of this Constitution."

And the amendment was adopted.

Mr. Trautmann offered the following amendment and moved its adoption:

Amend section 7 by inserting after the word "after" in the third to the last line, the following: "12 o'clock noon of".

And the amendment was adopted.

Mr. Trautmann moved to reconsider the vote by which section 5 was heretofore adopted.

And the motion prevailed.

Mr. Trautmann thereupon offered the following amendment and moved its adoption:

Amend section 5 by striking out all of the section after the word "ballot" in the 3rd line.

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, it was decided in the affirmative.

At the hour of 6:35 o'clock p. m., Mr. Barr moved that the Committee do now rise and report.

And the motion prevailed.

WEDNESDAY, JUNE 28, 1922.

At the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole, for the consideration of Report No. 24, of the Committee on Phraseology and Style, on the Constitution as a unit or whole.

Mr. Rinaker, member of the Committee on Phraseology and Style, presiding.

The report being taken up and read and considered article by article, the following changes and amendments as to form were adopted by the Committee of the Whole, to-wit:

PREAMBLE.

No change.

ARTICLE I.

BILL OF RIGHTS.

Section 8. Made a solid paragraph to read as follows:

Section 8. No person shall be held to answer for a capital offense unless on indictment of a grand jury. Offenses which may be punished by imprisonment in the penitentiary may be prosecuted by indictment or on information filed by the attorney general or by a state's attorney. No such information shall be filed by a state's attorney except by leave granted, either in term time or in vacation, by a judge of a court of record having jurisdiction of the offense, after a showing of probable cause. All other offenses may be prosecuted as provided by law. This section shall not apply to cases of impeachment, cases arising in the army and navy and in the militia when in actual service in time of war or public danger.

No other change in the Bill of Rights.

ARTICLE II.

POWERS AND FORM OF GOVERNMENT.

No change.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

Section 37. Made a single paragraph to read as follows:

Section 37. Appropriation bills to pay members, officers and employees of the general assembly shall contain no provision on any other subject. Appropriations for the offices of governor, lieutenant governor, secretary of state, attorney general, treasurer, auditor of public accounts and superintendent of public instruction shall be made by separate bills for each office.

Section 39. Made a single paragraph to read as follows:

Section 39. No subject matter shall be included in any conference committee report on an appropriation bill unless such subject matter direct-

ly relates to matters of difference between the houses and has been specifically referred to the conference committee. No report of any conference committee on an appropriation bill shall be considered and no appropriation bill shall be voted on unless the report and the bill in its final form have respectively been printed and placed on the desks of the members at least three legislative days before the report is considered or the bill is passed.

Section 44. The various clauses of the section were thrown into a solid paragraph. The following words from section 48 "grant or change any corporate powers except those of educational, charitable, reformatory or penal corporations, under the patronage and control of the state" were made the last clause of section 44 and section 44 was made to read as follows:

Section 44. No local or special law shall grant divorces; change the names of persons or places; provide for opening, altering or working public highways; vacate highways, public grounds or town plats; regulate county or town affairs; create municipal corporations or amend their charters; provide for summoning or impaneling juries; provide for the management of common schools; regulate interest rates; regulate elections or designate places of voting; regulate the sale or mortgage of real estate of persons under disability; protect game or fish unless by reasonable classification of waters; authorize ferries or toll bridges; remit fines, penalties or forfeitures; change the law of descent; grant the right to construct railroad tracks; grant any special or exclusive privilege, immunity or franchise; or grant or change any corporate powers except those of educational, charitable, reformatory or penal corporations, under the patronage and control of the state.

Section 45. The last sentence of section 44 was made section 45 to read as follows:

Section 45. No special law shall be enacted if a general law can be made applicable.

Section 46. Section 45 was made section 46 to read as follows:

Section 46. Lotteries and gifts enterprises are forbidden.

Section 47. Section 46 was made section 47 to read as follows:

Section 47. No liability due the state or any subdivision thereof or any municipal corporation shall ever be released or extinguished by law.

Section 48. Section 47 was made section 48 to read as follows:

Section 48. No officer shall be elected or appointed by the general assembly or by either house except their respective officers.

Part of section 48 was transferred to section 44 as above stated. The rest of section 48, being the first four words—"no special law may"—were stricken out.

Section 50. The words "person, corporation or association" are transposed, so that the section shall read as follows:

Section 50. No law shall be passed authorizing the labor of any convict confined within any penitentiary or other reformatory institution to be let to any corporation, association, or person.

Section 59. Was made a solid paragraph. The words "and the three preceding sections" were inserted after the word "section" in the last line. The section as revised reads as follows:

Section 59. The general assembly may provide (a) for opening private roads to communicate with public roads, (b) for permitting owners and lessees of lands and minerals to construct drains, ditches and levees on, across or under the lands of others for agricultural, sanitary or mining purposes, (c) for organizing drainage districts for flood control or for sanitary or agricultural purposes with powers of eminent domain and special assessment and (d) for making surveys and straightening and improving water courses at the expense in part of drainage districts and in part of the state or any subdivision thereof. This section and the three preceding sections shall not be construed as limitations of the powers of the general assembly.

Section 60. Insert the words "in fee simple" after the word "take" in the second line.

ARTICLE IV.

EXECUTIVE DEPARTMENT.

Section 68. Was made a solid paragraph to read as follows:

Section 68. The officers specifically named in section sixty-five of this constitution except the superintendent of public instruction shall be elected in nineteen hundred twenty-four and every four years thereafter. The superintendent of public instruction shall be elected in nineteen hundred twenty-six and every four years thereafter. The term of office of every such officer shall be four years from the second Monday of January next after his election.

Section 75. Was made a solid paragraph to read as follows:

Section 75. The governor shall nominate and with the consent by yeas and nays vote of a majority of those elected to the senate shall appoint all officers whose appointment or election is not otherwise prescribed by law. If a vacancy exists during the recess of the senate in any office where the appointing power is vested in the governor subject to the consent of the senate, the governor shall make a temporary appointment until the next meeting of the senate when he shall nominate some person for the office. No person rejected by the senate shall be nominated again for the office at the same session save on request of the senate or be appointed to the office during the recess of the senate.

Section 79. Was made a solid paragraph to read as follows:

Section 79. If the office of governor becomes vacant the lieutenant governor shall become governor for the residue of the term. If the governor fails to qualify, is absent from the state or is under disability, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor for the residue of the term or until the cause which renders the governor incapable of performing his duties is removed. If there is no lieutenant governor or if for any of the above causes he is incapable of performing the duties of the office, its powers, duties and emoluments shall devolve, first upon the president of the senate and after him, for like causes, upon the speaker of the house of representatives; but each of them shall act only until the cause which renders the officer having the prior right incapable of performing the duties of the office is removed or until the vacancy is filled by election.

ARTICLE V.

JUDICIAL DEPARTMENT.

Section 89. The dates in section 89 were revised as follows: The words "nineteen hundred twenty-four" in the second line were made "nineteen hundred thirty-five"; the "words nineteen hundred thirty-one" in the fourth line were made "nineteen hundred thirty-nine"; the words "nineteen hundred twenty-seven" in the fifth line were made "nineteen hundred thirty-seven"; the words "nineteen hundred twenty-four" in the sixth line were made "nineteen hundred thirty-three"; the words "nineteen hundred twenty-four" in the seventh line were made "nineteen hundred thirty-five"; the words "nineteen hundred twenty-four" in the eighth line were made "nineteen hundred thirty-three". The following words from the last sentence of section 8 in the Schedule were inserted as a sentence immediately before the last sentence of section 89: "The justices from the first district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the years in which their terms expire." The section as revised reads as follows:

Section 89. One justice of the supreme court shall be elected in the first district in nineteen hundred thirty-five; one justice in the first district in nineteen hundred thirty-three; one justice in the second district in

nineteen hundred thirty-nine; one justice in the third district in nineteen hundred thirty-seven; one justice in the fourth district in nineteen hundred thirty-three; one justice in the fifth district in nineteen hundred thirty-five; one justice in the sixth district in nineteen hundred thirty-three; and every ten years thereafter respectively, The justices from the first district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the years in which their terms expire. The term of office of each justice shall be ten years from the date of his election.

Section 93. In the fourth line the word "court" was stricken out and the words "pleading" practice or procedure" were substituted. The section as amended reads as follows:

Section 93. The supreme court shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts; but rules not inconsistent therewith may be prescribed respectively by other courts of record. Any rule of pleading, practice or procedure may be set aside by the general assembly by a special law limited to that purpose.

Section 100. The section was made a solid paragraph to read as follows:

Section 100 Appeals from and writs of error to circuit and county courts may be prosecuted in all cases as follows: (a) to or from the supreme court in all criminal cases where the punishment allowed by law may be death or imprisonment in the penitentiary and in cases where a franchise or a freehold or the validity of a statute is involved (b) to or from the appellate courts in such other cases as may be prescribed by general rule of the supreme court and (c) to or from the supreme court in all other cases. Except as above limited the supreme court by general rule may prescribe the final jurisdiction of appellate courts unless otherwise provided by law.

Section 104 The section appearing as section 103 of the second revised draft of June 22, 1922 was a substitute for section 104. The words "for any county or counties" were inserted after the word "court" in the first line of section 103 as there found. The words "and criminal" immediately before the word "cases" at the end of the second sentence of section 103 were stricken out. The section as revised reads as follows:

Section 104. The circuit courts shall always be open for the transaction of business but terms of court for any county or counties not less than four annually may be prescribed by law for common law and criminal cases. The first Monday of each month shall be return day for process in chancery cases and, unless otherwise prescribed by law for any county or counties, in common law cases. The circuit court shall sit at the county seat of each county. If a city of more than fifty thousand population in any county provides and maintains suitable facilities for holding court, the circuit court shall also sit in such city. In any city wholly or partly in the county, whenever such city or part thereof has not less than five thousand population, a majority of the judges of the circuit may provide for holding sessions of court therein, if such city provides and maintains suitable facilities for holding court.

Section 107. The word "such" before the word "judges" in the second sentence was stricken out. The section as revised reads as follows:

Section 107. Judges of the circuit court of Cook county shall be elected for terms of six years from the date of their election. At all elections for judges the ballots therefor shall be separate and distinct from the ballots for non-judicial officers.

Section 111. The third sentence of this section was revised to read:

"If the proposition is approved by a majority of those voting thereon such chief justice shall declare it adopted." The fourth sentence was changed to read:

"If it is disapproved it shall not again be submitted for six years."

The word "hereinafter" in the succeeding sentence was changed to the word "herein." The section as revised reads as follows:

Section 111. Electors of the county of Cook equal in number to one-tenth of the total vote cast for president of the county board at the last

preceding election may file in the circuit court a petition to submit to a vote the proposition whether the county shall adopt the system hereinafter provided for the appointment of the judges of the circuit court. Thereupon the chief justice of the civil division of that court by an order entered of record shall call a special election for submitting such proposition within three months after such order is entered. If the proposition is approved by a majority of those voting thereon such chief justice shall declare it adopted. If it is disapproved it shall not again be submitted for six years. Upon the adoption of the proposition the judges in office shall continue in office until removed as herein provided. After the adoption of the proposition the manner of choosing judges of that court shall be as follows: The governor shall fill any vacancy in that court by appointment from a list containing the names of not less than four eligible persons for each vacancy, nominated by a majority of the supreme court, not more than one-half of such persons to be affiliated with the same political party. Thereafter each judge shall hold his office during good behavior subject to removal as herein provided. On the first Monday of June in the sixth year after the election or appointment of every judge, or in the seventh year if the sixth is an even numbered year, and on the same date in every sixth year thereafter the electors of the county shall be given an opportunity at an election to express their disapproval of such judge. If a majority of those voting at any such election disapproves of any judge his office shall become vacant at the end of three months after the election and for a period of six years thereafter he shall be ineligible to appointment as a judge of such court; if such judge is not disapproved, he shall continue in office and begin a new term on the day of such election. All elections under this section shall be conducted in the manner prescribed by law.

Section 114. This section was made a solid paragraph to read as follows:

Section 114. In every such county there shall be a county court which shall have (a) original jurisdiction of all matters of probate, guardianship, conservatorship and apprenticeship, the administration and settlement of estates of deceased persons and proceedings for the sale of real estate where required for the administration and settlement of such matters or estates, proceedings relating to taxes and assessments and their collection, and criminal cases below the grade of felony, (b) concurrent jurisdiction with the circuit courts in testamentary trusts, construction of wills and partition of real estate where any such proceedings is incidental to its original jurisdiction, (c) exclusive jurisdiction of appeals from justices of the peace and (d) such other jurisdiction as provided by law.

Section 121. The words "elected members" were transposed to read "members elected." The section as revised reads as follows:

Section 121. The general assembly, upon due notice, and opportunity for defense and for cause entered upon the journal of each house, may remove any justice or judge upon concurrence in each house of three-fourths of its members elected. All other officers mentioned in this article shall be removed from office on conviction for misdemeanor in office.

ARTICLE VI.

SUFFRAGE AND ELECTION.

No change.

ARTICLE VII.

REVENUE AND FINANCE.

Section 149. In the second line from the end of the section the word "tax" was stricken out and the words "for the tax or assessment" were inserted immediately after the word "lien". The section as revised reads as follows:

Section 149. No owner of real estate shall be divested of title for default in payment of general or special taxes or assessments except upon

sale by the county treasurer or by forfeiture to the State and in either case only after judgment of a court of record entered after notice as provided by law. Not less than two years shall be allowed to redeem from such sale or forfeiture. The general assembly may provide that the holder of a tax title based on any tax sale hereafter made may waive claim of title to the land sold and be subrogated to the lien for the tax or assessment for which the sale was made and proceed in equity to foreclose such lien with additional penalties as provided by law.

Section 153. This section was made a solid paragraph to read as follows:

Section 153. Each general assembly shall make appropriations for the expenses of the government for a period of two years from the first day of July of the year in which it convenes. After such appropriations have been made the aggregate amount thereof shall not be increased except by a vote of two-thirds of the members elected to each house. All appropriations for any such two year period shall end with the period except that obligations incurred during the period may be paid within three months thereafter.

Section 155. This section was made a solid paragraph. The words "members of the house of" were inserted before the word "representative in the eighth line of the section. This section as revised reads as follows:

Section 155. The state may contract debts (a) for meeting casual deficits in revenue up to one million dollars, (b) for defense in war, suppressing insurrection or repelling invasion and (c) for the deep waterway as provided in this constitution. Money so borrowed shall be applied only to the purpose for which it is obtained or for the payment of the debts thus created. No other debt shall be contracted by the state unless the law authorizing it is approved by a majority of those voting for members of the house of representatives at a general election. The general assembly shall provide for the publication of any such law for at least three months before the election. Provision shall be made when the debt is contracted for the annual payment of interest either by a tax to be levied for the purpose or by setting aside other revenues. Any law providing for such tax shall be submitted in like manner with the law authorizing the debt and if approved shall be irrevocable.

ARTICLE VIII.

LOCAL GOVERNMENT.

Section 178. The word "law" at the end of the first paragraph was stricken out and the words "the general assembly or by this article" inserted in lieu thereof. The section was made a solid paragraph and as revised reads as follows:

Section 178. Except as expressly prohibited by law the city of Chicago is hereby declared to possess for all municipal purposes full and complete power of local self-government and corporate action. This grant of power shall be liberally construed and no power of local self-government or corporate action shall be denied the city by reason of not being specified herein. The city however may impose taxes and borrow money only as authorized by the general assembly or by this article. Until otherwise provided by the city charter the powers heretofore granted the city shall be preserved and exercised in accordance with law and the additional powers granted by this section shall be exercised by or in accordance with city ordinances.

Section 179. The section was made a solid paragraph to read as follows:

Section 179. The legislative authority of the city of Chicago from time to time and after approval of the proposition at an election in such manner as it may provide, may call an elective convention to frame a new city charter or to revise or amend any existing charter. The proposals of any such convention shall be submitted to the voters for adoption in the manner provided by it. Subsequent amendments may also be proposed and submitted to the voters in such manner as the charter may provide. State election

laws and the powers and duties existing thereunder shall be available for the purposes of this section. The charter so framed, revised or amended and ordinances passed thereunder shall prevail over state laws so far as the organization of the city government, the distribution of powers among its official agencies and the tenure and compensation of its officers and employees are concerned. Rates of compensation as well as conditions of appointment and promotion in the classified civil service of the city shall be determined according to a general plan which shall recognize merit and fitness as controlling principles. A certified copy of such charter or any amendment thereto shall be filed with the secretary of state within thirty days after its adoption.

Section 180. The words "in fee simple or otherwise" were inserted after the words "to take". The section as revised reads as follows:

Section 180. The city of Chicago shall have power to take in fee simple or otherwise or damage private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law.

ARTICLE IX.

PUBLIC SERVANTS.

No change.

ARTICLE X.

EDUCATION.

No change.

ARTICLE XI.

MILITIA.

No change.

ARTICLE XII.

WAREHOUSE AND COMMON CARRIERS.

No change.

ARTICLE XIII.

CANALS AND WATERWAYS.

Section 228. The word "expended" was stricken out and the word "appropriated" substituted. The section as revised reads as follows:

Section 228. In addition to the proceeds of the twenty million dollars of bonds heretofore authorized for the deep waterway, ten million dollars may be appropriated therefor and all or part thereof secured by issuing bonds. The State shall make no other expenditure for any canal or waterway or appurtenance thereto except from the income thereof unless the expenditure is approved by a majority of all those voting at a general election.

ARTICLE XIV.

AMENDMENTS TO THE CONSTITUTION.

No change.

SCHEDULE.

In section 8 in the second paragraph the word "his" in the last line but one of the second paragraph was changed to the word "that". The last two sentences of the third paragraph of the section were stricken out. The section as revised reads as follows:

Section 8. On the day this constitution is submitted to the people for ratification an election shall be held for a justice of the supreme court in

the first judicial district designated by this constitution. Every person in that judicial district who is entitled to vote for this constitution shall be entitled to vote for such justice. The election shall otherwise be conducted, returns made and certificate of election issued in accordance with existing laws. If it appears upon the canvassing of the votes for and against this constitution that this constitution is not adopted, then no certificate of election shall be issued for such justice. If he is elected and commissioned, such justice shall hold office until the first Monday of June, nineteen hundred thirty-three. He shall not enter upon the discharge of his duties until the first Monday of June, nineteen hundred twenty-four, unless prior to that time there is a vacancy in the supreme court from any district, in which case he shall fill such vacancy until the first Monday of June, nineteen hundred twenty-four.

When the term of office of the justice residing in the second district under this constitution (elected from the sixth district under the constitution of eighteen hundred seventy) expires on the first Monday of June, nineteen hundred twenty-four, that office shall cease to exist.

Successors to the justices now in office shall be elected on the first Monday of June in the years in which their respective terms expire. One justice for the first district shall be elected for a term to expire on the first Monday in June, nineteen hundred thirty-five a justice for the fifth district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-five; justices for the fourth and sixth districts shall be elected for terms to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-three; a justice for the third district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-seven; and a justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine.

Section 13. The words "on the seventh day of May" were changed to read "May seventh." In the fourth paragraph of the section the word "and" was inserted in lieu of the comma after the words "nineteen hundred twenty-six". The section as revised reads as follows:

Section 13. The judges of the circuit, superior, county and probate courts of Cook county and the chief justice of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three (except the judges of the circuit and superior courts of Cook county made judges of the appellate court of the first district by the adoption of this constitution whose offices as judges of the circuit and superior courts of Cook county thereby cease to exist) shall be judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until their successors are elected and qualified. The associate judges of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three, shall be associate judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until the first Monday of June next following, respectively, when their respective offices as associate judges of that court shall be abolished. There shall be elected to the office of judge of the circuit court of Cook county for terms of six years, except as hereinafter otherwise specifically provided, on the first Monday of June of the years following: In nineteen hundred twenty-three, nine judges as successors to the judges whose terms expire in that year; in nineteen hundred twenty-five, one judge as successor to the judge whose terms expires in nineteen hundred twenty-four and one judge as successor to the judge whose term expires in nineteen hundred twenty-five, together with eight additional judges; in nineteen hundred twenty-seven, two judges as successors to the judges whose terms expire in the year nineteen hundred twenty-six, and seventeen judges as successors to the judges whose terms expire in the year nineteen hundred twenty-seven; in nineteen hundred twenty-seven, eight additional judges for terms of four years; and in nineteen hundred

twenty-nine, four judges as successors to the judges whose terms expire in the year nineteen hundred twenty-eight, nine judges as successors to the judges whose terms expire in the year nineteen hundred twenty-nine, together with eight additional judges, one of whom shall hold office for the term of two years.

Section 27. The words "first day of May" were changed to read "May seventh". The section as revised reads as follows:

Section 27. From and after May seventh, nineteen hundred twenty-three, and until otherwise provided by law, all matters of fees and costs connected with proceedings in the circuit court of Cook County shall be regulated by rules to be adopted by the supreme court.

Section 34. The words "the adoption of" were inserted after the word "against". The section as revised reads as follows:

Section 34. The ballots cast for and against the adoption of this constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

Section 132. Remove the comma in the fifth line after the word "years."

Section 156. Insert a comma after the word "cent" in the third line.

In section 175 change the word "clerk" the last word in the section to "court."

Section 178. Remove the period after the word "section".

Section 179. Insert a comma after the word "Chicago" in the first line.

Section 187. Insert a comma after the word "fifteenth" in the third line.

Section 192. In the second line of the second paragraph take out the comma after the word "thereafter".

Section 204. Made a solid paragraph to read as follows:

Section 204. No officer of this state shall be beneficially interested directly or indirectly in any contract with the state. No officer of any subdivision of the state or of any municipal corporation or of any board or commission shall be beneficially interested directly or indirectly in any contract with the particular body of which he is an officer.

Section 13 of the Schedule. Made a solid paragraph to read as follows:

Section 13. The judges of the county and probate courts (in counties other than the county of Cook) in office on December third, nineteen hundred twenty-three, shall be judges of the county court as thus consolidated, at which time the office of judge of the probate court or probate judge shall be abolished. They shall hold office during the terms for which they were elected and until their successors are elected and qualified. Counties having a population of less than seventy-five thousand, which have a county judge and a probate judge at the time of the adoption of this constitution shall elect in nineteen hundred twenty-seven two county judges.

At the hour of 4:38 o'clock p. m., Mr. Clarke moved that the Committee do now rise and report.

And the motion prevailed.

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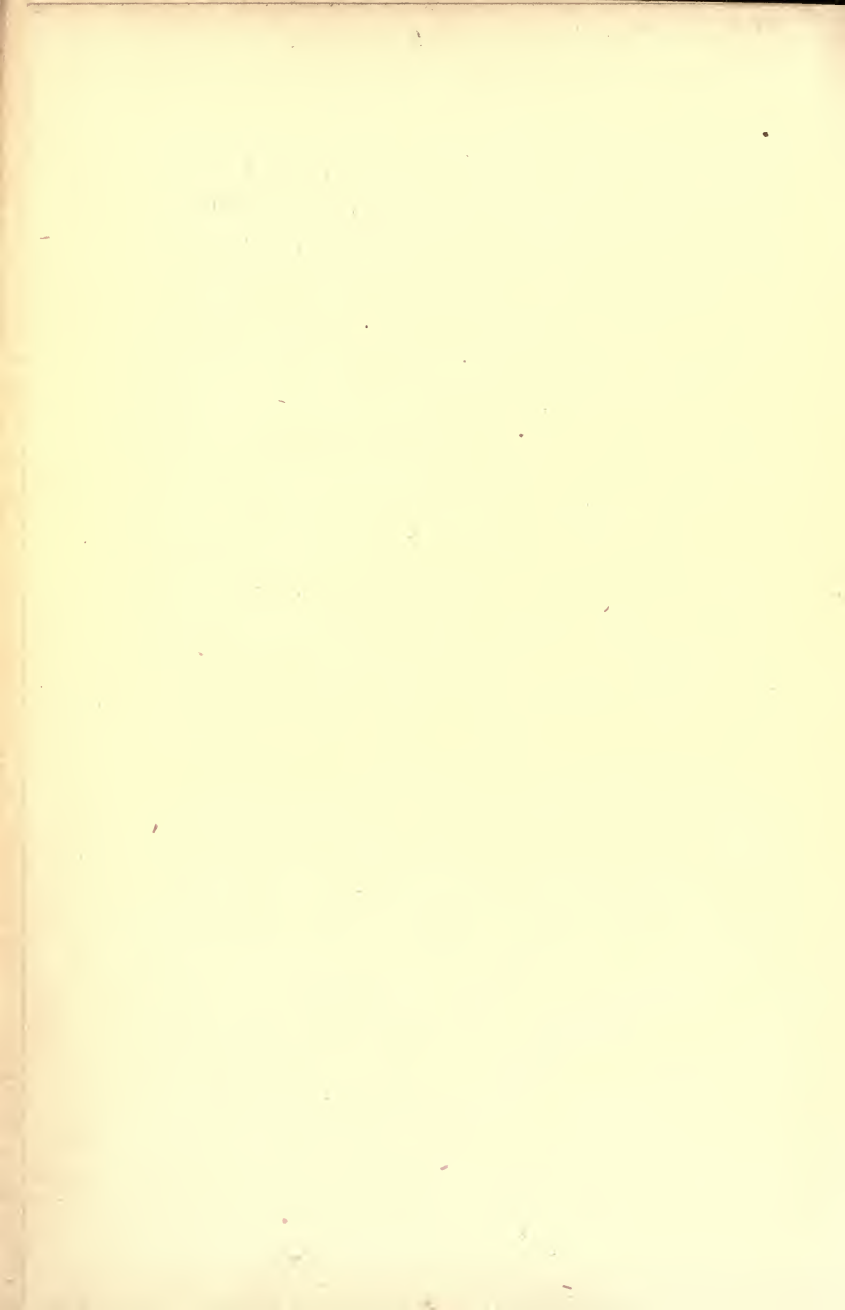
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