

THE VIRGINIA LEGISLATURE YESTERDAY'S PROCEEDINGS.

The number of spectators in the gallery when the convention convened at 10:30 was very small. It soon increased to any extent during the session. There were twenty-seven members present. Rev. Dr. Dunaway, the member from Lancaster and Richmond counties, made the opening prayer.

OFFICIAL REPORT.

Wednesday, October 2, 1901. The Convention met at 10:30 o'clock A. M. Prayer by Rev. W. F. Dunaway, D. D. 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. George K. Anderson, Ayers, Barbour, Thomas H. Barnes, Blair, Boaz, Bolen, Bouldin, Braxton, Briscoe, Brooke, Brockenbrough, Clarence J. Campbell, P. W. Campbell, Carter, Chapman, Cobb, Crismond, Daniel, Dunaway, Eggleston, Epps, Fairfax, Fletcher, Gilmore, Gillespie, Glass, James W. Hamilton, Hancock, Hatton, Hooker, Hinton, Ingram, G. W. Jones, Kezzell, Kendall, Lincoln, Lindsay, McIlwaine, Meredith, Monroe, R. Walton Moore, Thomas L. Moore, T. M. Newell, Phillips, Pollard, Rockwell, Quarles, Richmond, Rives, Smith, Stuart, Summers, Tarry, Thom, Thornton, Turnbull, Waddill, Walter, Watson, Willis, Wise, Withers, Woodhouse, and Yancy, the President.

Mr. DANIEL: Mr. President, I beg leave to state that I have been absent for three days, and I ask to be excused. The PRESIDENT: The gentleman from Campbell having been unavoidably absent for three days, I beg leave to be excused.

Mr. PORTLOCK: Mr. President, I have the honor to present a memorial of Fidelity Council, No. 58, Junior Order of United American Mechanics, of the city of Richmond, which asks for the appropriation of public funds to any institution wholly or partly under sectarian control; which was referred to the Committee on Preamble and Bill of Rights, as follows:

Mr. GREGORY presented a memorial of the Citizens of Chesterfield county re-monstrating against the adoption of the resolution introduced by Mr. Quarles in regard to the restriction of the sale of intoxicating liquors; which was referred to the Committee on Preamble and Bill of Rights. Mr. PORTLOCK: Mr. President, I do not wish to be understood as reflecting upon members of boards of supervisors, but I do wish to be understood as reflecting upon the method of their organization, and I do wish to be understood as reflecting upon the method of their organization, and I do wish to be understood as reflecting upon the method of their organization.

Mr. PORTLOCK: Mr. President, I do not wish to be understood as reflecting upon members of boards of supervisors, but I do wish to be understood as reflecting upon the method of their organization, and I do wish to be understood as reflecting upon the method of their organization, and I do wish to be understood as reflecting upon the method of their organization.

for road purposes, or shall we go to a board of supervisors, composed of six or more members, perhaps. There are six in my county, and more in some. We are not to have them, but such local legislation relating to the opening and maintenance of county roads as we need?

Now, sir, I have been in the county in going before such a board? In the first place, here are six gentlemen, we will say, and the county is divided into six entirely separate and distinct districts in that county, which districts are divided by rivers and streams, making each district an almost entirely separate territory in itself. My county in that respect is not a homogeneous county. The people are not in a county less separated by streams and less divided by natural conditions.

It has been my experience with the boards of supervisors with which I have come in contact, that each member of such a board is appointed for his individual district. He cares nothing about what occurs in other districts, and he has no voice in the matter. The lack of harmony which prevails in the board as a body as respects matters affecting the entire county, is that which I have endeavored to point out to you.

Now, sir, without going into the details of the power which the Board of Supervisors has, I will simply say that it takes the power away from the Board of Supervisors itself. That is the point I wish to make. I am not going to divest myself of authority, and while they are deprived by law from the right to do so, I am going to do so throughout the county, road officers, and those road officers are friends of the various members of the Board of Supervisors, without their knowledge and without their consent.

It is the contention of the gentleman, if I understand it, that the men who are appointed for the purpose of attending to these things, whose duty it is to look after them by the tenure of the very office which they hold, are to be set at naught, and that the Legislature is to override them and the people of the county, and to command that at the same time the Board of Supervisors should be allowed to continue to do as they please. That is the point of the contention which I made. I did not, perhaps, make it as clear as it ought to have been.

There is an inquiry which a gentleman near me has just suggested, why can you not safely trust the Board of Supervisors with the management of the roads? You can trust the councils of cities to manage their streets? That is a pertinent inquiry, one to which I should like to give an answer.

Mr. STUART: If you will excuse me, sir, I think that question might be answered by some gentleman here who can tell you the reasons why the councils of cities do not manage their streets, and the way they spend money.

Mr. MEREDITH: They may have done so in some of the cities, but we are willing to trust our city councils. Mr. STUART: I do not know whether you are willing to do so or not. I doubt it very much.

Mr. MEREDITH: We have to do it anyway. Mr. TURNBULL: Mr. Chairman, I rise to make just a few practical suggestions in regard to this matter and to see if I cannot remove the difficulty from the minds of the gentlemen in reference to it. I admit that I cannot understand the position that some of the gentlemen occupy on this question.

Mr. TURNBULL: Mr. Chairman, I rise to make just a few practical suggestions in regard to this matter and to see if I cannot remove the difficulty from the minds of the gentlemen in reference to it. I admit that I cannot understand the position that some of the gentlemen occupy on this question.



Portrait of a man, likely a legislator mentioned in the text.

the very foundation of republican government. The gentleman says that taxation is unpopular in the counties. It is unpopular everywhere. But we are to admit for one instant the right of a Legislature to impose a tax upon a county that the immediate representatives of the people of the county, is supervisors, are not willing at the instance of the people to impose? Now, this is the point which is at issue, and it is a point that according to my view is of great importance.

Mr. TURNBULL: That is the very thing I was just about to say. There is nothing in the world in the report to prevent it. The report of the committee does not undertake to do anything except to give the Legislature power to delegate to the boards of supervisors of the counties or the councils of cities such power as they may think proper to designate and leave to them. It is not proposed to delegate any.

Mr. GEORGE K. ANDERSON: I wish to ask a question of the gentleman who correctly provides that if the general law does not reach the necessity of a particular county a special act may under the Constitution be passed. Mr. TURNBULL: That is all true, sir; but not in reference to these subjects, from which they are prohibited.

Mr. TURNBULL: I understood the gentleman's suggestion correctly. This is an absolute prohibition as to these matters. Mr. TURNBULL: Yes, sir; as to special legislation in reference to these particular subjects.

Now, I will call attention to another point, and I do not wish to understand the gentleman that he would deprive the county, that the supervisors have this question to deal with, of the right to appeal if necessary to the Legislature in the matter of special legislation of the kind which I am referring to.

I am not one of those who are standing here and refusing to submit these matters to our Boards of Supervisors. I do not object to the Boards of Supervisors dealing with the matter, but I do see some provision left in the Constitution by which if the system does not work satisfactorily there may be an appeal to the Legislature.

Mr. KENDALL and Mr. O'Flaherty addressed the Chair. The CHAIRMAN: The gentleman from Northampton. Mr. KENDALL: Mr. Chairman, this is a matter about which I have a good deal to say, and I do not wish to hesitate to say that I have not very positive opinions. There is a nature of the subject which it seems to me may have been overlooked somewhat.

Mr. TURNBULL: It is often wholly unnecessary to repeat the same thing over and over again. I thought I understood something about roads. I had a road law for my county passed and it was repealed until the Legislature sent another man down here, and he had another law passed, and a bigger howl still was kicked up in reference to the roads. I would like to see the Legislature repeat it. If the matter had been left to the Board of Supervisors, five intelligent men in my county, who would have made a road law that would have been acceptable to the people and it would have been carried out in a proper manner.

Advertisement for 'A BEAUTIFUL WIFE' featuring a woman's portrait and text about suffering and happiness.

Advertisement for 'WINE OF CARDUI' featuring a woman's portrait and text about health and vitality.

Handley Station, Texas, July 1, 1900. I must write and thank you for what your Wine of Cardui has done for me. It has given me a beautiful, healthy, rosy-checked wife. She looked so much younger and prettier that my friends very often ask me, "Was that your wife who you were with?" When I tell them it was they are surprised. I always tell them Wine of Cardui made the change. I expect to keep Wine of Cardui in my house always.

Mr. TURNBULL: I do not understand, nor do I believe that the restrictions which have been put around legislation by this legislative report there can ever come a time when any special legislation can be put through the Legislature without proper consideration.

Mr. TURNBULL: Yes, sir; as to special legislation in reference to these particular subjects. Now, I will call attention to another point, and I do not wish to understand the gentleman that he would deprive the county, that the supervisors have this question to deal with, of the right to appeal if necessary to the Legislature in the matter of special legislation of the kind which I am referring to.

I am not one of those who are standing here and refusing to submit these matters to our Boards of Supervisors. I do not object to the Boards of Supervisors dealing with the matter, but I do see some provision left in the Constitution by which if the system does not work satisfactorily there may be an appeal to the Legislature.

Mr. KENDALL and Mr. O'Flaherty addressed the Chair. The CHAIRMAN: The gentleman from Northampton. Mr. KENDALL: Mr. Chairman, this is a matter about which I have a good deal to say, and I do not wish to hesitate to say that I have not very positive opinions.

Mr. TURNBULL: It is often wholly unnecessary to repeat the same thing over and over again. I thought I understood something about roads. I had a road law for my county passed and it was repealed until the Legislature sent another man down here, and he had another law passed, and a bigger howl still was kicked up in reference to the roads.

Mr. TURNBULL: Yes, sir; as to special legislation in reference to these particular subjects. Now, I will call attention to another point, and I do not wish to understand the gentleman that he would deprive the county, that the supervisors have this question to deal with, of the right to appeal if necessary to the Legislature in the matter of special legislation of the kind which I am referring to.

I am not one of those who are standing here and refusing to submit these matters to our Boards of Supervisors. I do not object to the Boards of Supervisors dealing with the matter, but I do see some provision left in the Constitution by which if the system does not work satisfactorily there may be an appeal to the Legislature.

impossible always to perceive what some of them mean. Mr. O'FLAHERTY: Mr. Chairman, that is one of the points I mean to speak of when I sought the floor at the time the gentleman from Northampton (Mr. Kendall) was recognized, and I am glad that the gentleman spoke of it. I want to go a step further, however. This provision would make our Board of Supervisors a Legislature but not a Legislature in the true sense of the executive branch of the government. We will be combining legislative, executive and judicial departments of the government and in a way that is as close to the people as any other. Now, I wish to speak of New Jersey. I had the honor and pleasure of being in a road parliament in which I heard the New Jersey system explained in reference to the State of Virginia in road matters might lead one to suppose that there might come a time when that system would not work satisfactorily. We simply ask that the Legislature provide that if the system does not work satisfactorily there may be an appeal to the Legislature. I do not understand, nor do I believe that the restrictions which have been put around legislation by this legislative report there can ever come a time when any special legislation can be put through the Legislature without proper consideration. Now, I will call attention to another point, and I do not wish to understand the gentleman that he would deprive the county, that the supervisors have this question to deal with, of the right to appeal if necessary to the Legislature in the matter of special legislation of the kind which I am referring to. I am not one of those who are standing here and refusing to submit these matters to our Boards of Supervisors. I do not object to the Boards of Supervisors dealing with the matter, but I do see some provision left in the Constitution by which if the system does not work satisfactorily there may be an appeal to the Legislature. Mr. KENDALL and Mr. O'Flaherty addressed the Chair. The CHAIRMAN: The gentleman from Northampton. Mr. KENDALL: Mr. Chairman, this is a matter about which I have a good deal to say, and I do not wish to hesitate to say that I have not very positive opinions. There is a nature of the subject which it seems to me may have been overlooked somewhat. Mr. TURNBULL: It is often wholly unnecessary to repeat the same thing over and over again. I thought I understood something about roads. I had a road law for my county passed and it was repealed until the Legislature sent another man down here, and he had another law passed, and a bigger howl still was kicked up in reference to the roads. I would like to see the Legislature repeat it. If the matter had been left to the Board of Supervisors, five intelligent men in my county, who would have made a road law that would have been acceptable to the people and it would have been carried out in a proper manner. Mr. TURNBULL: Yes, sir; as to special legislation in reference to these particular subjects. Now, I will call attention to another point, and I do not wish to understand the gentleman that he would deprive the county, that the supervisors have this question to deal with, of the right to appeal if necessary to the Legislature in the matter of special legislation of the kind which I am referring to. I am not one of those who are standing here and refusing to submit these matters to our Boards of Supervisors. I do not object to the Boards of Supervisors dealing with the matter, but I do see some provision left in the Constitution by which if the system does not work satisfactorily there may be an appeal to the Legislature.