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THE EXTENT OF THE PRESENT MILITARY AND CIVIL GOVERNMENT IN NORTH CAROLINA.

After all that has been said and written about the present military and civil government of North Carolina, it may be doubted whether the condition and extent of the two are well understood by our citizens. At any rate, we are disposed to assume as a certainty that the condition is not plainly understood, and to make one more effort to explain it.

First, What is the power of the military of the United States stationed here? North Carolina is a military department of the national government, and over this department an army officer presides, who has entire and unlimited control over the civil and military laws of the State, and who still has absolute power over everything the most remotely connected with the army, and whose absolute power over the citizens and the civil authorities, is only limited by the authority invested in the Governor by the President's proclamation.

Secondly, there is in the State a treasury department of the United States government, separate and distinct from the military, existing under the laws of Congress. This department has its own head, and is totally and entirely independent of any civil government existing here.

Then comes the Freedmen's bureau, established by Congress, with its own laws, and its own officers to control and execute them. This Department is established amongst us, subject only to the laws and regulations of the United States, and entirely free, distinct, and independent of any and all civil authority now existing in North Carolina.

Then comes the civil government of the State, having no power except such as is conveyed upon Governor Holden by the proclamation of the President, for the purpose of enabling the loyal citizens of the State to hold a Convention to alter and amend their constitution, and with authority to exercise all the powers necessary and proper to enable such loyal people of the State to restore said State to its constitutional relations to the federal government, and to present such a republican form of government as will entitle the State to the guarantee of the general government.

Thus it is the powers of the Governor are limited to a particular purpose, which is to enable and assist the loyal citizens to hold a convention, and to establish the connection of the State with the general government. He has no control over the military, the treasury department, or the Freedmen's bureau.

Of course, the first great object is to assist and enable the loyal citizens to hold a Convention for the purpose of altering and amending the constitution. This will be done as speedily as is consistent with the proper consideration of the rights and privileges of all loyal citizens. As soon as all such people can qualify themselves with convenience to vote and to assist in electing members to the Convention, the election will be ordered.

But it is not to be hoped that a Convention can do any act that will restore us to all our rights and privileges. It is not to be expected that the military power will be surrendered to the civil authority, and the military withdrawn from the State, until our members of Congress are elected, and admitted into the Congress of the United States, and our State restored to its constitutional relations with the federal government.

The meeting of the Convention is greatly to be desired, and certainly that body will do many things to aid and relieve the people in their present distressed and unsettled condition, but it must steadily be borne in mind that the Convention cannot restore us to the privileges of the United States government. We are compelled to wait until December when Congress shall have convened, before we can hope to enjoy that privilege.

In the meantime, if we continue peaceable and united, and present an acceptable constitution to Congress, when our members are elected, we shall be admitted into the Union, and be restored to the rights enjoyed by our fathers. But if we get up dissensions and strifes among ourselves, or with the military authorities, or if we fail to present to Congress such a constitution as we know the national government will demand of us, under the directions of President Johnson, we may remain in our present condition for years to come, and the military remain amongst us and have the same control of our affairs that they exercise to day. It is not the meeting of the Convention or its action that can relieve us; but it is our restoration to the national government through the action of Congress.—*Raleigh Standard.*

A Proclamation, BY WM. W. HOLDEN, PROVISIONAL GOVERNOR, To the People of North Carolina.

In pursuance of power vested in me by ANDREW JOHNSON, President of the United States, by his Proclamation of May 29th 1865, appointing a Provisional Governor of North Carolina, under the fourth article of the Constitution of the United States, which guarantees to every State in the Union a republican form of government; and in order to enable the loyal people of said State to organize a State Government, whereby justice may be established, domestic tranquility restored, and loyal citizens protected in all their rights of life, liberty, and property; and in order, also, that said State may be restored to its Constitutional relations to the Federal government, by presenting such a republican form of government as will entitle the State to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection and domestic violence, I, WILLIAM W. HOLDEN, Provisional Governor as aforesaid, do hereby proclaim that an election will be held in said State, on Thursday, the 21st day of September, 1865, for a Convention, to be composed of one hundred and twenty delegates, to be chosen as follows:

- The county of Alamance will choose two members.
- The county of Alexander will choose one member.
- The counties of Ashe and Alleghany will choose one member.
- The county of Anson will choose two members.
- The county of Beaufort will choose two members.
- The county of Bertie will choose two members.
- The county of Bladen will choose one member.
- The county of Brunswick will choose one member.
- The county of Buncombe will choose one member.
- The county of Burke will choose one member.
- The county of Cabarrus will choose one member.
- The county of Caldwell will choose one member.
- The county of Camden will choose one member.
- The county of Carteret will choose one member.
- The county of Caswell will choose two members.
- The county of Catawba will choose one member.
- The county of Chatham will choose three members.
- The counties of Cherokee and Clay will choose one member.
- The county of Chowan will choose one member.
- The county of Cleveland will choose two members.
- The county of Columbus will choose one member.
- The county of Craven will choose two members.
- The counties of Cumberland and Harnett will choose three members.
- The county of Currituck will choose one member.
- The county of Davidson will choose two members.
- The county of Davie will choose one member.
- The county of Duplin will choose two members.
- The counties of Edgecombe and Wilson will choose two members.
- The county of Forsyth will choose two members.
- The county of Franklin will choose one member.
- The county of Gaston will choose one member.
- The county of Gates will choose one member.
- The county of Granville will choose three members.
- The county of Greene will choose one member.
- The county of Guilford will choose three members.
- The county of Halifax will choose two members.
- The county of Haywood will choose one member.
- The counties of Henderson and Transylvania will choose one member.
- The county of Hertford will choose one member.
- The county of Hyde will choose one member.
- The county of Iredell will choose two members.
- The county of Jackson will choose one member.
- The county of Johnston will choose two members.
- The county of Jones will choose one member.
- The county of Lenoir will choose one member.
- The county of Lincoln will choose one member.
- The county of Macon will choose one member.
- The county of Madison will choose one member.
- The county of Martin will choose one member.
- The county of McDowell will choose one member.
- The county of Mecklenburg will choose two members.
- The county of Montgomery will choose one member.
- The county of Moore will choose one member.
- The county of Nash will choose one member.
- The county of New Hanover will choose two members.
- The county of Northampton will choose two members.
- The county of Onslow will choose one member.
- The county of Orange will choose two members.
- The county of Pasquotank will choose one member.
- The county of Perquimans will choose one member.
- The county of Person will choose one member.
- The county of Pitt will choose two members.
- The county of Randolph will choose two members.
- The county of Richmond will choose one member.
- The county of Robeson will choose two members.
- The county of Rockingham will choose two members.
- The county of Rowan will choose two members.
- The counties of Rutherford and Polk will choose two members.
- The county of Sampson will choose two members.
- The county of Stanly will choose one member.
- The county of Stokes will choose one member.
- The county of Surry will choose one member.
- The county of Tyrrell will choose one member.
- The county of Union will choose one member.
- The county of Wake will choose three members.
- The county of Warren will choose two members.
- The county of Washington will choose one member.

The county of Watauga will choose one member. The county of Wayne will choose two members. The county of Wilkes will choose two members. The county of Yadkin will choose one member. The counties of Yancey and Mitchell will choose one member.

The Clerks and Sheriffs of the respective counties will proceed at once to assemble the Justices of the Peace, a majority of whom will select from their number not less than six nor more than eighteen Justices, men of intelligence, discretion, firmness, and approved loyalty, whose duty it shall be to administer to those who may be entitled to receive it, the oath contained in the President's Amnesty Proclamation of May 29th, 1865, under such instructions as may be prescribed in this Proclamation. The Justices shall, at the same time, appoint Inspectors of the elections at the various precincts in their respective counties, in accordance with the law in relation thereto, Chapter 52, Revised Code of North Carolina. The elections for members of the Convention shall be conducted in the same manner as elections for members of the House of Commons, in accordance with the provisions of chapter 52, Revised Code, so far as said provisions may be applicable; and the officers appointed to hold said elections, and to make returns thereof, shall be liable to the same penalties for failure to act, or for neglect of duty, as are prescribed in chapter 52, Revised Code.

No person will be allowed to vote who is not a voter qualified as prescribed by the Constitution and laws of the State, in force immediately before the 20th day of May, 1861; except that the payment of a poll tax shall not be required.

All paroled soldiers of the army and navy of the pretended Confederate States, or of this State, and all paroled officers of the army and navy of the pretended Confederate States, or of this State, under and including the rank of Colonel, if of the army, and under and including the rank of Lieutenant, if of the navy, will be allowed to vote, provided they are not included in any of the fourteen excluded classes of the President's Amnesty Proclamation; and, provided further, that they are citizens of the State in accordance with the terms prescribed in the preceding paragraph.

No person will be allowed to vote who does not exhibit to the inspectors a copy of the Amnesty Oath, as contained in the President's Proclamation of May 29th, 1865, signed by himself and certified by at least two Justices of the Peace.

The Sheriffs of the respective counties shall furnish, as soon as practicable, certificates of election to those persons who may have received the highest number of votes as members of the Convention; and the Sheriffs shall also immediately send to the office of the Secretary of State, Raleigh, a statement of the vote in their respective Counties for the members aforesaid, and also a statement of the said vote, sealed up, directed to the President of the Convention, Raleigh, to be laid before the Convention.

The members of the Convention thus chosen, will assemble in the city of Raleigh, on Monday, the second day of October, 1865.

The attention of Justices appointed to administer the Amnesty Oath, is especially directed to the following fourteen excluded classes of the President's Amnesty Proclamation of May 29th, 1865:

- First—All who are or shall have been pretended civil or diplomatic officers or otherwise, domestic or foreign agents of the pretended Confederate government.
- Second—All who left judicial stations under the United States to aid the rebellion.
- Third—All who shall have been military or naval officers of said pretended Confederate government above the rank of Colonel in the army or Lieutenant in the navy.
- Fourth—All who left seats in the Congress of the United States to aid the rebellion.
- Fifth—All who resigned or tendered resignations of their commissions in the army or navy of the U. S. to evade duty in resisting the rebellion.
- Sixth—All who have engaged in any way in treating otherwise than lawfully as prisoners of war persons found in the U. S. service, as officers, soldiers, seamen, or in other capacities.
- Seventh—All persons who have been or are absentees from the U. S. for the purpose of aiding the rebellion.
- Eighth—All military and naval officers in the rebel service who were educated by the government in the Military Academy at West Point, or the U. S. Naval Academy.
- Ninth—All persons who held the pretended offices of Governors of States in insurrection against the United States.
- Tenth—All persons who left their homes within the jurisdiction and protection of the United States, and passed beyond the federal military lines into the so-called Confederate States for the purpose of aiding the rebellion.
- Eleventh—All persons who have been engaged in the destruction of the commerce of the United States upon the high seas, and persons who have made raids into the United States from Canada, or been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British provinces from the United States.
- Twelfth—All persons who, at the time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval or civil confinement or custody, or under bonds of the civil, military or naval authorities or agents of the United States, as prisoners of war or persons detained for offences of any kind either before or after conviction.
- Thirteenth—All persons who have voluntarily participated in said rebellion, and the estimated value of whose taxable property is over twenty thousand dollars.
- Fourteenth—All persons who have taken the oath of amnesty as prescribed in the President's proclamation of December eight, A. D. one thousand eight hundred and sixty-three, or an oath of allegiance to the government of the United States since the date of said proclamation, and who have not therefor-

ward kept and maintained the same inviolate: Provided that special application may be made to the President for pardon by any person belonging to the excepted classes, and such clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States."

Under the first exception are included all persons who have been civil or diplomatic officers or agents of the pretended Confederate government, either within or without the territorial limits of the United States.

Under the seventh exception are included all officers, agents, or private citizens who have been absent from the United States for the purpose of aiding the rebellion.

Under the thirteenth exception are included all who, during the rebellion, have held any office or agency under the State or pretended Confederate government; or have in any way voluntarily joined in the rebellion, as for example, by entering or marching with armed forces hostile to the United States; by sending or furnishing money, provisions, or arms to persons engaged in the rebellion, save in cases where money or provisions were furnished from the promptings of charity or humanity; by acting with assemblages of persons, whether organized or unorganized, hostile to the United States; or in any other way giving voluntary aid, assistance or encouragement to the rebellion; and whose taxable property on the 29th day of May 1865, exceeded in value the sum of twenty thousand dollars.

The other exceptions are so plain as not to require explanation.

No certificate will be granted by the Justices to any person who is included within any of the fourteen excluded classes, unless on exhibition by the party of his pardon for his offence from the President.

The Justices appointed to administer the amnesty oath, and to furnish certificates of the same which shall be evidence of loyalty, are especially instructed to be vigilant and faithful. While it will not be their duty to attempt to pry into the hearts and consciences of men, they will nevertheless admonish those who may apply to take the oath, that it must be taken and subscribed in good faith, with an honest intention on their part to keep it without secret purpose or mental reservation upon any occasion or at any time to commit any act in violation of said oath; and they will warn them that if the oath is not thus taken and kept, the pardon offered them by the President will be void, and they will remain subject to trial under the law for perjury and treason.

The Justices, Clerks and Sheriffs, whose duty it is to provide for administering the oath and to conduct the elections, are enjoined to use every practicable means to enable every citizen to take the oath who may desire and be entitled to do so. And the Inspectors are enjoined to inspect and examine fairly and truly, to decide in every case in accordance with the law, and with the instructions they have received from this office, and to make prompt and correct returns of the number of votes and for whom cast, at their respective precincts.

Done at our city of Raleigh, the 8th day of August, one thousand eight hundred and sixty-five, and in the year of the Independence of the United States the eighty-ninth.

WILLIAM W. HOLDEN,
By the Governor: Provisional Governor.
LEWIS HANES, Private Secretary.
August 14, 1865.

JEFFERSON DAVIS.—Notwithstanding the various stories set afloat in regard to the ill-treatment of Jeff. Davis, it is but just to the authorities to state positively that he is treated with the consideration due a noted prisoner of state by the Commandant at Fortress Monroe. No officer has been or is stationed in his cell; he is allowed to take frequent walks on the ramparts and is permitted to choose his own food. The stories that his cell is guarded by a score or more of bayonets, that in his promenades he is attended by a battalion of soldiers, and that his diet is limited to the army ration, are as ridiculous as they are untrue.

The Rev. W. M. Green, Episcopal Bishop of Mississippi, in an ecclesiastical order issued by him on the 19th ult., instructs the clergy under his charge that so soon as the military rule of the government in the State shall be withdrawn they shall resume the regular prayer for the President of the United States and those in authority, but not before. He also expresses himself as opposed to a reunion with the churches of the North.

MORTALITY.—This city has been entirely free from epidemic diseases, and yet the oldest inhabitant has never known it to be so sickly as it has been for the past two months. The number of persons, black and white, who have been in and around the city for some time, is evidently the cause. The colored population has trebled the former number. The number of deaths among the citizens has not been excessive, but one of the Quartermasters informs us that the demand for coffins in his department for several weeks, has averaged about 70. Most of these have been blacks. Blacks who have left their homes and come to the city, living without employment and on such fare as they get, have suffered terribly. In some instances more than half of those who left their homes have died.—*Raleigh Christian Advocate.*