

WADDELL & SMITH Editors and Publishers.

Our friends will see that our terms are CASH. We hope they will govern themselves accordingly.

CORRESPONDENCE.

It must not be understood that the EDUCATOR endorses the sentiments of its correspondents in every instance. Its columns are open to the friends of the party, and their communications will be given to the public as containing the views and sentiments of the writers.

SUBSCRIBERS receiving their Paper with a BLUE CROSS MARK on it, are thus notified that the term of their SUBSCRIPTION has expired, and unless they renew, we will be compelled to discontinue the paper.

An Election for Delegates to number One Hundred and Twenty, to amend the Constitution of the State, will be held on Thursday, the 5th of August, 1875. The Convention will meet at Raleigh, on the 6th of the following September.

The Convention Question.

Immediately after the general election all over the State, on the 6th of last August, the GAZETTE, among the first papers of North Carolina, took its position FIRMLY AND SQUARELY against the call of a Convention to amend the present Constitution of the State.

The Convention question was not an issue in the August campaign; we do not suppose any candidate or any public speaker ever broached the subject anywhere on the stump; the people anticipated no such issue—what is more, thousands who voted with our party for the first time, would never have done so had they seen any reason to expect a call for a Convention; should it be forced upon them they will have voted with us for the LAST time.

In short, the citizens—the voters of North Carolina DON'T WANT A CONVENTION; they are not inclined and not able to endure the necessary outlay of money which would be incurred; and they prefer relying upon Legislative enactment for the correction of whatever Constitutional abuses may now rest heavily upon them.—North Carolina Gazette, of 5th November, last.

B. Fuller Esq.

We would like to say to this gentleman that his efforts to defeat Judge Buxton as a candidate for the Convention are accepted by the Democratic party as a melancholy indication of his election. The party have several grave reasons to feel this apprehension. The first that might be mentioned is the fact that you were so disgracefully beaten by him last year, for Judge. You had nearly a thousand Democratic majority to help you, and yet you failed of election by over six hundred majority against you.

How does your conceit account for this fearful discrimination made against you by the people? If you think it all an accident, you would make a poor Judge of evidence. It meant plain enough that the people were afraid to trust you.

A further reason that renders your assistance in this canvass objectionable to the Democratic party, is the unworthy motives that drop out so plainly in this crusade of yours against Judge Buxton. If it was your devotion to party or your mighty concern in this convention movement, that give direction to your malevolence against him, it might bear the shadow of excuse; but it's that "raw place" that is letting out all this venom. Your presumption and arrogance can't stand rebuke.

You may be a very proper man in the private walks of life, and answer the purpose of running a religious newspaper or be a rosin clerk, but you ain't worth shucks as a campaign document. Your "blood hound" pursuit of Judge Buxton will bear but one common interpretation. It can

not be hidden by your denials on the stump or your christian character feeble or strong as it may be. The "sting of defeat" is the great solution. You are his personal and individual enemy, and your public harangues against him have no other significance.

Mr. W. C. Troy and Col. Broadfoot are hounding with you; one of these gentlemen has a private grudge an old sore, and the other is anxious to recover his forfeited claims to "loyalty" in the party. It looks bad enough for them to thrust themselves into the canvass, but as for you, oh, what an everlasting obscure idea you must have of common modesty!

Speak on Mr. Bart., whenever you lift your clarion voice in this campaign, you lift a broad shield for Buxton. All your prodigious efforts fail to attract his notice, and the Democratic party ought to muzzle you for its own salvation.

THE GAZETTE ought not to be so "rabid" in its statements, it is "dog days". The declaration that Gen. Abbott required security for the provisions sent to the people of Fayetteville after the war, is not the truth. It was a gratuitous contribution altogether. Mr. McKethan would hardly authorize the statement that his cotton paid for any of the provisions sent by Gen. Abbott.

It is true that Mr. McKethan did allow his cotton to be sold for the benefit of his suffering town; all honor to him as a good man; but it happens that this generous act was after the donation of Gen. Abbott alluded to by Judge Buxton. Mr. T. S. Lutterloh can share in the gratitude of our people also in lending his cotton for the relief of our citizens. Both Mr. McKethan and Mr. Lutterloh have been repaid by the town for these advances, and Judge Buxton deserves just the credit he claims for himself and Gen. Abbott in this matter. No cause is fairly won without truth. Will the GAZETTE condescend to ponder on this fact?

What does it mean?

What are so many lawyers following the Candidates for in this Convention campaign—have they axes to grind?

Here in Cumberland county is "Ex. Judge Fuller" who, though he never was a Judge and never can be, rants around the hustings and on the stump either to show that he is a spiteful and disappointed man, or that he wants the courts multiplied that his full timemay be occupied really at the bar. If he can not be a "Judge" then let him have a chance to be an occupied and sure enough lawyer! We suppose the people understand Mr. Fuller in all this! Then, there is Col. Broadfoot, lawyer, who in 1871 tried to push a convention on us as a member of the legislature and who canvassed the county for the issue, finding the people opposed, he too crawls down from off the shelf and joins the crowd of other lawyers to FORCE the matter now.

More still, there is "little" Harry Myrover, lawyer—who with Bart Fuller (the "Ex-Judge") edits the GAZETTE, and the same who declared in his paper that a call for convention was or would be "unwise, hazardous and inexpedient" even HE, so very consistent and patriotic, yes HE Editor and lawyer prances around on the canvass and even makes speeches now for convention—examine his files! Then there is lawyer McRae the man whom the people last summer elected to the legislature, and who then did not open his mouth one time as in favor of calling a convention, yes this lawyer runs out in the hot sun these dog days to make convention speeches at the rural township meetings. It is said and the fact can be substantiated that Mr. McRae finding the people against this convention movement caused through Mr. Troy, chairman, a meeting of his party Executive Committee and to them talked both sides adroitly as a lawyer can and his own leaders with but one dissenting voice pronounced against the way he voted. Mr. McRae and his colleague Jessup, both voted for the convention bill on its final passage when their two votes alone would have killed the whole "thing" and

our people spared this campaign—this revolutionary and unnecessary, this "dangerous, hazardous and inexpedient" undertaking. Yes, lawyer McRae with his colleague Jessup though they were both informed not only by the people but by their party executive committee that a convention would be "unwise hazardous and inexpedient" and that they were all opposed to it—actually did vote for the bill on its final reading and their two votes passed it! It only required 80 votes to pass. The pill passed by 81. Had McRae and Jessup voted nay, as their people desired them to do the bill would have been defeated by one vote, instead of passing by one vote! Lawyer McRae passed the bill, for Jessup only echoed his voice and was himself a declared opponent of the measure as his country neighbors will all prove. The revival of the old county court system, (good for lawyers) the revival of old judgements through a new system of courts which are now debarred by homestead, and the appointment of Judges whom the people will not elect explains all this. We warn the people to stop and think, they will soon learn what all this means.

Read! Read!!

The Salisbury Watchman, a Democratic and Convention paper, thus speaks of the Address of the Executive Committee of its party:

"When such men as Judges Gaston, Ruffin, Badger, Govs. Bragg, Avery, B. F. Moore, Haywood, and others, among the ablest men North Carolina has yet produced, tell us that THERE IS NO POWER IN THE LEGISLATURE TO RESTRICT A CONVENTION, we feel inclined to laugh at the pompous, but WEAK opposition offered to their opinions by the Executive Committee."

Again we quote: "When the Convention meets IT WILL HAVE THE POWER TO DO WHATEVER ITS MEMBERS MAY DEEM BEST. — * — * — to give us decent judges, and all necessary reform measures, and if it fails to do it, it had better not assemble. Let us hear no more about abiding by the act editing the Convention so far as the oath and the restrictions are concerned."

Election Law Unconstitutional.

SECTION 2d of the election law: "That when a voter is challenged at the polls, upon demand of any citizen of the State, it shall be the duty of the inspectors of the election to require said voter, before being allowed to vote, to prove by the oath of some other person known to the judges, the fact of his residence for thirty days previous thereto in the county in which he proposes to vote."

The above the Supreme Court has decided, in its decision, July 6th, 1875, to be unconstitutional.

If any person should be disfranchised by a poll-holder, on account of the above unconstitutional law, the poll-holder should be at once arrested and properly punished.

THE PROPOSED CONVENTION.

"If a Convention is called let it be unrestricted—let there be no pandering to imported Yankee ideas—let the old time practices be restored, including the whipping-post and qualified suffrage. But it is understood, we think, that the Legislature cannot limit the action of a Convention, and if the Convention meets it can do as it pleases. * * * No member of a sovereign State Convention should regard the dictation of a mere legislative body.—Charlotte Democrat.

Said Mrs. A. to Mrs. B.: "Don't you think that Mr. C. has a remarkable stock of common sense?" "He ought to have," replied Mrs. B.; "for no one ever saw him use any." "Where shall I put this paper so as to be sure to find it to-morrow?" inquired Mary Jane of her brother Charles. "On the looking-glass," was her brother's reply. The old gentleman who spent a fortune in endeavoring to hatch colts from horse chestnuts is now cultivating egg plant, with a view to raising chickens from it.

COMMUNICATED.

The "Restricted" Convention Act.

EDITORS OF THE EDUCATOR.

A short review of the provisions of the Act of the Legislature calling the Convention shows upon its face the anxiety of the "Reconstructed Democracy" of North Carolina to popularize the subject of Convention at the expense of the Republican party and at the same time conceal from the masses of the people the real object they desire to accomplish.

The Preamble to the Act is as follows, "Whereas the present Constitution of North Carolina is in many important particulars unsuited to the wants and condition of our people" &c. Stop right here and answer this question.

- 1. Who says the present Constitution is in many important particulars unsuited to the wants and condition of our people?
2. Have the people ever said so?
3. If so, when?
4. Did the PEOPLE say so in 1868 when the Convention was adopted?
5. Did the PEOPLE say so in 1871, (only four years ago) when they refused to call a Convention to amend it?

The emphatic answer is: The PEOPLE have never yet expected what is contained in this preamble.

Who then says that the present Constitution is unsuited to the wants and condition of our people? Why, nobody but the self-constituted "Solons" of the last Legislature, and ever they have UTTERLY FAILED TO POINT OUT ONE SINGLE OBJECTION TO THE CONSTITUTION.

What then is the real object of this Convention? The answer is nowhere to be found in the Act.—The Act prescribes that certain things shall not be done, but is silent as the grave as to what SHALL be done. Taking a somewhat logical view of the subject upon the old principle of the division of all created things, that every thing in creation is either a Jackass or not a Jackass, one would conclude that the Legislature intended to say that every thing in the Constitution except those named in the Act is UNSUITED TO THE WANTS AND CONDITION OF OUR PEOPLE, and that therefore every thing in the Constitution ought to be abolished and changed except in the particulars mentioned in the Act.

The entire Judicial and Executive Departments of the State Government are declared to be UNSUITED TO THE WANTS AND CONDITION OF OUR PEOPLE, and are left to the Convention to be altered in any way they desire except the offices.

Judging men by their acts we would naturally conclude from the Act of the Legislature gerrymandering the city of Wilmington (recently declared by the Supreme Court to be UNCONSTITUTIONAL) the object the Legislature had in calling this Convention is to get more power to gerrymander towns and cities and in the near future enable the Democratic party to get control of the Judicial and Executive Departments of the State Government. Their motto is "the end justifies the means."

They say in this Act "The Convention shall NOT require or propose any educational or property qualification for office or voting." Have not they themselves already in defiance of the Constitution as it now stands, and in violation of their oath, to support the Constitution enacted PROPERTY qualifications for voters at certain town elections in this State? Did not the Democratic Legislature of 1870 and 1871 prescribe a PROPERTY qualification for voters in the town of Fayetteville? Was not this UNCONSTITUTIONAL act passed to take the town Government out of the hands of the Republicans (who had and will have a majority of the voters in the town) and give it to the Democrats? Under this Act have not the Democrats ever since controlled the town Government of Fayetteville? Don't they bring voters here on election day who reside fifteen to twenty miles in the country and control the ballot boxes and carry the election by

such voters?

See how the last Legislature in this Convention Act is trying to humbug and gull the people. Look at the oath prescribed for Delegates to take.

"You, A. B., do solemnly swear, (or affirm) that you will faithfully maintain and support the Constitution of the United States and the several AMENDMENTS THERETO INCLUDING THE 13th, 14th and 15th AMENDMENTS &c.

Such miserable "Dirt-Eaters."—Didn't they oppose these amendments to the United States Constitution when they were submitted to the States for ratification?

Didn't they say they would not "Eat Dirt" by submitting to such DEGRADATION?

Then again has not EVERY VOTER in North Carolina already taken an oath to support the Constitution of the United States "including the 13th 14th and 15th amendments?" How many times is it necessary for a Democrat to take an oath before he considers it BINDING? Is this part of the oath intended as one of the "RESTRICTIONS" on the Delegates? If so, what does it in fact amount to? Suppose they choose to disregard it, can they strike these amendments from the Constitution of the United States or in any way amend our Constitution so as to repeal or modify these amendments? It has been long since established as a rule to which there is no exception that "The Constitution of the United States and the Laws made in pursuance thereof is the SUPREME LAW OF THE LAND any thing in the Constitution or laws of any State to the contrary notwithstanding." No States Rights Democrat, however ignorant, will deny or question this.

Then again the Convention Act prescribes: "Nor shall said Convention adopt or propose any plan or amendment or scheme of compensation to the owners of mancipiated slaves, nor for the payment of any liability or debt incurred wholly or in part in aid of the late war between the States."

Thank you, this is very magnanimous, especially since North Carolina under the control and power of a Democratic Legislature is not just now paying debts of any kind. Do they ever read the 14th amendment provide "That neither the United States nor any State (North Carolina is not excepted) shall assume or pay any debt or obligation in aid of insurrection or rebellion against the United States or any claim for the loss or emancipation of any slave, but all such debts, obligations and claims shall be held illegal and void?" Why didn't those "Dirt-Eating Solons" provide that the Convention should not abolish the office of President of the United States or repeal "Magna Charta?" They would have just as much authority to do the one as the other.

This reminds me of the advice "Toms" Pendergrass gave his son when he started to the war, said he, "Now Alvis, don't you git ahead the Governor" (meaning Ellis) but if you do catch Abe Lincoln, bring his head right to me." Don't amend or abolish the Constitution of the United States if you please.

Again the Convention Act provides: "Nor shall said Convention have power to propose or adopt any amendment or ordinance vacating any office or term of office now existing and filled or held by virtue of any election or appointments under the existing Constitution and laws until the same shall be vacated or expire under existing laws." Oh no, keep all the offices, make a few more if necessary for future party purposes, and let the present Republican Governor and other Executive officers and the Republican Supreme Court and the Republican Circuit Judges (we have a few of them) serve out their time. This is decidedly magnanimous, especially since every lawyer in the State knows that so long as the offices remain the present officers have a vested right and property in their respective offices and even an unrestricted Convention of unlimited powers could not remove them or take away their vested rights. The Convention would have no more power to take away vested rights than the

Legislature would have, though I admit a Convention might abolish the offices. In the case of Hoke vs. Henderson, 4 Dev. page 1, the Supreme Court decided that an office is the property of the incumbent, and no change in the mode of appointment can affect the rights of a party already in office. This right is in the nature of a contract between the State and the officer, which the State can't violate, by Convention ordinance or Legislative enactments.

What a nice, cheap bid to Republican officials not to oppose the Convention! It is so cool and refreshing to think that they will be permitted by the Convention ordered by the Democratic Legislature to serve the short time left them of the term for which the people elected them.

Now with these useless "restrictions," so called, they mix up the Homestead, Mechanics Lien, Rights of Married Women and other deservedly popular provisions of the Constitution which everybody knows are due to the Republican party.—They desire to be considered now the special champions of the principles of the Republican party, proved they can thereby catch votes and get political power. No doubt this was the trap set for a few Republican members of the Legislature who were induced to vote with the Democrats to call the Convention.

Let them be sure their "sins will find them out." The people will rise in their might and again the 3rd time ratify the Republican Constitution of 1868.

This communication is already longer than I intended, but I will ere long recur to the same subject and write you.

Yours for the Constitution, ANTI-CONVENTION.

Fayetteville N. C.) July 12th, 1875. J

A CARD.

FAYETTEVILLE, N. C. July 22d 75.

Messrs. Editors:

The Fayetteville GAZETTE of 16 days issue upon the authority of itself or some other far publishes me as making an insulting speech in 71st. Township. I pronounce the whole article as entirely false in conception and general delivery; I made no such speech or announced any such sentiments as the GAZETTE ascribes to me, on the contrary I charge that "bought up sheet" of being guilty of publishing the following catalogue of LIES concerning me which I will classify as follows.

Lie No. 1 That I called the very sober citizens of 71st. (including Wright Huske) of being educated rascals.

Lie No. 2 That I applauded A. G. Thornton for marrying a negro woman.

Lie No. 3 That I advocated miscegenation or declared any foul sentiments of any sort.

I am just as free from any such imputations as the REFORMED editor of the GAZETTE. What I did say to the extraordinary respectable people of 71st. which they could not listen to, was that the poor negro, the abuse of which make up the whole of Democratic politics, had paid the taxes of the South for 200 years, and their labor had educated every swell head Democrat in the crowd, and I said also that the black-guard attacks on Judge Buxton for declaring his sentiments in favor of equal rights for all men, was shameful and contemptible. So I pronounce now. If this simple act of justice to Judge Buxton ranks me as his "right bower" I would like to take that place in the regular "pack" of his friends. I have been familiar with the practice and teachings of the Democratic party for twenty years and ought not to be moved by a few of the common lies that make up Democratic ammunition, but in this instance I see proper to notice this unfair and untruthful censure of the Fayetteville GAZETTE.

JOHN A. McDONALD.

The Constitution of the United States forbids the State to pay any debts contracted in aid of the rebellion, but it does not prohibit the counties from taxing the people to pay them.

The Charlotte Democrat says it is in favor of getting pay for slave property. There is only one way this can be done. If the Democratic party obtain a majority in the Convention they may so arrange as to have the people of the different counties taxed to pay the old aristocracy for the loss of their slaves. Are the laboring men of North Carolina ready to be taxed for such a purpose?