THE VIRGINIA CONSTITUTIONAL CONVENTION.

THE OFFICIAL REPORT.

(CONTINUED FROM PAGE 3.)

evil that might result from the absence of a constitutional provision was perceived, and our predecessors in 1829-30 declared that no individual's property shall be taken without compensation.

All we propose to say now is (not attacking any corporation, whether municipal corporation or internal improvement company) that you shall not injure, you shall not materially damage, you shall not permanently diminish the value of an individual's property for any purpose without making due compensation to him. That is all we propose.

Mr. ROBERTSON: Mr. Chairman, I merely wish to say one word in reply to the gentleman. Of course, I did not take anything he said as disrespectful or discourteous to me. I thought he understood that I was joking with him.

I do not deny at all that there has been a long struggle over the question what the word "taken" and what the word "property" mean. The word "property" is the real one. "Taken" is easy. I do not think any of us would have much difficult in determining when somebody has taken something from us. The subject matter is the thing taken. As I said, it has been settled in Virginia that it must be a corporeal taking of the land itself. The gentleman claims that our decisions are very unjust in that respect, and contended that the courts ought to have taken the enlarged view of it that some of the other courts have. Our argument is that when you go into that enlarged view and say whenever you damage him he shall be compensated, the language ought to be so …

… ress and the prosperity of the community and the increase and the accumulation of wealth. You cannot expect others to do what you will not do yourself. I say that is an entire answer to the proposition that we should leave this to the Legislature.

I come now to the question of policy, and that has been the basis of the argument made here by the gentleman from Roanoke (Mr. Robertsn) and the gentleman from Portsmouth (Mr. Hatton). I want it understood that we, upon this side, have never denied, so far as I know that the putting in of the word "damaged" does increase the right that an individual has. But I mean to say that it increases it in a proper way. It increases it in this way: it is depriving the Legislature of an opportunity to permit somebody to hurt me. If the word "taken" had not been put into the Constitution, the Legislature could authorize a railroad company, under its power of eminent domain and its delegation of that power to others, to take my property for public uses, and not compensate me.

In order to give an increased right or protection to the individual a limitation was put upon the sovereign power of the State. It was said: You shall not do this thing without compensation to the owner." It did give me an increased right, but it gave me an increased right because the Legislature had given somebody else a power that he had never had before. Nobody had the right of eminent domain unless he got it from the Legislature. Nobody could exercise that power except for what is called public purposes. You cannot do it for the purpose simply …

…

would pay me for the land actually taken. Suppose it damaged the residue of my tract a thousand dollars, but gave me an outlet to the courthouse, an outlet to the mill, and that I was generally benefited in this way by the road.

I understand that if you put this provision in the Constitution it would allow you to take such benefits as that from the damages which I had sustained. That is manifestly improper, because my neighbor might get the very same benefits that I do by the public improvement and he would have to pay nothing for them. If you leave the language in, you want to put the word "peculiar" before the word "benefits."

Mr. R. WALTON MOORE: I quite agree with the gentleman from Pulaski; if we were to leave that language in we should say "peculiar" or "special," or to employ some similar term. But it seems to us that, as the gentleman from Richmond says, the language is mere surplusage, and it might as well be dropped out of the section.

Mr. WYSOR: I think so, sir. I hope the committee will leave it out. With that explanation I am ready to vote on the question.

The CHAIRMAN: The gentleman from Fairfax (Mr. Moore) moves that the words "but beyond compensation for property actually taken, damages allowed shall be subject to abatement by allowing for benefits conferred," be stricken out from section 20.

The amendment was agreed to.

Mr. R. WALTON MOORE: I think that was the only amendment offered to the section under consideration. The section has been read. I suppose it stands approved, unless there be some further amendment offered.

The CHAIRMAN: Is there any further amendment to be offered to the section?

Mr. WESCOTT: I move that the committee rise.

The motion was agreed to, and the committee rose.

The President having resumed the chair, Mr. Walker reported that the Committee of the Whole had made some progress, but had come to no conclusion upon the matter referred to them.

Mr. LINDSAY: I move that the Convention adjourn.

The motion was agreed to, and (at 2:05 o'clock P. M.) the Convention adjourned until to-morrow, Friday, October 11, 1901, at 10:30 o'clock A. M.

Nothing Tastes Good

And eating is simply perfunctory—done because it must be.

This is the common complaint of the dyspeptic.

If eating sparingly would cure dyspepsia, few would suffer from it long.

The only way to cure dyspepsia, which is difficult digestion, is to give vigor and tone to the stomach and the whole digestive system.

Hood's Sarsaparilla cured the niece of Frank Fay, 106 N. St., South Boston, Mass., who writes that she had been a great sufferer from dyspepsia for six years; had been without appetite and had been troubled with sour stomach and headache. She had tried many other medicines in vain. Two bottles of Hood's Sarsaparilla made her well.

Hood's Sarsaparilla

Promises to cure and keeps the promise. Don't wait till you are worse, but buy a bottle today.

DR. TRACY BEGINS ANEW.

Meeting Last Night Attended by a Large Crowd—Ministers Interested.

The second series of Gospel temperance meetings by Dr. N. W. Tracy was commenced last night in the tent on a vacant lot near Jefferson Park. Despite the fact that the Carnival attracted so many persons, a large and interested audience was present.

The ministers of the Protestant churches on Church Hill will assist Dr. Tracy greatly in his meetings. They held a meeting yesterday afternoon at Union-Station church and organized for an active campaign during the Tracy meetings. Many of the prominent preachers on Church Hill attended the meeting.

Dr. Tracy will speak again this evening at 8 o'clock.

PROFITABLE RE-SURVEY.

State Hereafter Will Derive an Increased Oyster Revenue.

The State Board of Fisheries held a meeting at Murphy's hotel Wednesday night, at which all the members were present. The only business of the meeting was the routine of settling bills and hearing the report of Mr. P. C. Warwick, who is making a re-survey of the oyster grounds. The area of the oyster planting has been largely increased by the re-survey, and the State's revenue from this source will be considerably increased.

CASTORIA.
Bears the Signature of Chas. H. Fletcher. The Kind You Have Always Bought

TOO LATE FOR CLASSIFICATION.

LOST, ON EAST-BOUND PASSENGER and Power Company car, near Fourth and Broad, last night about 8 o'clock, POCKET-BOOK containing considerable sum of money, show tickets, and two letters addressed to C. W. Saunders, of Richmond. Reward if returned to Carnival headquarters, Third and Broad, or Travellers' Protective Association Booth, Sixth and Broad. it.

"Outfit Sale"

Skirts, Waists and Ready-to-Wear Millinery Make Up Street Costume.

For to-day (Friday) and to-morrow we have advanced a most unique sale whereat you will be enabled to select a Skirt, Companion Waist, and Street Hat that will make up a costume, and at such a peculiarly low figure that it really appears the price of one garment. The idea is to take a $2.98 Waist, a $3.98 Skirt, and a $2.25 Hat, and a Stylish Costume, is complete, for about Nine Dollars.

We have this Combination at $12.00.
We have this Combination at $15.00.
And we have this Combination at $18.00.

Ready-to-Wear Hats

At $2.25, A well made Street Hat, of Velvet, Camel's Hair, or Silk Trimmed, with Dotted or Plain Silk or Cloth, and ornamented with Quills or Fancy Feathers, a $3.25 value, for $2.25.

At $2.48, The Carnival Hat, a nobby idea, in a clear felt, of the Walking Hat, Shape trimmed with a full sash of taffeta silk and ornamented with Black and White pompoons, a $4 hat for $2.48. This also can be had in colors.

At $3.98, The Large Dress Hat, in many shapes and colors, of felt, several styles of trimmings, in Silk, Velvet, Panne Satin, or Taffeta Ribbon, breasts, birds, or quills, and ornamented with Stell, Jet or Gold Buckles, a remarkable value, at $3.98.

At $5.00, All-Made Hat, of shirred, same or plain silk Velvet, tucked brim, and trimmed in accordeon pleated Panne Surah, breasts or fancy feather wings, steel or gold ornaments. A copy of an imported model, at $5.

Separate Skirts of Exceptional Value

At $2.98, Separate Dress Skirt, of Black Ladies' Cloth, stitched seams, beautifully finished, a garment well worth $4, for $2.98.

At $3.98, Skirt of best quality Cheviot, Serge, flare flounce, headed with six bands of Satin, nicely lined and bound. An exceptional value, for $3.98.

At $4.38, Dress Skirt, of good quality, Black Cheviot, five gored, graduated flounce, and trimmed with Satin piping, in all lengths. A skirt well worth $5.50, for $4.38.

At $5.98, Separate Dress Skirt, of Black Cheviot or Ladies' Cloth, made in the latest fashion, with seven gores, and trimmed at bottom with three bands of Satin, three Vandyked bands at knee, forming a flounce effect. A garment well worth $7.50, for $5.95.

Companion Waists to Match Skirts.

At $2.98—Waist of good quality French Flannel in several styles, front and back tucked in clusters, stiff collar, Bishop's sleeves, and tight cuffs.

At $3.98—Waist of excellent Taffeta Silk in all he best shades of the season and Black, tucked and hemstitched front and back, Bishop's sleeves, tight cuffs.

At $5—Waist of Black Taffeta Silk, handsomely made with clusters of tucks, long yoke to the bust, two clusters of tucks running horizontally round bust, waist fastened at back.

At $6.75—French Flannel Waist of finest quality, front tucked and embroidered, back, sleeves, cuffs and collars nicely tucked.

We have Waists also at lower and higher prices.

Kaufmann & Co., Fourth and Broad.

MADE GOOD SHOWING

(CONTINUED FROM PAGE ONE.)

but it was a brave showing, and there were emphatic manifestations of delighted appreciation whenever and wherever the smart and gallant contingent appeared.

PARADE MOVED PROMPTLY.

The companies began to arrive at Fifth and Grace streets a short time before the hour for the formation of the parade, and at 11 o'clock everything was in readiness. When Colonel George Wayne Anderson gave the command the column moved off without a break of any description. The original route was strictly adhered to from beginning to end.

The parade was headed by the Fourth Artillery Post Band, of Fort Monroe. Then came Colonel G. Percy Hawes, chief marshal, and chairman of the Carnival Committee on Military, and his staff of about thirty civilians, mounted. They were followed by Colonel George Wayne Anderson and staff. The First Battalion, composed of Company C, of the Seventieth Regiment, and Companies C and G, of the Seventy-first, under command of Major T. J. Nottingham, came next. The Second Battalion, headed by the Seventieth Regiment Band, followed. The battalion was under the command of Major A. S. Lanier, and was composed of Companies A, B, F, and H, of the Seventieth. Then came the Blues' Battalion, under Major Sol. Cutchins, two companies, headed by their band. Bringing up the rear were the Howitzers, under command of Captain William M. Myers. The battery was preceded by Phinney's Band, both of which attracted a large amount of attention and applause.

Marching to the strains of martial music the men in line were given a continual ovation from the time they passed under the Eiffel Tower until Fifth and Broad was reached on the return.

THE COMMISSIONED OFFICERS.

The companies which made up the parade were officered while on the march by the following commissioned officers:

First Battalion—Company C (Seventieth), Captain George P. Shackelford and Lieutenants George N. Skipwith and E. M. Hardy; C (Seventy-first), Captain Thomas A. Johnson and Lieutenants R. E. Wilkins and C. C. Moore; G (Seventy-first), Captain John H. Gilkeson and Lieutenants John A. Moss and N. H. Garthright.

Second Battalion—A, Captain C. O. Saville and Lieutenants J. E. Cherry and H. G. Dickinson; B, Captain A. W. Miller and Lieutenants L. T. Mathews and John W. Starke; F, Captain W. E. Thompson; H, Captain T. C. Baptiste and Lieutenants C. E. Johnson and H. R. Lufsey.

The Blues' Battalion—Company A, Captain L. L. Cheaswood and Lieutenants James S. Hazen and Field Wilbon; B, Captain Thomas A. Spencer and Lieutenant Hobson.

The Howitzers, Captain William M. Myers, with Lieutenants Minson, Taylor, and Booker.

The only incident that marred a complete military day was the sudden illness of Private Luther Parker, of Company G, of Newport News. Just as his company was formed for inspection on Grace street he felt the effects of the intense heat, occasioned by the long march, and fell forward. Two of his comrades caught him and bore him into the residence of Mr. Charles U. Williams, where Dr. W. Armisted Gills, surgeon of the First Battalion of the Seventieth Regiment, treated him. He was afterward carried in the ambulance to his quarters in the Seventieth Armory. He is not seriously ill.

ODELIA DISS DE BARR ON TRIAL IN LONDON

She and Her Husband Charged With Fraud Unique in Annals of Crime.

LONDON, October 10.—The hearing of the case of Theodore and Laura Jackson alias Horos, who are charged with conspiring to defraud women of money and jewelry by fortune-telling, was resumed here to-day. Laura Jackson, formerly Ann Odelia Diss de Barr, of New York, made a strange appearance. She wore in the dock the loose, cream-colored decollete garment, resembling a surplice, over which was a pale-blue silk robe, which she wore when remanded, September 26th.

Charles W. Matthews, senior counsel to the Treasury, represented the Treasury. He detailed three charges against the prisoners, obtaining money under false pretences, procuring, and felonious assault. The offences, said Mr. Matthews, were committed by fraud unique in the annals of crime. The Horos established a religious sect called "Theocratic Unity," claimed the attributes of divine power, and induced girls to misconduct themselves under the belief that it was a necessary part of their religious devotion. Neophytes joining the Unity were obliged to vow secrecy and profess belief in the Divinity of the Horos, both of whom, said Mr. Matthews, possessed mesmeric power, especially Laura. The latter frequently interrupted counsel with loud screams of "False."

A well-bred woman, 35 years old, who the prosecution said was the oldest of the many victims of the Horos, testified in support of Mr. Matthew's statement. Evidence in the case was postponed until to-morrow. It is expected that there will be many sittings in the Police Court before the case goes to a jury. The government officials expect that the prisoners will receive life sentences.

The identity of Laura with Anna Odelia Diss de Barr has been thoroughly established. Jackson is said to be a convicted confidence-trick man. Laura Jackson conducted a vigorous cross-examination, in her own and Jackson's behalf.

The court was half-filled with young and pretty girls, awaiting to testify against the couple. It has been learned that the accused were married in New Orleans in 1898, came to London in 1899, and then went to Paris and Cape Town. Returning to England, they established the Theocratic order here.

WOMAN SHOT 3 TIMES AND BADLY WOUNDED

Her Assailant Then Shoots Himself in the Right Temple, and Dies Instantly.

NEW YORK, October 10.—Mrs. Lucy L. Carroll, who lived with her father, at 76 south Elliott Place, Brooklyn, was shot and seriously wounded at her home early this morning by a man known as Captain John B. Neilson. The woman was shot three times. Neilson then shot himself in the right temple, and died instantly.

Mrs. Carroll told the police that she did not know the man who had shot her.

"I was awakened," said Mrs. Carroll, "by seeing a man in my room. I was much alarmed and cried, 'What do you want here?'

"Without reply, the intruder drew a revolver and fired three times, and then turned and shot himself.

"I do not know him, nor can I imagine why he should have entered my room."

TELL-TALE PORTRAIT.

The police found a portrait of Neilson in Mrs. Carroll's room, and when she was told of this, she said she had known Neilson for some time, that he had paid her much attention, and had been very jealous recently. Neilson was about 35 years of age, and was at one time a sea captain. Mrs. Carroll is about 20 years old. Her father, whose name is Korncler, is a dry goods merchant, with a place of business in Brooklyn.

NEILSON'S CAREER.

According to the police, the woman's husband enlisted a year or more ago in the United States engineer corps. At about the same time, Neilson secured a place on one of the United States army transports, and, it is said, came back third officer. He had performed service on the transports Caunte and Arethusa, and had sailed as second officer on the steamship Givonne. Upon his return from his first trip to the Philippines, he carried a letter of introduction to Mrs. Carroll from her husband, and from that time on became a visitor at her parents' home.

MELTED THE JUSTICE.

Pitiful Case in Police Court Yesterday Elicited Much Sympathy.

J. R. Hanold, 63 years old, was arrested and given a hearing in the Police Court yesterday morning upon a warrant sworn out by the L. B. Price Mercantile Company, charging him with misappropriating $10 worth of goods. He was given fifteen days in jail.

Hanold came to Richmond several weeks ago, expecting to get in the Soldiers' Home, and failing in this, started out to make his own living, though not physically able to do so. The company started him out with a line of samples, after which he failed to turn up, and was charged with using the samples for his own benefit. At the hearing he stated that he had placed the goods, but did not know where, and was holding the bills to collect his commissions. In the meantime getting a chance to return to his home, he took advantage of it. A petition for a pardon was drawn up, which the Justice signed.

NEW SOUTHERN TRAIN.

From Washington to Richmond and Florida—Soon to Be Put on.

WASHINGTON, October 10.—(Special.)—Captain W. A. Green, of the Southern railway, said to-day that it is the intention of that corporation at an early day to run a train from this city over the Richmond, Fredericksburg and Potomac road (now the Washington and Southern), connecting with its own road at Richmond, through to Florida.