

Options of Prominent Democrats on the Convention Question—Read and Circulate.

In response to calls we lay before our readers the following letter from Judge Fowle on the Convention question:

RALEIGH, Oct. 26, 1874.

My John W. Dunham:

Sir:—In reply to your letter asking my opinion in regard to the calling of a convention by the next General Assembly, for the purpose of amending the Constitution of North Carolina, I have to say:

That in my opinion a call of a Convention for the purpose indicated would be unwise, inexpedient and productive of great harm to the material interests of the State.

The defeat of the Conservative party in North Carolina in 1874 would be a public calamity. The defeat would, in my opinion, be insured if the proposed action is taken.

A very cursory examination of the Constitution and history of North Carolina will satisfy the enquirer, that of the two methods provided for amending the Constitution, to-wit: the legislative and conventional, the intention was, that for ordinary times, and for the correction of ordinary evils, it was thought wise by our fathers that the legislative mode should be adopted, and that the mode of amendment by the convention was only to be resorted to when the exigency of the occasion was extreme, and was a substitute in a Democratic and Republican form of government for revolution, and was not to be exercised unless the emergency was great.

We find accordingly that after the adoption of the constitution of 1776, there was no convention of the people of North Carolina until the year 1868, except the conventions of 1788 and 1789 which were called for the purpose of ratifying the Federal constitution, and that since that time there has been no convention of the people, which has been called for the purpose of amending the constitution, and has actually done so until the year 1868. The convention which was called in 1861 was for the purpose of taking North Carolina out of the Union, and the convention of 1866, being called under Presidential Proclamation, and its conclusions being repudiated by the people, are not to be considered in this connection.

The policy of the State then being well settled not to call a convention of the people except upon extraordinary occasions, is there anything in the political condition of the State that will justify such action at this time?

A very earnest and able advocate of the convention movement, in reply to an interrogatory from me as to the necessity for a convention, stated that he desired a convention in order that the constitution should be amended in three particulars:

1. Requiring the Judges of the Supreme Court to rotate.
2. Disqualifying a person who has been convicted of an infamous crime from voting.
3. Requiring the poll tax to be paid as a qualification of a voter.

In regard to the first and second of these amendments, after considerable inquiry I am satisfied that they will meet with but very little opposition from either of the great political parties.

I have heard at least two of the Republican Judges express themselves in favor of the first proposed amendment, and one of them expressed it as his opinion that every member of the Judiciary would give his personal influence to the proposed amendment. As to the second, the mere introduction of the proposed amendment is enough to secure its passage, before any Legislature that can now be elected, regardless of its political complexion.

As to the third proposed amendment, it is believed by many persons that its effect would be to diminish the Republican vote in the State several thousand votes, thereby insuring a Conservative triumph.

The proposed amendment itself is in my opinion a very good one, because the increased taxation that would be thus derived would greatly benefit the common schools of the State. But I do not believe that the vote would be materially diminished by its adoption, because in every well contested election the funds will be provided to pay the poll tax for such voters as cannot pay for themselves, and I will show before I get through that our elections in 1876 will necessarily be well contested by both of the great political parties.

But even if I should be mistaken in this, the success of our party in 1876 is not a good reason for deviating from the course of action in regard to constitutional amendments which has been sanctioned by the wisdom of our forefathers, because it would be establishing a precedent for tampering with the constitution whenever the exigency of a party required it, and conventions in North Carolina, would become as frequent as revolutions in Mexico.

In a very able letter, signed by W. A. Wright, Esq., and five other distinguished gentlemen, dated Oct. 22, 1874, the following expression is used:

"Suffice it to say then, that in almost every one of the many instances where the 'Canby' constitution varies from the old constitution of our fathers the difference has been productive of unmixed evil. In our opinion the sooner we return to that old constitution the better it will be for the people of North Carolina, observing, of course, the changes rendered necessary by the war and its results. And we deem it proper to say here, in order to prevent any possible misunderstanding, that we believe no one contemplating, as no one ought to contemplate any change in regard to the Homestead Exemption, save such as will enlarge and render more secure that wise and beneficent provision. We deem it proper to say also that we believe no one contemplating any change in the constitution

tending to impair the rights of the colored people."

To this broad assertion we respectfully enter our dissent.

There are several changes in the organic law, made by the convention of 1868, other than the exceptions made by these gentlemen, which, in my opinion, the people of North Carolina will not willingly yield—as for instance:

The election of the Judges by the people.

The abolition of the county courts and the election of county commissioners by the people.

There may be a considerable portion of our people, particularly in the Eastern section of the State, who would be glad to see the power taken from the Eastern negroes to elect Judges and county commissioners. So far as the election of Judges is concerned, the remedy is easy by electing Judges on a general ticket, but so far as county commissioners are concerned, I do not believe that the white people in the West are willing to delegate to the Legislature their right to elect magistrates, who shall elect county commissioners, and our people generally are well satisfied at being rid of the cumbersome and expensive old county system.

But apart from all this, it would be a political blunder to call a convention.

In 1870 the people of North Carolina voted the Conservative ticket. Not a word was said about convention during the canvass. The Legislature was conservative by nearly two-thirds majority. Taking advantage of its majority, notwithstanding the warnings of many of our wisest leaders, a bill was passed submitting the question of calling a convention to the people. It was defeated by more than 9,000 majority. But more than this, of the delegates elected, a majority, I have been informed by a well posted friend, were Republicans.

The people were angry with our party and charged in many localities that we could not have carried the election in 1870 if our purpose had been avowed. It was regarded by many of the them as a fraud upon the people. Many members of the Legislature of 1870, who voted for the bill, would never have been elected if their constituents had been aware that they would have done so.

In 1872, it insured the defeat of Judge Merrimon for Governor, and worse than this, the failure to carry North Carolina paralyzed the opposition to Grant, and his re-election was due more to the result in North Carolina in August, than to any other cause.

In 1876, there will be another great contest for the Presidency.

Pennsylvania, by the change of its State election from October to November, is no longer the Keystone State.

North Carolina has the doubtful honor of being the Keystone State in that controversy. Every effort will be made by both parties to carry the State.

Require the poll tax to be paid in advance and it will be—by many from beyond the limits of the State. Every voter that can be induced to go to the polls will be carried there. And if North Carolina falters we will have four years more of Republican rule at Washington.

The advocates of the convention insist that although it may be inexpedient as a party measure, it is right in itself. If inexpedient, it is because it is unpopular. If unpopular, it will fail. Failure will not benefit, but greatly injure our party. Besides there is no moral question of right or wrong involved, and if inexpedient, it is politically wrong. My deliberate judgment is, that if this convention scheme is passed, that the Republicans who voted with us in August last will return to the Republican party, and many conservatives will, I fear accompany them.

Political daring is sometimes the best policy, but to renew an experiment which has already proved so disastrous, would be suicidal.

DANIEL G. FOWLE.

AN ACT.

To enforce the rights of Citizens of the United States to vote in the several States of this Union, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States, who are or shall be otherwise qualified by law to vote at any election by the people in any State Territory, district, county, city, parish, township, school district, municipality, or other territorial subdivision, shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude; any constitution, law, custom, usage or regulation of any State or Territory, or by or under its authority, to the contrary notwithstanding.

Sec. 2. And be it further enacted, That if by or under the authority of the constitution or laws of any State or Territory, any act is or shall be required to be done as a prerequisite or qualification for voting, and by such constitution or laws persons or officers are or shall be charged with the performance of duties in furnishing such prerequisite, or to become qualified to vote without distinction of race, color or previous condition of servitude; and if any such person or officer shall refuse or knowingly omit to give full effect to this section, he shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 3. And be it further enacted, That whenever, by or under the authority of the constitution or laws of any State, or the laws of any Territory, any act is or shall be required to be done by any citizen as a prerequisite to qualify or entitle him to vote, the offer of any such citizen to perform the act required to be done as aforesaid shall, if it fail to be carried into execution by reason of the wrongful act or omission aforesaid of

the person or officer charged with the duty of receiving or permitting such performance, or of performing such act thereon, be deemed and held as a performance in law of such act; and the person so offering and failing as aforesaid, and being otherwise qualified, shall be entitled to vote in the same manner and to the same extent as if he had in fact performed such act; and any judge, inspector or other officer of election whose duty it is or shall be to receive, count, certify, register, report, or give effect to the vote of such citizen upon the presentation by him of his affidavit stating such offer and the time and place thereof, and the name of the officer or person whose duty it was to act thereon, and that he was wrongfully prevented by such person or officer from performing such act, shall, on conviction thereof, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 4. And be it further enacted, That if any person, by force, bribery, threats, intimidation, or other unlawful means, shall hinder, delay, prevent or obstruct, or shall combine and confederate with others to hinder, delay, prevent or obstruct any citizen from doing any act required to be done to qualify him to vote or from voting at any election as aforesaid, such person shall for every such offense forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action on the case, with full costs, and such allowance for counsel fees as the court shall deem just, and shall also be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 5. And be it further enacted, That if any person shall prevent, hinder, control or intimidate, or shall attempt to prevent, hinder, control or intimidate any person from exercising or in exercising the right of suffrage, to whom the right of suffrage is secured or guaranteed by the fifteenth amendment to the constitution of the United States, by means of threats, or by means of depriving such person of employment or occupation, or of ejecting such person from rented house, lands or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, such person so offending shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.

Sec. 6. And be it further enacted, That if two or more persons shall band or conspire together, or go in disguise upon the public highways, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States, or because of his having exercised the same, such person shall be held guilty of felony, and on conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court, the fine not to exceed five thousand dollars, and the imprisonment not to exceed ten years, and shall, moreover, be thereafter ineligible to, and disabled from holding any office or place of honor, profit or trust created by the Constitution or laws of the United States.

COMMERCIAL.

Review of the Wilmington Market.

August 2.

Spirits Turpentine—Receipts 178 casks. Sales of 110 casks at 28¢ cents per gallon for Southern packages. Market quiet.

Rosin—Receipts 771 bbls. Sales of 500 bbls. C. D. and E. at \$1.49. Market dull at \$1.40 for Strained.

Crude Turpentine—Receipts 69 bbls. Sales of 69 bbls. at \$1.15 for hard, \$2.00 for yellow dip and \$3.00 for virgin. Market steady.

Tar—Receipts 12 bbls. Sales of 12 bbls. at \$2.00. Market steady.

Cotton—No sales and no official quotations.

WEEKLY STATEMENT.

STOCK OF COTTON AND NAVAL STORES.

The following is the stock of Cotton and Naval Stores in yard and afloat at the Port of Wilmington N. C., as taken to-day August 2, 1875, by the Secretary of the Produce Exchange, and compiled from the books of the same:

Cotton in yard, bales 448
" afloat, 00—448

Spirits Turp. in yard cks. 8,069
" afloat, 1,213—9,282

Rosin in yard, bbls. 23,454
" afloat, 2,038—35,491

Crude Turp. in yard, bbls 976
" afloat, —976

Tar in yard, bbls, 309
" afloat, 00—309

Statement of the Receipts, Exports and Total Supply of Cotton and Naval Stores at and from the Port of Wilmington, N. C., for the week ending August 2, 1875:

RECEIPTS. 5 bales
Spirits Turp. 2,796 casks
Rosin, 10,908 bbls
Crude Turpentine, 0,000 casks
Tar, 133 bbls

EXPORTS. 6 bales
Spirits Turpentine, 71 casks
Rosin, 6,004 bbls
Crude Turpentine, 000 casks
Tar, 131 bbls

Port of Wilmington, August 2.

MARINE.

ARRIVALS.
Steamship Lucille, Bennett, Baltimore, A. D. Cazaux.
Steamer North State, Green, Fayetteville, Williams & Murphree.
Nor. Brig Azua, Hamer, Arendal, Norway, 65 days, E. E. Heide.
Stmr Dixie, Jacobs, Smithville, O. G. Parley & Co.

CLEARED.
Steamer North State, Green, Fayetteville, Williams & Murphree.
Steamer Dixie, Jacobs, Smithville, O. G. Parley & Co.
Schr. Paul Leaver, French, Seranam, S. A., G. G. Barker & Co.

EXPORTS.
Foreign.
SERANAM, S. A.—Schr. Paul Leaver, 133,000 feet lumber, 50 bbls. pitch.

THE ROANOKE NEWS.
WILMINGTON, N. C.
Published semi-weekly at four dollars per annum.
Try our Advertisers.

PLOTTS STAR ORGANS.
Send for price list and list of testimonials, address EDWARD PLOTTS, Washington, N. J. July 9—6m

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Agents supplied at figures that defy competition for the same class of instruments. Try our Advertisers. Washington, N. J. July 9—6m

GO TO
ALEX'S and purchase one of his EIGHT DAY CLOCKS. may 21—4f

Dog Ordinance for 1875
Office Treasurer & Collector.
City of Wilmington, N. C.
June 12th, 1875.

THE DOG ORDINANCE FOR 1875 requires that the name should go into effect June 1st.

NOTICE IS HEREBY GIVEN, that all parties owning or keeping any dog, either male or female, are required to register the same at this office, and procure the required badges—commencing

MONDAY THE 14TH INST., and for four (4) days thereafter. The Ordinance also provides, that such persons who fail to comply with the above requirements, will be subject to a penalty of ten (10) dollars.

T. C. SERVOS, City Clerk & Treasurer.

PLOTTS STAR ORGANS.
Are celebrated for their purity of tone, elegant design and thorough construction. Send for catalogue, address EDWARD PLOTTS, Washington, N. J. July 9—6m

WANTED.
AGENTS, MALE AND FEMALE, to sell Pictures, everywhere. Fourteen thousand and retailed by one. What agents say: "I can make more money in this business than I can on a \$10,000 farm, all stocked."

"Your Pictures please everybody." "I received the 50 cent, and sold 50 the next day." "Pictures received, and more than half sold the first day. Send 100 more."

"Glad to find an honest picture dealer." Seven years established.

WHITNEY & CO.
map 21-3m Norwich, Conn.

EDWARD PLOTTS.
A large, reliable, and well known firm, who have been in the business of selling and repairing organs for over 20 years. They have a large stock of organs of all kinds, and are prepared to sell and repair them at the lowest prices. They also have a large stock of organs of all kinds, and are prepared to sell and repair them at the lowest prices.

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WHOLESALE PRICES.

The following quotations represent the wholesale prices generally. In making up small orders higher prices have to be charged.

ARTICLES. PRICES.

BAGGING—Cunny 10¢ 15
Double Anchor 00 00
Double Anchor 00 00
Standard Domestic 00 00
BAON—North Carolina, 16 07
Shoulders, p. b. 10 02
Sides, p. b. 12 03
Hams, 00 00
Shoulders, 11 00
Dry Salted, 14 00
Shoulders, p. b. 10 00
BEEF—On the hoof, 6 00
Second Hand, each, 2 00
New York, each, 2 00
BEEF—WAX—p. b. 2 00
Butter, 00 00
Northern, 00 00
Butter—Northern Factory, 00 00
CANDLES—Sperma p. b. 23 00
Tallow, p. b. 13 00
BARK—Spirita Turpentine, 15 00
State, p. b. 13 00
Rio, p. b. 23 00
COTTON—No. 2 p. bbl, 50 00
COTTON—No. 3 p. bbl, 45 00
COTTON—No. 4 p. bbl, 40 00
COTTON—No. 5 p. bbl, 35 00
COTTON—No. 6 p. bbl, 30 00
COTTON—No. 7 p. bbl, 25 00
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