THE VIRGINIA CONSTITUTIONAL CONVENTION

YESTERDAY'S PROCEEDINGS.

The convention seemed to be in thorough working humor yesterday. The day was an ideal one, with its bright sun and suggestion of frost in the air, a most delightful change from the damp uncomfortability of the preceding few days.

As soon as the routine of the morning hour was disposed of the convention went into Committee of the Whole. It was thought there would be several more speeches on the feature of the report of the Legislative Committee, providing for quadrennial sessions of the General Assembly. There appeared to be no disposition on the part of anybody to speak, and Mr. Walton Moore, chairman of the Legislative Committee, called for a vote on the Harrison amendment to the report to continue the biennial sessions. Mr. Flood, and several other members opposed a vote's being taken at once, and advocated a motion to pass by the amendment and take up other sections of the report. The question was debated for some time, and the committee refused to postpone consideration of the amendment. A vote would have been taken on the main question, but Mr. Kendall desired to address the convention on the subject. He spoke in strong opposition to quadrennial sessions. Mr. Kendall had not made a speech in the convention before. He is a forcible speaker. He spoke entirely without notes, evidencing the trained public speaker; his arguments showed him to be a strong debater.

Mr. Richmond, of Scott, a member of the Legislative Committee, advocated the quadrennial sessions proposition with much ability. In the course of his speech Mr. Richmond spoke with utmost earnestness for the election of more officers by the people. He declared he wanted every official chosen by popular vote, save the judges of the Supreme Court of Appeals and the State Superintendent of Public Instruction. It also came out in the course of Mr. Richmond's speech that he is an advocate of the proposition to incorporate into the Constitution a clause changing the doctrine of fellow-servants as laid down by the Supreme Court of Appeals.

Mr. Ayers spoke for biennial sessions. He presented with his usual force the arguments for sessions every two years.

Mr. Pollard, member of the Committee on Privileges and Elections, submitted his report on the Gregory-Treat contest from the district composed of the counties of King William and Hanover. The report declares the result of the election a tie, and makes the total received by each 1,679 votes.

At the conclusion of Mr. Ayers's speech Mr. Withers moved to amend the report by providing that a majority of the members of the General Assembly by application to the Governor could secure an extra session. Mr. Moore, chairman of the committee, said he had anticipated some such amendment, and was able to say that nine of the eleven members of the committee were perfectly willing to accept the amendment.

Then Mr. Withers went on to make a short speech in advocacy of quadrennial sessions. He spoke very briefly, but he was the first speaker of the day who received applause.

Mr. Daniel spoke in opposition to sessions every four years. Only Mississippi, he said, had the quadrennial sessions. Alabama had taken tentative steps towards sessions every four years. He devoted much time to discussing the economical features of the question. He declared that there would be little or nothing saved by the change. Referring to the remark of Mr. Withers's concerning "the dear people of whom we hear so much and see no little," Mr. Daniel said he knew he was not a demagogue, he had probably voted with the minority more frequently than any member of the convention, but he declared there was no man who more sincerely believed in the people than himself. Mr. Daniel made a powerful argument. Several times he was applauded, and there was a hearty outburst when he sat down.

Mr. Robertson followed. He advocated quadrennial sessions. He devoted himself chiefly to replying to Mr. Daniel. He adressed himself very briefly to the economical side of the question; then he advocated the change, because it would have a tendency to cause more stability in the laws. He declared it much more important that the people know what the law is than to have so much legislation. If the men who sit up in the attics and write editorials advocating biennial sessions would get out into the country more, breathe the fresh air, and mingle with the people they would see the matter differently. He declared there was not a business-man who wanted such frequent sessions of the General Assembly. The strictures upon the Legislature were sharp and amusing, in that they were good-natured.

Mr. Robertson was warmly applauded when he concluded a superb speech. The committee immediately rose, and the convention adjourned at 3:06 o'clock. Just prior to adjournment, on motion of Mr. Harrison, the Gregory-Treat contested election case will be considered at 12:30 o'clock Friday.

THE OFFICIAL REPORT.

Saturday, September 21, 1901.

The Convention met at 12 o'clock M.

Prayer by Rev. T. S. Dunaway, D. D., of Fredericksburg.

The PRESIDENT: The Secretary will call the roll of members.

The Secretary called the roll, and the following delegates answered to their names:

Present: Messrs. W. A. Anderson, Ayers, Barbour, Barham, M. H. Barnes, Blair, Boaz, Bouldin, Braxton, Bristow, Brooke, Cameron, P. W. Campbell, Carter, Cobb, Daniel, Dunaway, Earman, Flood, Garnett, Gilmore, Gillespie, B. T. Gordon, James W. Gordon, R. L. Gordon, Green, Gregory, Gwyn, Hamilton, Hardy, Harrison, Hatton, Hooker, Ingram, Kendall, Lawson, Lindsay, Lovell, Marshall, Meredith, Miller, Moncure, R. Walton Moore, Thomas L. Moore, Newton, O'Flaherty, Orr, Pedigo, Poliard, Richmond, Rives, Robertson, Stebbins, Summers, Tarry, Thom, Turnbull, Waddill, Walker, Walter, Watson, Wescott, Willis, Wise, Withers, Wysor, Yancey, the President—68.

The PRESIDENT: Sixty-eight members have answered to their names, more than sufficient to constitute a quorum. The Secretary will read the Journal of yesterday's proceedings.

The Journal of yesterday's proceedings was read and approved.

THE LIQUOR TRAFFIC.

Petitions praying for the adoption in the Constitution of a provision that no license to manufacture or sell intoxicating liquors shall be granted to any person except upon the written request of a majority of the registered voters in the precinct of the city, town or county in which such manufacture or sale is proposed to be conducted were presented and referred to the Committee on Preamble and Bill of Rights, as follows:

By Mr. ROBERTSON, from 20 citizens of Roanoke.

By Mr. MARSHALL, from 33 citizens of Roanoke.

By Mr. GREEN, from 40 citizens of Danville.

By Mr. GILLESPIE, from 56 citizens of Tazewell.

By Mr. BARBOUR, from 27 citizens of Culpeper County.

By Mr. COBB, from 60 citizens of Caroline County.

By Mr. THOMAS L. MOORE, from 7 citizens of Montgomery County.

By Mr. HATTON, by request, from 41 citizens of Portsmouth.

By Mr. YANCEY, from 44 ladies of Rappahannock County, and from 13 citizens of Washington, Rappahannock County.

AID TO MANUFACTURING ENTERPRISES.

Mr. WILLIS introduced the following ordinance, which was read and referred to the Committee on Taxation and Finance:

An ordinance, authoring the exemption by the Board of Supervisors of any county and the Council of any city or town in this Commonwealth from any county or municipal levies manufacturing enterprises.

That the Council of any city or town and the Board of Supervisors of any county may exempt from local taxation any person or corporation hereafter engaged in a manufacturing enterprise for a period not exceeding ten years after the beginning of the operation of such manufacturing enterprise; such exemption to be made annually when levies are made by law, and to be continued during the continuation of the operation of such manufacturing enterprise. The amount of such exemption from levies shall in no case exceed four times the amount of wages actualy paid to employes during the preceding year by such enterprises; provided, that no person or corporation will be entitled to the exemption hereby allowed who shall lease, purchase or occupy the premises or machinery of any manufacturing enterprise heretofore operated; nor shall this exemption be extended to any person or corporation who shall merge, consolidate with or purchase any enterprise existing at the time of the adopting of this Constitution. Each person or corporation, before being entitled to this exemption, shall submit a sworn statement of the amount of wages actually paid out during the preceding year, in such enterprise, to the Board of Supervisors or Council of the county, city or town, in which such enterprise is located.

BILL OF RIGHTS.

Mr. DUNAWAY: Mr. President, I offer a substitute for article 8 of the Bill of Rights. I wish to say that it has reference more to the form of that article than to its substance. I desire that it shall lie on the table and be printed, to be called up whenever the Bill of Rights is called up and to be considered in connection with it.

The PRESIDENT: That order will be made unless there is objection.

Mr. Dunaway's substitute for article 8 of the Bill of Rights is as follows:

8. That in all capital or criminal prosecutions, a man hath a right to demand the cause and nature of his acusation, to be confronted with the accusers and witnesse, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land, or the judgment of his peers; nor shall any person be twice put in jeopardy for the same offence, except that an appeal may be allowed to the Commonwealth in all cases for the violation of a law relating to the State revenue.

In any criminal case, upon a plea of guilty, tendered in person by the accused, and with the consent of the attorney for the Comonwealth entered of record, the court shall, and in a prosecution for a misdemeanor, upon a plea of not guilty, with the consent of the accused and the attorney for the Commonwealth entered of record, the court, in its discretion may hear and determine the case without the intervention of a jury.

The General Assembly may by law provide for the trial of misdemeanors, by a justice of the peace, without a jury; but in all such cases the right of the accused to an appeal and trial by jury in the appellate court shall be preserved. And the General Asembly may also provide by law for juries consisting of less than twelve, but not less than five men, for the trial of misdemeanors, and may classify such cases and prescribe the number of jurors for each class of cases.

LEAVES OF ABSENCE.

Mr. GARNETT asked and obtained leave of absence for one day for Mr. George K. Anderson.

Mr. B. T. GORDON asked and obtained leave of absence for six days beginning Monday next, for Mr. Barham.

Mr. BLAIR asked and obtained leave of absence for two days for Mr. Thomas L. Moore.

Mr. BROOKE asked and obtained leave of absence for five days, beginning Monday, for Mr. Thom.

CALL OF COMMITTEES.

The PRESIDENT: The Secretary will call the list of standing committees for reports.

The Secretary proceeded to call the list.

TREAT vs. GREGORY.

Mr. POLLARD (when the Committee on Privileges and Elections was called): As a member of the Committee on Privileges and Elections, I desire to submit a report in the contested election case of Morgan Treat vs. Roger Gregory.

The PRESIDENT: The report will lie on the table and be printed.

The Secretary concluded the call of committees.

STATE FARM.

The President laid before the Convention the following communication, which was read:

"Commonwealth of Virginia,
"Office of Superintendent of Penitentiary.
"Richmond, September 20, 1901.

"Hon. John Goode, President Constitutional Convention, City:

"Dear Sir,—I shall be pleased to have you, and as many other members of the Convention as care to do so, visit the State Farm at an early day. The train leaves the Eight-Street, Chesapeake and Ohio, depot, at 10:30 A. M., and returns at 6:20 P. M. Transportation and lunch will be provided.

"Please have this invitation laid before your honorable body, and advise me what day will suit best, and the number that will probably go.

"Yours very truly,
"G. M. HELMS,
"Superintendent."

The PRESIDENT: The Secretary will make suitable acknowledgment of the invitation.

THE LEGISLATIVE DEPARTMENT.

Mr. R. WALTON MOORE: I move that the Convention resolve itself into Committee of the Whole for the purpose of further considering the report of the Committee on the Legislative Department.

The motion was agreed to, and the Convention resolved itself into Committee of the Whole on the report of the Committee on the Legislative Department, Mr. Walker in the chair.

The CHAIRMAN: The question before the committee is on agreeing to the amendment proposed by the gentleman from Frederick (Mr. Harrison) to section 2 of the report of the Committee on the Legislative Department. (A pause.)

Mr. R. WALTON MOORE: I suppose we should proceed to a vote.

The CHAIRMAN: Is the committee ready for the question, which is on the adoption of the amendment proposed by the gentleman from Frederick to section 2 of the committee's report.

Mr. NEWTON: Mr. Chairman, I should like to have the amendment stated.

The CHAIRMAN: The Secretary will state the amendment.

The SECRETARY: It is proposed by the gentleman from Frederick (Mr. Harrison) to amend the committee's report by striking out in line one of section 2 the word "quadrennially" and inserting in lieu thereof "biennially"; so as to read:

"The House of Delegates shall be elected biennially by the voters of the several cities and counties on the Tuesday succeeding the first Monday in November, and shall consist of not more than one hundred and not less than ninety members."

Mr. FLOOD: Mr. Chairman, I do not think we ought to take a vote on this question with the slim attendance we have to-day. I move to pass by the consideration of that part of the report for the present.

The CHAIRMAN: The gentleman from Appomattox moves to pass by the consideration of clause 2 of the Committee's report, with the pending amendment thereto, until the further pleasure of the Committee.

Mr. R. WALTON MOORE: I make the point of order that the motion is not in order in Committee of the Whole.

The CHAIRMAN: The Chair thinks the motion is in order.

Mr. R. WALTON MOORE: Can there be any debate upon it?

The CHAIRMAN: Certainly.

Mr. R. WALTON MOORE: Mr. Chairman, this report has been before the Convention for I believe at least a month. I came here after very full consideration by the committee, and members of the Committee have undertaken to explain its recommendations as far as they were able to do so. It strikes me that the supporters of the amendment have already pretty fully explained the position they occupy and that if they desire to make further explanation they ought to go on this morning. We have here not only a quorum, but very considerably more than a majority of the members of the Convention. I ask the Secretary to inform me how many answered on the roll call.

The SECRETARY: Sixty-eight.

Mr. R. WALTON MOORE: There were sixty-eight responses, and there are a number of members of the Suffrage Committee who are not here, but whom we can——

The SECRETARY: They are included in the sixty-eight.

Mr. R. WALTON MOORE: I certainly see that there are gentlemen who belong to the Suffrage Committee who are not in the Hall at this moment. The gentleman from Winchester (Mr. Harrison) is not in the Hall, so far as I can observe. The chairman of the Suffrage Committee is not in the Chamber. I have a right to assume that all the members of the Suffrage Committee are within reach, because there has been a meeting of that Committee this morning.

Mr. WISE: The Suffrage Committee is not in session. It adjourned to enable its members to come to the Convention.

Mr. FLOOD: They are all recorded as present.

Mr. R. WALTON MOORE: I thank the gentleman from Richmond. It strikes me that there is no earthly reason why we should not proceed with this matter. I am very far from desiring to hasten action; I do not wish to press any gentleman to a vote upon this issue; but we have had the whole subject fully developed, and if we are proposing to transact business and to get through with our work at any reasonably early date it seems to me we ought now to be taking steps in that direction.

I was informed that the gentleman from Appomattox (Mr. Flood) intended to submit remarks to the Convention. I do not know whether there was any authority for that statement or not. If that statement is well founded, I would suggest to him that he go on now, and we can then carry the debate further next week if gentlemen desire it. I have taken the liberty of mentioning him merely because I had understood that he designed to speak.

Mr. FLOOD: Mr. Chairman, my idea was not to delay matters, but to pass by this particular branch of the report until one day early next week, Monday or Tuesday, when there will be a fuller attendance. I regard this as a very important matter, and not two-thirds of the members of this body are here. I do not think any delay in the proceedings of the Convention would be occasioned by passing by this particular phase of the report for the present.

I am informed by a gentleman sitting in my rear that there are one or two members who are not now in the hall who desire to speak to this matter, and I cannot see that it will delay matters to pass by this particular phase of the report for the present and take up other parts of it.

Mr. CLAGGETT B. JONES: I simply desire to suggest to the gentleman from Appomattox that if he will examine the record I think he will find that about as many leaves of absence have been granted for early next week as there are absentees to-day.

Mr. FLOOD: I do not say Monday. I suppose most of the members will be back Tuesday or Wednesday.

Mr. R. WALTON MOORE: My friend is under a misapprehension. Even if there are only sixty-eight members present, that number is in excess of two-thirds of the members of the Convention, and in addition to the sixty-eight there are other gentlemen in the city and I have no doubt within easy access who will increase that number considerably. He has mentioned some gentlemen who wish to speak, and those gentlemen are not out of the city. One of them is the distinguished chairman of the Suffrage Committee.

Mr. FLOOD: I did not mention him.

Mr. R. WALTON MOORE: So why should we delay?

There are sixty-eight members who have answered the roll call and others who are here in the Capitol. There are several gentlemen absent who have indicated how they propose to vote and they can be added to this number. I have here letters and telegrams from six or seven gentlemen who have reached a conclusion on this question and they desire to be paired. So, all those various classes considered, we are not very far short of three-fourths of all of the members, and we are not likely to have on Monday or Tuesday a larger percentage of the membership of the Convention.

Mr. FLOOD: I should like to ask the gentleman a question. Does he think it is very good policy in a matter of this grave importance to get permission to pair all of the absentees who favor one side of it and have none of the absentees who favor the other side paired?

Mr. R. WALTON MOORE: When it comes to policy the gentleman from Appomattox will not take lessons from me. If he is engineering for the other side he is very likely to have secured pairs or if he does not do it, his diligent lieutenant and colleague in this contest will do so.

The committee has brought in its report, and we are going on under a resolution which provides that it shall be considered section by section, and I would respectfully suggest to the gentlemen of the Convention that it is hardly fair to the members of the committee without any notice at all to pass by sections as they are reached and proceed summarily to the consideration of other sections. We may not be in a position to discuss fully those other sections. I do not see why we should not proceed with the discussion of this one subject we are now on. I will ask the gentleman from Appomattox if he does not propose to discuss it and if he does propose to discuss it why he should not go ahead now?

Now I am not playing a game of policy here; I do not wish as I said a while ago, to push members into a vote, but it is my desire that we should proceed in a reasonably diligent way with the transaction of our business and to carry out the order resolved upon, unless some good reason to the contrary can be presented. What assurance have we now on Saturday, when there are between sixty and seventy members present, that if we pass by this section until Monday or Tuesday we shall have a larger percentage of the membership here?

Mr. O'FLAHERTY: Mr. Chairman, I understand that the gentleman from Frederick who offered the amendment is absent. It does not seem to me that it would be just, I will not say that it would not be courteous, to press a vote on it at this time. I do not think it would be a proper thing. I will say to the distinguished chairman of the committee that I should like to hear further discussion on this matter, and if I am compelled to vote this morning I shall vote against the report, although I should prefer not to vote until I can hear the matter discussed further.

Mr. R. WALTON MOORE: I cannot help that.

Mr. O'FLAHERTY: You cannot help it. Neither can I. Perhaps you might have helped it in a way, but you have not.

The point I make is that the gentleman who offered the amendment is not here. He has been on the Suffrage Committee this morning, I understand. He is in the city and may be absent from the chamber only temporarily, and I do not think it is right to press a vote at this time. I do not think the gentleman from Fairfax will say it is right that we should change so important a matter as this by the vote of thirty-five members.

Mr. R. WALTON MOORE: I will say to the gentleman from Warren that he misapprehends the question. It is not a question of pressing a vote. It is a question as to whether we shall go on with the discussion.

Mr. O'FLAHERTY: The gentleman admits that there are persons who wish to speak on it. The distinguished gentleman from Lynchburg (Mr. Daniel) it is said wishes to speak. If we pass on the question now, there will merely be a motion hereafter to reconsider and we shall gain no time, I am sure. There has been a precedent set in considering the report of the Committee on Preamble and Bill of Rights. We passed by section after section. It does seem to me we ought to do the same thing here.

Mr. GREEN: Not after the discussions commenced.

Mr. O'FLAHERTY: I know, but here is a different situation.

As is stated in the Dispatch, in an editorial, there is no great demand for this change, and it seems to me we ought to have a full vote upon it, even if we have to postpone it until the middle of next week. We have plenty of other work. Out of consideration for gentlemen who are absent I hope the committee will not force a vote this morning.

Mr. KENDALL: Mr. Chairman, I presume no question will arise upon this report of greater importance than, if of as much importance as, the question now before the Committee. I have heard a great many expressions from members of the Committee to the effect that they were in doubt as to how they should vote and that they were waiting to hear the matter fully discussed in order to decide how they will vote. I have also heard expressions from several gentlemen of the Committee that they thought they would submit remarks upon the pending question. So it seems to me no time will be lost by passing over this matter for a day or two. It will be conceded that no more important question in connection with this report will arise. It seems to me that without loss of time it can be passed by and the Committee given full opportunity to consider it and gentlemen who would like to address the Committee given ample opportunity to do so. I hope the Committee will pass it by.

Mr. TURNBULL: I move that the Committee rise.

The motion was not agreed to.

Mr. WESCOTT: Mr. Chairman, the suggestion which has been made that the matter shall be deferred seems by its proponents to be based exclusively upon the assumption that if we proceed with it this morning we will take a vote. Statements have been made as to the number of gentlemen who expect to discuss this matter. Even conceding that the reasons why a vote should be postponed are sound, it certainly does not seem to me to follow that there is any reason why we should not proceed to enlighten these gentlemen who are in doubt as to how they should vote by a continuation, in the regular order, of the discussion of this question.

It seems to me that the only suggestion which has been made for delay is based upon the assumption that we are about to take a vote, and I submit that if even half the number of gentlemen who are expected to speak in respect to this matter do speak upon it, there will be no occasion to take a vote to-day, and therefore the objection to proceeding is removed. I hope the Committee will proceed with the discussion of the matter.

Mr. FLOOD: I should like to ask the gentleman if he would object to fixing a day for a vote?

Mr. WESCOTT: I have not a particle of objection to fixing a day for a vote. I should like to hear the discussion proceed. There are other questions to be considered. Why should we precipitate gentlemen, who expect to engage in the discussion of other questions and who came here expecting that this discussion would proceed, into a discussion of other matters to-day which they are not prepared to debate?

The CHAIRMAN: The question is on agreeing to the motion of the gentleman from Appomattox (Mr. Flood) to pass by the consideration of section 2, with the pending amendment thereto, until the further pleasure of the committee.

The motion was not agreed to.

Mr. KENDALL: Mr. Chairman, it had not entered my mind to submit any remarks on this question to-day, and I greatly regret that I am forced to do so.

It seems to me that no more important matter will arise before this committee, certainly in connection with the consideration of this report. We are departing from a precedent which has existed in this State, and I believe in every other State in this Union, in undertaking to pass from biennial to quadrennial sessions.

Mr. WISE: Will the gentleman from Northampton allow me?

Mr. KENDALL: Certainly.

Mr. WISE: All of the discussions thus far upon this clause of the report of the Committee on the Legislative Department has been as to quadrennial sessions. I wish to call attention to the fact that the section under consideration says nothing as to sessions, and if the member from Northampton will allow me, I will read it:

"The House of Delegates shall be elected quadrennially by the voters of the several cities and counties on the Tuesday succeeding the first Monday in November, and shall consist of not more than one hundred and not less than ninety members."

There is nothing in the clause under consideration——and I call the attention of the committee to that fact——which provides for either quadrennial or biennial sessions. It simply provides that the members of the General Assembly shall be elected quadrennially.

Mr. KENDALL: Mr. Chairman, I presume that a session of the Legislature will follow its election, and it is to be presumed that there will be no other sessions unless called by the Governor or in pursuance of law.

This matter has been so treated by the Chairman of the committee. He has discussed the full question, and its decision now will perhaps govern the committee and the Convention when they come to consider that future provision which does look to quadrennial sessions.

The only argument I have heard urged at all in behalf of quadrennial sessions is the question of economy. At least that has been placed foremost and chiefly urged as the reason why we should adopt it. As I understand the figures which have been submitted to the committee, it is estimated that a session of the Legislature of ninety days will cost about seventy-five thousand dollars; that a session of sixty days would cost about fifty thousand dollars; and that two sessions of sixty days each would, therefore, cost about one hundred thousand dollars. The difference between that and a session of ninety days is $25,000, which is the most that is estimated as the saving to the State between quadrennial sessions of ninety days and two biennial sessions of sixty days. In other words a saving of about six thousand dollars a year out of appropriations approximating four million dollars.

Now what are we asked to give up for this saving of six thousand dollars? It is to desert, it seems to me, the very first principles of republican government, to keep in close touch with popular government and to execute, as the demand may arise, the will of the people. It is a thing unheard of in the history of this country, and but one precedent for it, that of Alabama, has been instanced here as an example for our emulation. That is an instance which has not yet been tried, and it is not known whether it will be sanctioned by the people of that State.

Mr. Chairman, it is impossible for the wisest of us to foresee the future. Problems continually arise which are not expected, and if we should undertake to look to the future at all, it seems to be filled with problems involving great contests between corporate power and the people, contests between communistic tendencies and the people. It is only by the full discussion of such questions before the people and an expression of the people's will that those problems can be settled when they arise.

What is there in the public mind that continues within the public mind for a period of four years? What is it that the people are willing to take up and continually have agitated for a period of four years? What is it that they do not tire of in the course of four years' discussion? Do we not know as a matter of fact that questions arise and are side-tracked by others which for the moment seem to take possession of the public mind?

Suppose, for instance, that this Convention shall not settle any of the questions in relation to the railroad commissioners' bill, the fellow servant's bill, which has been brought here, or any such questions about which we are all divided. I do not mean to intimate an opinion one way or the other. Suppose it should be found that something which we place in our organic law is wholly unacceptable to the people. Suppose we shall ordain a suffrage provision which they are unwilling to accept. How long, gentlemen, will it take to correct the evil we will do. I suppose it will be provided in the Constitution that an amendment to the Constitution have to be submitted to the people will have to pass two assemblies of the Legislature. It seems to me at least that such a provision ought to be incorporated in our fundamental law. I believe it is a wise provision to call the attention of the people, by at least two such enactments, to the fact that their great organic law is to be amended, in order to give them time for consideration and debate. If that is true, you will perceive that it will take eight years before any mistake incorporated into the Constitution can be amended and corrected. Do any of you gentlemen propose to place the people of Virginia in a position of that kind?

Sir, you will find that there is no one thing about which the people of Virginia are more determined than that public sentiment shall control both the economic interests and the political interests of Virginia; and you are undertaking, by removing it from them so far, to deny them the opportunity of doing that thing. I hope that the Committee of the Whole will consider this view of the matter.

The pending proposition is one, it seems to me, which strikes at the very essence of popular government. It is one which should not be lightly considered, because its operation cannot now be seen in its fullness or in all the aspects which may arise as the problems of the future present themselves.

There is another view of this matter which is practical and perhaps more direct. I have not had legislative experience, but those gentlemen who have know that it is only after long and continuous service that a man becomes a practical legislator, accustomed to the procedure of legislative assemblies and fully acquainted with the demands of popular sentiment.

Sir, when a new Legislature is elected here once in four years, I undertake to say that three-fourths of its members, if not five-sixths of them, will be men absolutely inexperienced in all questions of legislation. They will not have had that education in legislative matters which is absolutely essential to make the mature lawmakers that they ought to be. It is only because of the fact that gentlemen become interested in great public questions that they are willing to go back before the people and ask for a second term; and by this plan you take them so far away from these questions that they become engaged in other matters, or rivals may spring up in their communities; the time has so far elapsed that people have forgotten their action in previous assemblies, and their work has ceased to be a measure of their capacity for the future.

These are but a few, in general outline, of the great and important questions, as it seems to me, affecting the matter before the committee, and if you rush now into its decision without full and deliberate debate, I am satisfied you will make a mistake.

Mr. Chairman, it was not in my thoughts to address the Convention this morning, but I believe the more thoroughly you consider the great question of keeping the people in control of legislation and in close contact with their legislators, the more you will see the importance of continuing our custom of biennial sessions, instead of going to quadrennial sessions.

Mr. RICHMOND: Mr. Chairman, I do not know that anything I can say would enlighten any gentleman on this floor so as to enable him to reach a conclusion how to cast his vote. But I am a member of the committee which made this report. The committee gave all of the subjects the fullest consideration. It listened to every man who appeared before the committee and desired to say anything upon every question that was brought to our attention. I say this, not that our judgment should be conclusive, but having heard all of the facts and all of the arguments connected with the various subjects in our report, it at least ought to be, as it sems to me, persuasive.

Part and parcel of our mission here is to reduce expenses. I suppose every gentleman on this floor will agree to that statement. I know that so far as concerns me in my capacity as representative or as concerns my constituency I came here commissioned by them, after full and free discussion of this very subject, in connection with many others, in the interest of economy and to establish, if possible, quadrennial sessions of the Legislature.

When the effort was made to change from annual to biennial sessions the same arguments against biennial sessions were made that are now made against quadrennial sessions. Some gentlemen are so extravagant in their beliefs—and I believe the gentleman from Frederick so believes—that they believe that to change the sessions from two years to four years would be the greatest abuse imaginable; that it would injuriously affect questions of the gravest character. Gentlemen seem to think that the people cannot recollect longer than two years; that the people are not able to consider questions and understand them for a period longer than two years.

The Dispatch this morning says it would be a revolution against true democracy to have quadrennial sessions. What revolt is there in it gentlemen? Is it not a mere extension of two years to have quadrennial, instead of biennial sessions?

Gentlemen seem to think that meantime many question of legislation would arise. Questions of legislation are always arising, but are they of such importance that it is actually necessary for the Legislature to be assembled every two years in order to enact laws upon those various subjects?

I would ask some gentleman who may address the committee later to tell us what he has in mind now which it is essential the Legislature should pass upon now? What great question is there now before the public mind? What essential legislation is necessary? What general laws on any subject should be passed? I dare say there is nothing that can now be foreseen. If so the Legislature to be elected in November next will be ready to meet all questions and to pass upon all legislation that may become necessary in the immediate future.

Mr. Chairman, there are many considerations aside from the question of economy, but that is one of the chief objects which the committee had in view in making this recommendation to the Convention. It was in order to effect a saving to the tax-ridden people of Virginia. Are you not in favor of economy? Do you not want to see principles in our constitutional law which will save to the taxpayers in this State as much money as is possible? Do you not believe in the frugal administration of the affairs of our Commonwealth?

Some gentleman say that the saving is small and infinitesimal. Let it be so. Grant it for the sake of the argument from their viewpoint. We do not expect to save it all at one particular point or on one particular thing. The ocean is made up of drops of water, and when you come to economize and economize upon various subjects and various questions, begin with each and adopt each, and when you come to the aggregate and cast up the whole, you will find that you have saved a good round sum of money.

I have not given the figures any particular attention, but the honorable gentleman who is chairman of our committee says this plan will save $75,000. Others say half that. Others say $25,000. Let it be $25,000. Let it be $50,000. Let it be $75,000. Let it be any sum whatsoever. But, Mr. Chairman, look at the saving in other particulars that would result from quadrennial sessions.

It is proposed, I understand, to have elections every four years and that all the officers of this Commonwealth shall be elected once in every four years. As it is now in Virginia we have an important election every year at great expense to the people. Thus we will effect a saving in the cost of holding elections.

There is another consideration. The people in my section of the country, especially in my county, are tired, they are growing weary of so many elections and so much agitation of public questions. Let the people have a rest; let the lawyer stay in his office; let the business man remain at his place of business; let the mechanic remain in his shop; let the farmer remain in his field; and let us not everlastingly every year have these political agitations and excitements, raising political questions and drawing the people away from their business instead of allowing them to proceed in the even tenor of their way and devote themselves to their regular pursuits.

Then when four years roll around, we will have a general election for Governor, Lieutenant-Governor and Attorney-General, for the members of the Legislature and all the county officers, and the people will have had a rest. They will then take a deep interest in the questions that may be raised; all the questions will then be presented; and there will be one general election and one general consideration of all the questions; the people will select the best possible men, and from their selection the best possible results will follow.

The gentleman from Frederick seems to deprecate the fact that if we have quadrennial sessions and select the Senators for four years, all the people's representatives will come fresh from the people at one and the same time. Can any evil consequences result? Has there been any reason shown to this committee why by electing not only the members of the House of Delegates but all the Senators any evil consequences will result therefrom? I do not suppose that as at present the twenty hold-over Senators absent themselves from the county. I do not suppose that they turn a deaf ear to the wishes and wants and necessities of the people. A hold-over Senator so far as I can imagine comes as fresh from the people as the Senator who has just been elected. He lives in the same community, in the same district, and is presumed to keep pace with the wants, wishes and necessities of the people. I cannot see that there is any good ground for an objection in that particular.

Complaint is made that the Legislature will in some instances have to elect a United States Senator perhaps four years in advance of the term for which he was chosen. Have not the Legislatures as now composed, in the sessions as now held, elected United States Senators as much as two years in advance? There is no ground of complaint about that. Suppose we do have to elect one year or two years earlier and make an advance of four years, do not the people of Virginia know those who are candidates? Do they not know that they are worthy men, honorable men, capable men, honest men? I could five or ten years in advance select ten thousand out of the million and a half people we have and have full confidence in their integrity and in their ability to represent the people aright when they shall take office. I cannot conceive for the life of me that there is any force in that argument.

I concur fully with the gentleman from Frederick when he says that we ought to give back to the people their right to elect their officers. I am in favor of electing every officer by the people of this Commonwealth from the Governor down, save and except the judges of the supreme court and the superintendent of public instruction. I hope when that question is presented to the Convention it will be the judgment of the Convention to hand back to the people that which the Underwood Constitution took from them and against their consent, the election of their own officers. I want to go back to the Constitution of 1850 and let the people of this Commonwealth elect all their judges and elect every officer from Governor down. It is their right. They want it, and they demand it.

I am no alarmist, but I want to make a little suggestion to this committee. Unless the people of this country can have something to say in its government there is going to be trouble, and serious trouble, ahead of us. They are not to be trifled with and ignored. Why will not this Convention give back to the people of Virginia and put in their hands the government of our Commonwealth. Is it a democracy? Is it a government by the people and for the people or shall it be a government of rings and cliques, and by rings and cliques? I for one shall stand here in favor of giving back to the people the election of all their officers. Let them feel that this is their government. They have the right to control, and by the Eternal they will control.

Mr. Chairman and gentleman of the committe, the question is not only what we may do, but what the people may do. Gentlemen speak of the time when this Constitution shall go into effect. It may never reach that point. Unless the people's will is reflected, unless we make a Constitution in consonance and in keeping with the wishes and demands of the people, it will never see daylight; and those of you who wish popular favor in the future will find an abiding place somewhere else. To do that is the people's right. Whom did you consult when you came here, I will ask the gentleman from Appomattox? The sovereign people. They sent you here. Your people may not want quadrennial sessions; I do not know. Mine do want them, for I expressly brought that subject to their attention.

For what purpose are we here commissioned by the people? To revise and amend the Constitution and make it better, and bring it closer home to them, to return to them the rights that were taken away from them by the Underwood Constitution. Gentlemen seem to forget that before the Underwood Constitution the people had rights and that the people exercised their judgment as well as any other tribunal ever inaugurated by the wisdom of man. It is a reflection upon the people to say that they cannot select and cannot elect their own officers. For one I would not for a moment say that to my people, because I believe that the elected here those among the best men they had. When I look in the faces of those who surround me, with whom I have had the pleasure to associate, I know that they elected as good men and perhaps the best men they had in all the counties of the State. I cannot but praise them for their wisdom and for their good judgment in the selections which they have made in the make up of this Convention.

When you have been sent here by such a constituency, do you propose the next moment to turn around and say that they are incapable, that they are incapacitated to elect a little county judge, or a county school superintendent, or a railroad commissioner, or something of that kind? Why, it is even proposed, as I understand, to take from them the election of their little justices of the peace in their own magisterial districts. Let me ask gentlemen to consider well before they undertake a change of that sort.

It is said that the employers' liability bill is a very great question. I thought that was a question for us. Are you going now to shirk your duty? Are you going to shirk the responsibility of taking action on the employers' liability bill, and relegate it back to the consideration of the Legislature. Let us do our duty. Let us meet every question courageously and like men. Let us incorporate into the organic law of this State the employers' liability bill, and change the law as it has been construed by the supreme court of Virginia. I think it a very great hardship upon the poor employee of a railroad company or any other corporation when he assumes the ordinary risks incident to his employment that he should be required likewise to assume the risks of other men with whom he has nothing to do and over whom he has no control. I cannot tolerate the idea of a section hand, on a section of a railroad taking upon himself the negligence of a railroad conductor or a railroad engineer simply because they are employed by the same company and in the same line of business. He has nothing to do with them; he only sees them pass, and that is about all; he has no communication, no talk, no association, no nothing with them.

The gentleman from Frederick argues that as we expend about four million dollars per annum it will be impossible for a Legislature which assembles only every four years to deal with the question of appropriations. The same argument was made when we proposed to go from annual to biennial sessions. It was said

(CONTINUED ON PAGE 15.)

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