

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

In response to the letter from Judge Fowler, published in your issue of the 26th inst., I beg to say that I am in full agreement with the views expressed therein. I believe that the people of North Carolina are entitled to a new constitution, and that the only way to secure it is by a convention.

The defeat of the Conservative party in North Carolina in 1876 would be a public calamity. The defeat would, in my opinion, be insured if the Convention is called.

A very cursory examination of the Constitution and history of North Carolina will satisfy the country that the two great parties are equally entitled to the exercise of the legislative and conventional power.

We find accordingly that the adoption of the constitution of 1776, there was no convention of the people of North Carolina until the year 1835, except the conventions of 1789 and 1791 which were called for the purpose of ratifying the Federal Constitution.

The convention which was called in 1861 was for the purpose of taking North Carolina out of the Union, and the convention of 1865, being called under Presidential Proclamation, and its conclusions being repudiated by the people, are not to be considered in this connection.

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 Superior Court to rotate.
2. 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 reflection 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 public 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 amendment, I am satisfied that it can now be elected, regardless of its political complexion.

Under the provisions of the colored people. To this broad assertion we respectfully dissent. There are several changes in the original plan 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 abolition of the county courts and the establishment of county commissions by the people.

There may be a convention in the future, but it will be a convention of the people, and not a convention of the Legislature. The people of North Carolina are entitled to a new constitution, and they will have it.

The people were angry, without party and without a convention. In many localities that we could not have carried the election in 1876, we could have carried it in 1876.

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the person of officer charged with the duty of receiving or permitting such performance of offer to perform, or acting thereon, be deemed and held as a 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 performed such act.

and any officer, 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 any citizen who shall wrongfully refuse or omit 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 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 for every such offense 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 exercising or in exercising the right of suffrage, or any person 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 for every such offense 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, or from voting at any election as aforesaid, or shall, by means of bribery, threats, or threats of depriving such person of employment or occupation, or of ejecting such person from rented house, lands or other property, or by threat 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 highway, 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 to be imprisoned not to exceed ten years, and shall, moreover, be thereafter ineligible to, and disabled from holding any office, place of honor, profit or trust created by the Constitution or laws of the United States.

Sec. 7. 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, or from voting at any election as aforesaid, or shall, by means of bribery, threats, or threats of depriving such person of employment or occupation, or of ejecting such person from rented house, lands or other property, or by threat 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.

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