

The Western Democrat.

OFFICE
ON THE
WEST SIDE OF TRADE STREET

CHARACTER IS AS IMPORTANT TO STATES AS IT IS TO INDIVIDUALS, AND THE GLORY OF THE ONE IS THE COMMON PROPERTY OF THE OTHER.

\$3 Per Annum
IN ADVANCE

W. J. YATES, EDITOR AND PROPRIETOR.

CHARLOTTE, N. C., TUESDAY, JULY 10, 1866.

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THE WESTERN DEMOCRAT

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BY
WILLIAM J. YATES,
EDITOR AND PROPRIETOR.

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Transient advertisements must be paid for in advance. Obituary notices are charged advertising rates.
Advertisements not marked on the manuscript for a specific time, will be inserted until forbid, and charged accordingly.
\$1 per square of 10 lines or less will be charged for each insertion, unless the advertisement is inserted 2 months or more.

AUGUST NIEMANN, Practical Watchmaker & Jeweler,

(Next door South of the Mansion House)
CHARLOTTE, N. C.
The subscriber respectfully informs the public that he is prepared to do all kinds of work in his line promptly and efficiently. He professes to thoroughly understand his business, and those patronizing him may expect to have their work well done.
Clocks, Watches, Jewelry, Music-Boxes, &c., repaired at short notice and on satisfactory terms.
AUGUST NIEMANN,
Next door to Mansion House.
April 30, 1866

VANCE, DOWD & JOHNSTON, ATTORNEYS AT LAW,

Charlotte, N. C.
Having associated themselves together, will practice in the Courts of Mecklenburg, Fredrick, Catawba, Davidson, Rowan, Cabarrus and Union, and in the Federal and Supreme Courts.
Claims collected anywhere in the State.
April 2, 1866

MEDICAL CARD.

DRS. GIBBON & McCOMBS, having associated themselves in the practice of Medicine and Surgery, respectfully tender their professional services to the citizens of Charlotte and surrounding country.
From a large experience in private as well as in Hospital practice, they feel justified in proposing to pay special attention to the practice of Surgery in all its branches.
Office in Granite Row, up stairs, opposite the Mansion House.
ROBERT GIBBON, M. D.
J. P. McCOMBS, M. D.
Dec 11, 1865

FULLINGS & SPRINGS

Have removed their CLOTHING and MERCHANT TAILORING STORE, to No. 4 Granite Row, lately occupied by J. S. Phillips. We are offering our stock of
READY-MADE CLOTHING
at cost for cash. Our former friends and patrons will do well to supply themselves at once.
We will keep at all times a good supply of Cloths, Cassimers and Vestings, which will be made to order in the best style and manner. We will keep also a good stock of Hats, Shirts, Drawers and other furnishing Goods.
FULLINGS & SPRINGS.
Jan 29, 1866

Hutchison & Springs,

CHARLOTTE, N. C.
Agents of the most reliable **LYSARICE COMPAVINE** in the United States.
Be on the SAFE SIDE and insure your property against loss or damage by fire.
Also, INSURE YOUR LIFE for the benefit of your wife and children.
RISKS taken at moderate rates.
Call on Hutchison & Springs, No. 4 Granite Row.
J. M. HUTCHISON,
J. M. SPRINGS,
Agents.
March 5, 1866

Ladies' Hats and Bonnets,

Trimmed and untrimmed; Bonnet Ribbon, French Flowers, &c, very handsome, at
Mcleod & STEELE'S
Handsome and Fashionable styles of Ladies' DRESS GOODS, Laces, Shawls, &c, very cheap at
Mcleod & STEELE'S.
May 14th

Grain and Grass Scythes,

Scythe Smaths, Ames' Shovels and Spades, Collins' Axes, &c, at
Mcleod & STEELE'S.
Ladies', Misses' and children's BOOTS and SHOES, Congress Gaiters, and Slippers, very handsome and cheap, at
Mcleod & STEELE'S.
Gents' and Youths' Caps and Straw Hats, very low, at
Mcleod & STEELE'S.
Linen and cotton Sheeting, Pillow-case Linen, &c, very low, at
Mcleod & STEELE'S.
May 14, 1866

J. T. BUTLER, Watchmaker & Jeweler,

CHARLOTTE, N. C.
Respectfully informs the citizens of Charlotte and surrounding country that he has opened a shop in the store occupied by C. M. Query, next to Springs' corner, where he will give prompt attention to repairing Watches, Clocks, Jewelry, &c.
Watch-glasses and materials in general at wholesale and retail.
May 22, 1865

The Southern Express Company,

For the transportation of merchandise, valuable packages, specie, bank notes, bonds, &c, for all parts of the South and Southwest, in connection with ADAMS EXPRESS COMPANY.
have established their agency at 59 BROADWAY, NEW YORK, where orders to call for goods to be forwarded South will receive prompt attention.
Merchandise and valuables delivered to Hamilton's, Kinsley's, American and United States Express Companies, for the Southern Express Company, will receive prompt dispatch.
For particulars, rates of freight, &c, apply at the office of the Southern Express Company, 59 Broadway.
H. B. PLANT,
President.
Dec 18, 1865.

Tailoring.

JOHN VOGEL,
PRACTICAL TAILOR.
Respectfully informs the citizens of Charlotte and surrounding country, that he is prepared to manufacture gentlemen's clothing in the latest style and at short notice. His best exertions will be given to render satisfaction to those who patronize him. Shop opposite Kerr's Hotel, next door to Brown & Stitt's store.
January 1, 1866.

ALFRED MARTIN, General Commission Merchant,

WILMINGTON, N. C.
Personal and prompt attention given to the purchase and sale of all descriptions of Produce, and to the receiving and forwarding of Goods. Charges for the same as reasonable as those of any other regular business house in the city.
He has ample Warehouse and Wharf room, and an experience of thirty years in the business, and therefore feels confident of being able to give entire satisfaction to all who may favor him with their patronage.
REFERENCES—T. W. Dewey, John A. Young, M. L. Wriston, John Wilkes and Wm J. Yates, Charlotte. June 25, 1866

Genuine Durham SMOKING TOBACCO.

The undersigned is the sole proprietor of the above named article, being the successor of the original manufacturer.
Having obtained letters patent for said article, he hereby warns all persons against manufacturing or attempting to manufacture said article.
All vendors of the "Genuine Durham Smoking Tobacco," must obtain it from me directly or from my authorized agents.
The following are my sole authorized Agents at present. Others will be added:
Stenhouse & Macaulay, Charlotte; W. D. Smith, Fayetteville; Walker, Farrar & Co., Newbern; Northrop & Cummings, Wilmington; H. D. Teel, Tarboro; J. E. Venable, Petersburg; Ashton & Emerson, Portsmouth, Va.; Adolph Berry, 172 West Pratt St., Baltimore; March, Price & Co., 91 Walter St., New York. J. R. GREEN.
Durham's, Orange co, N. C., June 25, 1866 3m
Stenhouse & Macaulay, Agents at Charlotte.

PROVIDENCE ACADEMY.

The next session of this School will open 16th of July.
Particulars respecting boarding and tuition made known on application.
E. C. KUYKENDAL.
June 25, 1866 2t

CLOSING OUT AT COST.

No Misrepresentations.
In order to make a change in our business by Fall, we are determined to close out our entire Stock of
Dry Goods, Clothing, Hats,
Boots, Shoes, Gents' Furnishing Goods, &c, &c, and offer them at and below COST.
A call is solicited, and you will be convinced of the fact that nothing is misrepresented. The line of Goods as above enumerated are of the first class and complete.
Great inducements are being held out to Wholesale Buyers.
A. WELLS & CO.,
No. 24 Tryon Street, Parks' Building.
June 25, 1866.

ATTENTION People of Charlotte and surrounding country!

SELLING OFF BELOW N. Y. COST.
NO HUMBAG—NO HUMBAG!!
A \$30,000 Stock of Goods must all be sold in three months.
The citizens of Charlotte and surrounding country will do well to call at H. E. MORSE'S before purchasing elsewhere, as they will save from 25 to 50 percent by so doing.
Merchants from the city and country will do well to give me a call, as I will sell them Goods cheaper than the cheapest. I have on hand a large and well selected stock of
Dry Goods, Clothing, Millinery,
Ladies', Gents', Misses' and children's Boots and Shoes in large assortment, all sizes; Calicoes of every variety; Hats and Caps; Confectioneries; Crockery; Trunks; Valises; a large stock of Notions, and many other articles too tedious to mention.
Don't forget the place—at Dr. Pritchard's old stand, opposite the Court House.
H. E. MORSE.
ALSO, for sale a fine, spacious RESIDENCE, with good Garden and out-houses attached.
H. E. MORSE.
June 25, 1865 3m

JUST RECEIVED.

Some No. 1 Mackarel; large and fine Sacks Liverpool Salt; 500 bushels superior Corn.
A lot of North Carolina Shoes, made at Thomasville, Ladies' and Gentlemen's.
A lot of superior Shoes from Philadelphia.
Some beautiful Summer Prints; Bleached and Brown Domestic; Bleached Cotton Diaper; Bed Ticking, Fine Napkins.
H. B. WILLIAMS.
June 25, 1866

CATAWBA English & Classical High School.

The second Session of five months of this School will commence the 1st day of July.
Terms:
Tuition from \$10 to \$15, specie rates.
Boarding in families from \$10 to \$15, currency.
Boarding in clubs from \$5 to \$7, currency.
For circulars and further information address J. C. Clapp, Newton, N. C.
J. C. CLAPP, A. B.
S. M. FINGR, A. B.
June 11, 1866 1f

Office N. C. Railroad Co., COMPANY SHOPS, June 12, 1866

The Seventeenth Annual Meeting of the Stockholders of the North Carolina Railroad Company, will be held in the town of Hillsborough on Thursday the 12th of July next.
Stockholders who cannot attend in person will please send their proxies.
June 18th. F. A. STAGG, Secy.

LIME, LIME!

100 Barrels Thomaston LIME, in good order, for sale. Apply to Agent at N. C. Railroad Depot.
June 4, 1866 1f

BINGHAM SCHOOL, MEBANESVILLE, N. C.

A new term begins on the 25th of July next. For the accommodation of young men who cannot take a classical course, an ENGLISH AND COMMERCIAL DEPARTMENT has been organized.
For terms address COL. Wm. BINGHAM, June 18, 1866 1m Mebanesville, N. C.

NOTICE.

The undersigned have left all their Notes and Accounts in the hands of Mr. James H. Henderson of this city, where we hope all that owe us will call and settle, as soon as they can, as we need money.
ROOPMANN & PHELPS.
June 11, 1866. 4t

THE CONSTITUTION OF North Carolina, As amended & adopted by the late Convention.

WE, the delegates of the people of North Carolina, in Convention assembled, for the purpose of amending the Constitution of the State, having consolidated the same as adopted on the 18th day of December, A. D. 1779, with the amendments thereto, which were ratified on the 11th day of July, A. D. 1895, together with sundry amendments adopted in the years 1856, 1861 and 1862, and other amendments adopted by this Convention, do ordain and establish the following Constitution for the State:

ARTICLE I. DECLARATION OF RIGHTS.

Section 1. All political power is vested in and derived from the people only.

Sec. 2. The people of this State ought to have the sole and exclusive right of regulating the internal government and police thereof.

Sec. 3. No man or set of men are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services.

Sec. 4. The legislative, executive, and supreme judicial powers of government ought to be forever separate and distinct from each other.

Sec. 5. All power of suspending laws, or the execution of laws, by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

Sec. 6. Elections of members to serve as representatives in General Assembly ought to be free.

Sec. 7. In all criminal prosecutions, every man has a right to be informed of the accusation against him, and to confront the accusers and witnesses with other testimony, and to have counsel for his defence, and shall not be compelled to give evidence against himself.

Sec. 8. No freeman shall be put to answer any criminal charge, except as hereinafter allowed, but by indictment, presentment, or impeachment.

Sec. 9. No freeman shall be convicted of any crime, but by the unanimous verdict of a jury of good and lawful men, in open Court, as here-tofore used: The Legislature may, however, provide, other modes of trial for petty misdemeanors, with the right of appeal.

Sec. 10. Excessive bail should not be required, nor excessive fines imposed, nor unusual punishments inflicted.

Sec. 11. General warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of the fact committed, or to seize any person or persons named whose offence is not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

Sec. 12. No freeman ought to be taken, imprisoned, or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived, of his life, liberty, or property, but by the law of the land.

Sec. 13. Every freeman, restrained of his liberty, is entitled to a remedy to inquire into the lawfulness thereof, and to remove the same if unlawful, and such remedy ought not to be denied or delayed.

Sec. 14. In all controversies at law respecting property, the ancient mode of trial by jury is one of the best securities of the rights of the people, and ought to remain sacred & inviolable.

Sec. 15. The freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained.

Sec. 16. The people of this State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent of themselves, or their representatives in General Assembly, freely given.

Sec. 17. The people have a right to bear arms for the defence of the State, and, as standing armies in time of peace are dangerous to liberty, they ought not to be kept up; and the military should be kept under strict subordination to, and governed by, the civil power.

Sec. 18. The people have a right to assemble together, to consult for their common good, to instruct their representatives, and to apply to the Legislature for redress of grievances.

Sec. 19. All men have a natural and unalienable right to worship Almighty God according to the dictates of their own consciences.

Sec. 20. For redress of grievances, and for amending and strengthening the laws, elections ought to be often held.

Sec. 21. A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty.

Sec. 22. No hereditary emoluments, privileges, or honors ought to be granted or conferred in this State.

Sec. 23. Perpetuities and monopolies are contrary to the genius of a free State, and ought not to be allowed.

Sec. 24. Retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust, and incompatible with liberty; wherefore, no *ex post facto* law ought to be made.

Sec. 25. Slavery and involuntary servitude otherwise than for crimes, whereof the parties shall have been duly convicted, shall be, and is hereby forever prohibited within the State.

Sec. 26. The limits and boundaries of the State shall be and remain as they now are.

Sec. 27. All courts shall be open, and every person, for an injury done him in his lands, goods, person or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial or delay.

Sec. 28. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

ARTICLE II. LEGISLATIVE DEPARTMENT.

Section 1. The legislative authority shall be vested in two distinct branches, both dependent on the people, to-wit: a Senate and House of Commons.

Sec. 2. The Senate shall consist of fifty representatives, biennially chosen by ballot, and

elect by districts; which districts shall remain as they are until the first session of the General Assembly after the year one thousand eight hundred and seventy-one; and at such session, and then every ten years thereafter, shall be laid off by the General Assembly, in proportion to the public taxes paid into the Treasury of the State by the citizens thereof; and the average of the public taxes paid by each county into the Treasury of the State, for the three years preceding the laying off of the districts, shall be considered as its proportion of the public taxes, and constitute the basis of apportionment: Provided, That no county shall be divided in the formation of a Senatorial district; and when there are one or more counties, having an excess of taxation above the ratio to form a Senatorial district, adjoining a county or counties deficient in such ratio, the excess or excesses aforesaid shall be added to the taxation of the county or counties deficient; and if, with such addition, the county or counties receiving it shall have the requisite ratio, such county and counties each shall constitute a Senatorial district.

Sec. 3. The House of Commons shall be composed of one hundred and twenty representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their entire respective white population, and each county shall have at least one member in the House of Commons, although it may not contain the requisite ratio of white population.

Sec. 4. This apportionment shall be made by the General Assembly, at the respective times and periods when the districts for the Senate are hereinbefore directed to be laid off; and the said apportionment shall be made according to an enumeration to be ordered by the General Assembly, or according to the census which may be taken by order of Congress, next preceding the period of making such apportionment.

Sec. 5. In making the apportionment in the House of Commons, the ratio of representation shall be ascertained by dividing the amount of the white population in the State, after deducting that comprehended within those counties which do not severally contain the one hundred and twentieth part of the entire white population aforesaid, by the number of representatives less the number assigned to the said counties. To each county containing the said ratio, and not twice the said ratio, there shall be assigned one representative; to each county containing twice, but not three times the said ratio, there shall be assigned two representatives, and so on progressively; and then the remaining representatives shall be assigned severally to the counties having the largest fractions.

Sec. 6. No new county shall be formed and established, unless there shall be, within the proposed boundaries thereof, the one hundred and twentieth part of the entire white population of the State; nor if the population of the county, or any of the counties, from which it may be proposed to form and establish the same, shall thereby be reduced below the one hundred and twentieth part of the entire white population of the State.

Sec. 7. Each member of the Senate shall be not less than thirty years of age; shall have resided in the State five years; shall have usually resided in the district for which he is chosen, one year immediately preceding his election, and for the same time shall have possessed, and shall continue to possess, in the district which he represents, not less than three hundred acres of land in fee; or a freehold of not less value than one thousand dollars.

Sec. 8. Each member of the House of Commons shall be not less than twenty-one years of age; shall have usually resided in the county in which he is chosen for one year immediately preceding his election, and for the same time shall have possessed, and shall continue to possess, in the county which he represents, a freehold of one hundred acres of land, or the value of three hundred dollars.

Sec. 9. Every man of the age of twenty-one years, who may have been an inhabitant of the State for twelve months, and of the district in which he proposes to vote, six months next before the day of any election, and shall have paid public taxes, shall be entitled to vote for a member of the Senate for the district in which he may then reside.

Sec. 10. Every man of the age of twenty-one years, who may have been an inhabitant of the State for twelve months next before the day of election, and of the county in which he proposes to vote for six months next before the day of election, and shall have paid public taxes, shall be entitled to vote for members of the House of Commons for the county in which he shall then reside.

Sec. 11. Each person elected to the Senate or House of Commons, shall hold his seat from the time of his election until the next biennial election.

Sec. 12. The Senate and House of Commons shall meet biennially, and when assembled, shall be denominated the General Assembly.

Sec. 13. The House of Commons shall choose their own speaker and other officers.

Sec. 14. The Lieutenant Governor shall preside in the Senate, but shall not vote, unless they be equally divided.

Sec. 15. The Senate shall choose their other officers, and also a speaker *pro tempore* in the absence of the Lieutenant Governor, or when he shall exercise the office of Governor.

Sec. 16. Each House shall be judge of the qualifications and elections of its own members; shall sit upon its own adjournments from day to day; prepare bills to be passed into laws; direct writs for supplying intermediate vacancies; and may also jointly adjourn to any future day or place.

Sec. 17. The style of the acts shall be "The General Assembly of North Carolina do enact, as follows."

Sec. 18. Each member of the General Assembly, before taking his seat, shall take an oath or affirmation that, to the best of his knowledge and belief, he is qualified under the Constitution of the State to take his seat.

Sec. 20. The General Assembly shall not

have power to grant a divorce, or secure alimony, in any individual case, but may pass general laws, regulating divorce and alimony.

Sec. 21. The General Assembly shall not have power to pass any private law to alter the name of any person, or to legitimate any persons not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of any infamous crime; but shall have the power to pass general laws regulating the same.

Sec. 22. The General Assembly shall not pass any private law, unless it shall be made to appear that thirty days notice of application to pass such law shall have been given, under such directions and in such manner as shall be provided by law.

Sec. 23. No law shall be passed to raise a loan of money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities and towns, to do so, unless the bill for that purpose shall have been read three several times in each House of the General Assembly, and passed three several readings, which readings shall have been on three different days, and agreed to by a majority of the whole number of members of each House respectively, and unless the yeas and nays, on the second and third readings of the bill, shall have been entered on the journal.

Sec. 24. The General Assembly shall regulate entails in such a manner as to prevent perpetuities.

Sec. 25. If vacancies shall occur by death, resignation or otherwise, whenever the General Assembly is not in session, writs of election may be issued by the Governor, under such regulations as may be prescribed by law.

Sec. 26. Neither House shall proceed upon public business, unless a majority of all its members be present.

Sec. 27. Each House shall keep a journal of all its proceedings, which shall be printed, and made public immediately after the adjournment of the General Assembly.

Sec. 28. Upon motion made and seconded in either House by one-fifth of the members present, the yeas and nays upon any question shall be taken, and entered on the journals.

Sec. 29. Any member of either House may dissent from and protest against any act or resolve which he may think injurious to the public, or any individual, and have the reasons of his dissent entered on the journal.

Sec. 30. The General Assembly, at each biennial session, shall elect, by joint vote of the two Houses, a Secretary of State, Treasurer, and Council of State, who shall continue in office for the term of two years, and until others may be appointed in their places.

Sec. 31. In the election of all officers, whose appointment is conferred on the General Assembly by the Constitution, the vote shall be *vice voce*.

ARTICLE III. EXECUTIVE DEPARTMENT.

Section 1. There shall be a Governor, and Lieutenant Governor of the State, who shall be chosen by the qualified voters for the members of the House of Commons, at such times and places as members of the General Assembly are elected.

Sec. 2. No person shall be eligible as Governor or Lieutenant Governor, unless he shall have been a citizen of the United States for twenty years; shall have attained the age of thirty years; shall have been a resident of the State for five years next before the day of election, and shall have therein a freehold in lands and tenements of the value of two thousand dollars.

Sec. 3. The Governor shall hold his office for the term of two years from the time fixed for his installation, and until another shall be elected and qualified; but he shall not be eligible for more than four years in any term of six years, unless the office shall have been cast on him as Lieutenant Governor or Speaker of one of the Houses of the General Assembly.

Sec. 4. The returns of every election for Governor and Lieutenant Governor, shall be sealed up and transmitted to the seat of Government, by the returning officers, directed to the Speaker of the House of Commons, who shall open and publish them in the presence of a majority of the members of both Houses of the General Assembly. The person having the highest number of votes for Governor, shall be Governor; and the person having the highest number of votes for Lieutenant Governor, shall be Lieutenant Governor; but if two or more persons shall be equal and highest in number of votes for either office, one of them shall be chosen to fill the office by a joint vote of both Houses of the General Assembly.

Sec. 5. Contested elections for Governor or Lieutenant Governor, shall be determined by a joint vote of both Houses of the General Assembly, in such a manner as shall be prescribed by law.

Sec. 6. The Governor elect shall enter on the duties of the office, on the first day of January next after his election, having previously taken the oaths of office in presence of the members of both branches of the General Assembly, or before any Justice of the Supreme Court, who, in case the Governor elect should be prevented from attendance before the General Assembly by sickness or other unavoidable cause, is authorized to administer the same.

Sec. 7. The Lieutenant Governor shall possess the same qualifications for office, as are required of the Governor, and shall hold his office for the like term.

Sec. 8. The Governor and Lieutenant Governor, each, shall take an oath, that, to the best of his knowledge and belief, he is eligible, under the Constitution and laws of the State, to the office to which he has been elected.

Sec. 9. The Governor shall be Commander-in-Chief of the Militia; and in the recess of the General Assembly, shall have power, by and with the advice of the Council of State, to embody the Militia for the public safety.

Sec. 10. The Governor shall have power to draw for and apply such sums of money as shall be voted by the General Assembly for the contingencies of government, and be accountable

to them for the same; he shall have the power of granting pardons, and reprieves, except when the prosecution shall be carried on by the General Assembly, or unless the law shall otherwise direct; in which latter case, he may, in the recess, grant a reprieve until the next sitting of the General Assembly; and may exercise all the other executive powers of government, limited and restrained as by this Constitution is mentioned, and according to the laws of the State; and shall have power, by and with the advice of the Council of State, to convene the General Assembly in extra session, at any time, when in his opinion, the exigencies of the State may require it.

Sec. 11. In case of the impeachment of the Governor, or his removal from office, death inability to discharge the duties of the office, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the disability shall cease.

Sec. 12. Whenever the Lieutenant Governor shall, for like causes, become incompetent to discharge the powers and duties of the office of Governor, they shall devolve on the Speaker of the Senate; and in case of his death, or incompetency for like causes, they shall devolve on the Speaker of the House of Commons; and for such time as there shall be no Speakers in fact, the persons last acting as such shall be deemed Speakers for the purpose aforesaid.

Sec. 13. In case of a vacancy in the office of Governor, the Lieutenant Governor, or any other person called to fill the office, shall be qualified before any Justice of the Supreme Court.

Sec. 14. The Lieutenant Governor, while presiding in the Senate, shall receive the same pay as the Speaker of the House of Commons, and he shall receive no other compensation, except when he is acting as Governor.

Sec. 15. There shall be a seal of the State, which shall be kept by the Governor, and used by him as occasion may require, and shall be called the great seal of the State of North Carolina, and be affixed to all grants and commissions.

Sec. 16. The Council of State shall consist of seven persons, who shall advise the Governor in the execution of his office; four members shall be a quorum; their advice and proceedings shall be entered in a Journal to be kept for that purpose only, and signed by the members present; against any part of which any member present may enter his dissent; and such Journal shall be laid before the General Assembly when called for by either House.

Sec. 17. In every case where any officer, the right of whose appointment is by the Constitution of the State, vested in the General Assembly, shall, during their recess, die, or his office by other means become vacant, the Governor shall have power, with the advice of the Council of State, to fill such vacancy, by granting a temporary commission, which shall expire at the end of the next session of the General Assembly.

ARTICLE IV. JUDICIAL DEPARTMENT.

Section 1. The judicial power of the State shall be vested in one Supreme Court; in Superior Courts of Law and Courts of Equity; in County Courts; and in Justices of the Peace; and in such other Courts as by the Constitution and Laws may be allowed.

Sec. 2. The Supreme Court shall consist of a Chief Justice, and two Associate Justices, who shall be elected to their respective offices by the joint vote of the two Houses of the General Assembly.

Sec. 3. The Superior Courts of law and Courts of Equity shall consist of one or more Judges to be elected in like manner.

Sec. 4. The Justices of the Supreme and the Judges of the Superior Courts of law and Courts of Equity, shall hold their office during good behavior; and, at stated times, shall receive for their services an adequate salary, which shall not be diminished during their continuance in office.

Sec. 5. There shall be two terms of the Supreme Court, to be held at the seat of Government, in every year; the commencement of the terms to be, as nearly as may be, half a year apart; and the Court at each term shall sit