

Proceedings of the Constitutional Convention

OFFICIAL REPORT.

(CONTINUED FROM PAGE 7.)

shall need, for railroad purposes, any portion of the right of way occupied by telegraph or telephone companies, such telegraph or telephone company shall, upon reasonable notice, be required to extend its lines to such other points on the right of way as may be designated by the railroad company.

Mr. BRAXTON: I do not think it should be put on an amendment. The objection is that it is not a railroad company that is a North Carolina corporation. The law has said that every inch of ground that they have gotten is necessary for railroad purposes.

Mr. MEREDITH: That is not so as an amendment. I think it is. Mr. BRAXTON: I do not think it is all the time. My judgment is that it needs to be put on the main question. The railroad right of way is 20 or more feet wide.

Mr. MEREDITH: Do you not give the Western Union Telegraph Company the right to run their lines over your right of way? Mr. BRAXTON: Yes, and why? Mr. MEREDITH: I do not know.

Mr. HAMILTON: Under what conditions? They are on the right of way subordinate to the railway company. They can make them move at any moment.

Mr. MEREDITH: Is it not a fact that you will not allow other companies to come in there, and therefore they say to us "Let us condemn it and pay you for it?" They ask for the privilege of condemning so that they can keep telegraph lines there. I think railroad companies are required to keep telegraph lines every ten or fifteen miles, and it is not fair to say that they should not do so.

There are many stations on every railroad in a sparsely settled country like ours where the total receipts of the telegraph station would be less than the cost of the station. An ordinary telegraph operator, but under the present conditions the telegraph company has a contract with the railroad company and is trying to get business out of it.

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adopted in reference to considering the report of the Committee on Corporations by sections, an arrangement was entered into between the chairman of the Committee on Corporations (Mr. Braxton) as representing those in favor of the majority report, and the gentleman from Fauquier (Mr. Hunton), as representing those who are in favor of the minority report, under which the general debate on this question was to be closed, and union which arrangement the gentleman from Winchester (Mr. Harrison), the gentleman from Pulaski (Mr. Wyrso), the gentleman from Petersburg (Mr. Hamilton), the gentleman from Richmond city (Mr. Meredith), the gentleman from Norfolk city (Mr. Thom), and the gentleman from Augusta (Mr. Braxton) were to speak to the report in the general debate in the order in which I have named them.

At the time I offered the resolution limiting debate I did not know that that arrangement had been entered into. Under the circumstances I think it is due to both of these gentlemen that I have made in that respect should be carried out in good faith, and for that reason and for the reason alone, I move a reconsideration of the vote by which the resolution which I offered was adopted yesterday.

The PRESIDENT pro tempore: The gentleman from Culpeper moves that the Convention reconsider the vote by which it adopted the resolution introduced by him on yesterday, by which it was resolved that the Convention should take up the report of the Committee on Corporations section by section at 1 o'clock to-day.

The motion to reconsider was agreed to. Mr. BRAXTON: I move that the resolution be passed by the present. The motion was agreed to.

BARBOUR-QUARLES RESOLUTION. Mr. WYRSOR: I wish to offer a petition of W. E. T. Lucas and other citizens of Giles, in relation to the Barbour-Quarles resolution.

The PRESIDENT pro tempore: The petition will be received and referred to the Committee on the Preamble and Bill of Rights under the rules.

CALL OF COMMITTEES. The PRESIDENT pro tempore: The Secretary will call the list of standing committees for reports.

ASSESSMENT OF NEGROES IN 1901. The PRESIDENT pro tempore: The Chair lays before the Convention a communication from the Auditor of Public Accounts in response to a resolution of the Convention, in the shape of a statement showing the number of colored male persons in each county and city of the State assessed in 1901, with taxes on property at the value of one hundred dollars, whether real, personal or both combined.

What is the pleasure of the Convention? Mr. TURNBULL: I move that the statement be on the table and be printed for the use of members of the Convention.

The motion was agreed to. CORPORATIONS. Mr. BRAXTON: I move that the Convention now resolve itself into Committee of the Whole for the further consideration of report of the Committee on Corporations.

The motion was agreed to and the Convention resolved itself into Committee of the Whole, Mr. Kezell in the Chair.

Mr. MEREDITH: Mr. Chairman: One has no right to expect, rising at this late stage of the discussion, that he can offer any new arguments, or any new lines of thought to a subject that has been so fully discussed and so ably presented on both sides. All he can hope to do is to add possible some slight reinforcement to the positions that have been maintained so ably by the majority of this committee in sustaining their report.

I think, Mr. Chairman, you will agree with me, and possibly every one in this body will agree with me that there has been no report presented to more violent and almost virulent attack by its opponents. Strongly and justly as we may believe in the majority report of this committee, we cannot but recognize the intellectual ability that has been displayed by its opponents in their method of attack. It is hard to conceive of any other line of attack, which has been made by the ingenious gentlemen who oppose this report. You will recall, Mr. Chairman, that their first line of attack was to throw, in opposition to this majority report, what they term the report of the minority; a mild and meek and innocuous paper; harmless failing to present anything of a special nature of any strength, and recommending it because of its weakness.

Mr. Chairman, it did not take long for the gentleman from Manchester (Mr. Ingram), the gentleman from Northampton (Mr. Kendall) and the gentleman from Halifax (Mr. Stebbins) to so batter and so demolish the report, and for days we have scarcely heard it mentioned, as worthy of one single word of praise. It has served its purpose, to divert your mind from the strong and able paper that had been presented by the majority of this committee.

I say it served its purpose; and then has been cast aside, and we do not hear it now mentioned by any of its friends. It received its severest blow from one of the opponents of the majority report, from the gentleman from Roanoke, without a moment's hesitation he kicked it aside, as unworthy to go into the Constitution. I do not know, Mr. Chairman, of any gentleman in this Convention who can do "kicking" better than my friend from Roanoke. But he soon saw that it would not do to press that line of attack, as it was so weak, so feeble, so discredited that his strong common sense told him, there must be something else done, if he wanted to prevent the passage of the report of the majority of this committee. So he announced to this Convention that his method of attack would be along what he called "general lines."

Mr. Chairman, I approve of his use of the word "general" for more general, indefinite comments and criticisms and statements in regard to a legal paper, I do not think I ever heard. He confined himself, as he said, not to discussing the merits of the report, but to saying that he would attack it and show that no paper of that kind ought to go into the Constitution. Mr. Chairman, we can well recall what fearful pictures he presented to us, how the gloom of financial disaster seemed to be settling upon this State, how the men of means seemed to be rushing away to protect themselves from this hydra-headed monster, as if they thought that not a moment must be lost, that they must escape beyond the borders of this State

in order to protect their families; how he said that discredit of every man who would be brought upon this State, if the wheels of progress would be blocked, no enterprise would be indulged in, no work would be secured, money would be hoarded, and every impending disaster that a dark and gloomy imagination could give forth was presented by the gentleman from Roanoke. I do not know any lines which describe the scene he pictured to us, more than those of Campbell, when he describes "Last Man":

"The sun's eye had a sickly glare, The earth with age was wain, And skeletons of nations were About that woe-struck main."

So, Mr. Chairman, that was what he called "general lines" of argument. First we would hear some little electric shaft, then would come rambling and grumbling the prophecy of financial disaster. But through it all, Mr. Chairman, while we might appreciate the imagination of the gentleman, we did not abandon what we felt to be the common sense. We hung to that anchor of our hope and that great safeguard in all the affairs of life, and began to enquire whether this was true. When we would perhaps get momentarily the best of us, yet, presently there would come to our mind the question: Is this imagination or is it real, bona fide fact? There would be no other than an acquisitive mind, and I could not help asking myself, "Why should this disaster come? Why should this great storm of destruction come from putting this into the Constitution?"

There has not been a man on this floor, who dares to say that these corporations should not be controlled. There has not been a man on this floor, who will dare to say that the restrictions and the powers, which should be put in some State authority to regulate and to control, to enact laws relating to corporate interests, and upon the floor of the convention, oppose the report of the committee in a matter which so vitally concerns the people. He stated his experience with the Legislature, that he had seen the same tactics in the convention to defeat the report which they used in the General Assembly related to corporate interests, and that the people were determined to secure justice in the matter of rates and in their dealings with the railways and other corporations of the State. The speaker severely criticised those members of the Committee on Corporations who were now criticizing the language of the report. Mr. Meredith commended the report, and deprecated the speech of the Governor and of the members of the Committee on Corporations, and even of the Supreme Court, manifested by the opponents of the report. He contended that the subject was a proper one for incorporation in the Constitution.

Mr. Stebbins, in the accuracy of his statements as to the rates charged by the railways, and submitted figures to show that the rates in North Carolina and Georgia were lower. The States have corporation commissions. Mr. Stuart, in his speech, showed discrimination in rates against Virginia shippers and in favor of western shippers. He spoke from his own personal knowledge, and his statements were listened to with great interest by the convention.

WILLIAM A. ANDERSON NENT. Mr. William A. Anderson, of Rockbridge, the general of Virginia, was the next speaker. His speech was an argument against the majority report of the committee. At 2 o'clock, when the committee rose for recess, he was still speaking, and resumed his argument when 4 o'clock session was resumed. He occupied the session, and when at 12 o'clock he concluded, the committee rose, and the convention adjourned until 10 A. M. to-day. Mr. Thom had been expected to speak in opposition, but was too unwell to do so, and will be able to speak this morning if he then be well enough.

Mr. Anderson characterized the report of the committee as too stringent, and declared there was no popular demand for such a law. He defended the Legislature, contending that any proper law on this subject could be enacted at any time. He declared that the incorporation of the bill in the Constitution would impair the business interests of the State. Mr. Anderson then took up the bill in more detail, and pointed out the features of the report to which he most strongly objected. He made an able argument from this standpoint, like all the speakers who have antagonized the report attacking the portions of the report that he considered too drastic.

BE RESUMED TO-DAY. Debate on Corporation-Commission Bill—Writer of Suffrage-Conference. The debate on the Corporation Commission bill will be resumed to-day. It is expected that the speaker will consume the entire time of the session. Mr. Braxton, chairman of the committee, will close the general debate for the majority, defending and advocating the bill. His opponent for the bill and his answer to the criticisms levelled at it will be a brilliant effort. He has given great thought and study to the problems of corporate power and its regulation within safe, equitable and proper limits. There may be one or two short speeches sandwiched between those of Mr. Thom and Mr. Braxton, but these are two of the most elaborate addresses yet to be made in any event. It is expected that the convention in Committee of the Whole will be able to take up the bill by sections for amendment and vote before Saturday, and it will then be ready to go to the floor. The indications are that the majority report, with slight amendment, will be adopted.

Lost Hair. It's risky, this losing of the hair. You may not get it back again. When the hair first begins to fall out use Ayer's Hair Vigor. It will stop the falling and will make new hair come in. And it always restores color to gray hair. "My hair came out badly and was fast turning gray. I tried Ayer's Hair Vigor. It stopped my hair from coming out and completely restored the color." Mrs. M. D. Gray, North Salem, Mass. All druggists. J. C. AYER & Co., Lowell, Mass.

BUT NOT BY SECTIONS.

THE CORPORATION COMMISSION BILL FURTHER CONSIDERED.

MR. BARBOUR'S MISUNDERSTANDING.

Did Not Know That Mr. Braxton Had Agreed to a Continuation of the General Debate for Several Days—Mr. Meredith's Vigorous Speech—William A. Anderson Also Heard—Other Speakers—Convention Notes.

The Constitutional Convention yesterday reconsidered the Barbour resolution providing for taking up the report of the Committee on Corporations by sections, and rescinded its action, thus providing the general debate should continue for a few days longer. After this explanation the vote was reconsidered and the convention reversed its action of Tuesday and the general debate will continue until further action.

President Goodie being absent, Mr. Anderson of Rockbridge, presided over the convention. Rev. E. Solly offered prayer. Mr. Wyrso presented memorials from Pulaski county citizens, praying for the adoption of the Quarles-Barbour resolution. They were referred.

The report from the Auditor giving the information asked for by the convention as to the number of negroes owning real estate in the State, for the value of \$100 or more in the various cities and counties was laid before the convention. The matter was ordered printed and lies on the table until the work is completed.

THE CORPORATION COMMISSION. The convention then in Committee of the Whole, resumed the debate on the Corporation Commission report, Mr. Meredith being the first speaker. He expressed surprise that gentlemen who had free passes in their pockets, should, upon the floor of the convention, oppose the report of the committee in a matter which so vitally concerns the people.

He stated his experience with the Legislature, that he had seen the same tactics in the convention to defeat the report which they used in the General Assembly related to corporate interests, and that the people were determined to secure justice in the matter of rates and in their dealings with the railways and other corporations of the State.

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Long, Busy Session. The Legislature will reconvene after the recess next Wednesday, one week from yesterday, and will probably remain in session for six months thereafter, if necessary to do so, to revise the Code in harmony with the changes which the new Constitution will make.

The contested election case of Lambeth and Bibb vs. Whitehead and Woodward, from Norfolk, and that of Fulton, Democrat, vs. Hibbetts, Republican, from the Buchanan, Dickinson, and Wise District, are both to be considered by the Committee on Privileges and Elections and acted on by the House. The action of the State Committee in recognizing the regularity of the Day faction in Norfolk, it is thought, will have no effect on the Norfolk case, in which Messrs. Lambeth and Bibb are the respondents. The action of the Democratic State Committee's decision is applicable only to the primary, and not to the regular election. The contestants have prepared a voluminous record in the case, and it will hardly be decided before the recess, and will require a long time.

There are already some very important and interesting bills, introduced before the recess and referred to the proper committees, among them the new pension bill proposing an appropriation of \$300,000, the separate coach bill applicable to street railways, and the matter of restricting the State for Legislature and Congress, and the changes to make the Code conform to the new Constitution which it is expected will be operative before the session ends. The session promises to be the longest, busiest, and most important in many years.

To Mothers of Large Families

THE SOLID SHOT BOYS

MR. MCCARTHY SPOKE IN JACKSON WARD LAST NIGHT.

In this workaday world few women are so placed that physical exertion is not constantly demanded of them in their daily life. We make a special appeal to mothers of large families whose work is never done and many of whom suffer, and suffer for lack of it, efficient aid. To women, young or old, rich or poor, we extend an invitation to accept free advice. Oh, women! do not let



Mrs. CARRIE BELLEVILLE.

your lives be sacrificed when a word of advice at the first approach of weakness, may fill your future years with healthy joy. Address a letter to Mrs. Pinkham's Laboratory, Lynn, Mass., and you will not be disappointed. "When I began to take Lydia E. Pinkham's Vegetable Compound I suffered terribly at time of menstruation. Several doctors told me they could do nothing for me. Thanks to the Pinkham advice and medicine I am now well, and can do the work for eight in the family."

"I would recommend Lydia E. Pinkham's Vegetable Compound to all mothers of large families." Mrs. CARRIE BELLEVILLE, Ludington, Mich.

adopted. It is not thought that the powerful attempts to materially amend it will be successful, but that it will get through in substantially its present form.

The members are not disposed to resume suffrage conferences until the Corporation Commission report is out of the way. They are of opinion that they can make better time by concentrating their thought and attention to one thing at a time, and some of those prominently identified with the pending debate are also prominent in the suffrage debate, and it would be confusing and exhausting to them to have to jump from one subject to the other, with but a few minutes intervening. There is little probability therefore that the conferences on suffrage will be resumed until next week.

After the resumption, however, it is believed that the time of the assembly will be devoted to the suffrage question until it is settled in some way. The report on finance and taxation is yet to be considered and acted on, but it is not expected that this will be given precedence over the suffrage question.

There are many little odds and ends in connection with reports of other committees, but the subjects have been fully threshed out, and little remains to be done but vote of them.

The talk of a recess of the convention when the Legislature reconvenes next week has about passed out. There has never been any real probability of a recess at the time stated, for it has never been at all likely that the work before it could be finished up in the brief interval of time intervening. Some of those who favor a recess, it is said, are an assemblage of public sentiment, and the fact is yet uncertain whether the new Constitution when completed shall be submitted to an abridged electorate or proclaimed.

There are not a few advocates of that public sentiment, when sounded, will sustain them in the proclamation proposition. Many of the most influential members are unalterably opposed to the idea of proclamation.

The idea that there is any real hostility or any danger of friction between the convention and the Legislature is not generally held, and in fact has been about exploded. The convention can hold sessions in the Capitol building, or in the evening sessions, and the two bodies can sit without conflict. There are doubtless some members of both bodies disposed to criticize the other body, but nothing like hostility and no occasion for it.

Ex-Governor William E. Cameron, one of the members from Petersburg, who has been absent for several weeks owing to illness, will be seen in the city again to-day, yesterday, and warmly welcomed and congratulated by his fellow members.

Senator Daniel will retain his membership in the convention, but it is practically certain that he will not resume work in that body, nor even return to the city at this time. He will be here about the time the convention concludes its work in order to sign the Constitution. Mr. Glass, of Lynchburg, one of his oldest friends, is authorized for this statement.

There were many visitors on the floor of the convention yesterday, and there will be many to-day to hear Mr. Thom who is one of the ablest and best speakers in the body.

THE BROTHERS JUDER.

The German Consul, Mr. E. K. V. is trying to find out whether some of two brothers, named Jander, who emigrated about 1840 from Ketzemussel, Kreis Glogau, Germany, to Boston, Mass., are still in the city. It is said that they had lived there, and to have left a will. The parties may have lived in South Boston or Boston, Cambridge County. Any body who can give any information about these men is requested to notify Mr. V. in this city.

Matter Which Will Engage the Attention of Members of the Assembly. The Legislature will reconvene after the recess next Wednesday, one week from yesterday, and will probably remain in session for six months thereafter, if necessary to do so, to revise the Code in harmony with the changes which the new Constitution will make.

The contested election case of Lambeth and Bibb vs. Whitehead and Woodward, from Norfolk, and that of Fulton, Democrat, vs. Hibbetts, Republican, from the Buchanan, Dickinson, and Wise District, are both to be considered by the Committee on Privileges and Elections and acted on by the House. The action of the State Committee in recognizing the regularity of the Day faction in Norfolk, it is thought, will have no effect on the Norfolk case, in which Messrs. Lambeth and Bibb are the respondents. The action of the Democratic State Committee's decision is applicable only to the primary, and not to the regular election. The contestants have prepared a voluminous record in the case, and it will hardly be decided before the recess, and will require a long time.

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Cured of Piles. Mrs. Hinkley, Indianapolis, writes: "The doctor said it must be an operation, costing \$80 and little chance to survive. I chose Pyramid Pile Cure, and one box made me sound and well. I can now do my work, and I never felt so good. The session promises to be the longest, busiest, and most important in many years." Mrs. Hinkley, Indianapolis, writes: "The doctor said it must be an operation, costing \$80 and little chance to survive. I chose Pyramid Pile Cure, and one box made me sound and well. I can now do my work, and I never felt so good. The session promises to be the longest, busiest, and most important in many years."