

1 of the need to enumerate those powers in separate pro-
2 visions, but as Mrs. Bothe admits, all this is purely
3 exhortatory. If there wasn't a word of this, the power
4 of the General Assembly to act would be unmistakably and
5 constitutionally clear. It seems to me we are making the
6 same mistakes as our forefathers made. They had things on
7 their mind in 1867. As a consequence, they specified a
8 number of things that they didn't have to really, but have
9 cluttered up our Constitution for a hundred years. Now,
10 why should we devote four paragraphs to exhort the General
11 Assembly to do something, that they have the constitutional
12 power to do, when we can do it in one paragraph?

13 MRS. BOTHE: Mr. Neuberger points out to me I
14 am going much too far when I say this is purely exhortatory.
15 It is not. Actually, a command to the General Assembly is
16 not exhortatory. It is directory, in part, and the legal
17 example of that is the suits in Prince George County,
18 Virginia, required the maintenance of a public school
19 system and they had a very significant effect when they
20 closed the system and opened a private school system in
21 lieu of it, so that this is not purely exhortatory.