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No. 2304.

PROCLAMATION.

BY WILLIAM 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 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 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 N. 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 two members.
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 Congress, 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 failing 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 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, 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 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 United States to evade duty in resisting the rebellion.

Sixth—All who have engaged in any way in the treating otherwise than lawfully as prisoners of war persons found in the United States service, as officers, soldiers, seamen, or in other capacities.

Seventh—All persons who have been or are absent from the United States 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 United States Naval Academy.

Ninth—All persons who bear the pretended offices of Governor of State 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 eighth, 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 henceforward 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 voluntarily 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, 1864, 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 who those 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 said 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 votes and for whom cast, at their respective precincts.

Done at our city of Raleigh, the eighth 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,
Provisional Governor.

By the Governor:
LAWRENCE HARRIS, Private Secretary.

CIRCULAR NO. 15.

War Department, Bureau of Refugees, Freedmen and Abandoned Lands,
Washington, D. C., Sept. 4, 1865.

Circular No. 13, of July 28, 1865, from this Bureau, is hereby rescinded, and the following rules and regulations are adopted for the purpose of establishing a definite and uniform policy relative to abandoned lands or real property, and lands or real property to which the United States shall have acquired title by confiscation or sale or otherwise, which now or may hereafter come under the control of this Bureau by virtue of the act of Congress approved March 3, 1865, establishing it and by order of the President, to wit: General Orders No. 110, War Department, June 7, 1865.

First—Abandoned lands referred to in the law and regulations governing this Bureau are defined, according to section two

of an act of Congress, approved July 2, 1864, as follows, viz: "Property, real or personal, shall be regarded as abandoned when the lawful owner thereof shall be voluntarily absent therefrom and engaged either in arms or otherwise in aiding or encouraging the rebellion."

Second—Property will not be regarded as confiscated until after the decree of the United States Court for the district in which the property may be found has been made, by which the property is condemned as enemy's property, and becomes the property of the United States.

Third—All abandoned land or real property, and all land and real property to which the United States shall have acquired title by confiscation or sale or otherwise, that now is or may hereafter come under the control of the Bureau of Refugees, Freedmen and Abandoned Lands by virtue of said act and order of the President, is and shall be set apart for the use of loyal refugees and freedmen, and so much as may be necessary assigned to them, as provided in section fourth of the act establishing the bureau, viz:—"To every male citizen, whether refugee or freedman, as aforesaid, there shall be assigned not more than forty acres of such land, and the person to whom it is so assigned shall be protected in the use and enjoyment of the land for the term of three years, at an annual rent not exceeding 6 per centum upon the value of said land as it was appraised by the State authorities in the year 1860, for the purpose of taxation, and in case no such appraisal can be found, then the rental shall be based upon the estimated value of the land in said year, to be ascertained in such manner as the Commissioners may by regulation prescribe. At the end of said term, or any time during said term, the occupants of any parcels so assigned may purchase the land and receive such title thereto as the United States can convey, upon paying therefor the value of the land as ascertained and fixed for the purpose of determining the annual rent aforesaid."

Fourth—All lands or other real property within the several States, viz: Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Missouri, Maryland, Arkansas, Louisiana and Texas, to which the United States has aquired or shall acquire title by confiscation or sale, or other abandoned real property in those States, provided said property, whether confiscated or abandoned, remaining unsold or otherwise disposed of shall have been property transferred to the Bureau upon requisition of the Commissioner or Assistant Commissioner, shall be considered as under the control of the Commissioner of Refugees, Freedmen and Abandoned Lands, for the purpose hereinbefore set forth and for the time authorized by the act establishing the Bureau; and no part or parcel of said confiscated or abandoned property shall be surrendered or restored to the former owners or other claimants, except such surrender or restoration be authorized by said Commissioner.

Fifth—Assistant commissioners will as rapidly as possible cause accurate descriptions of all confiscated and abandoned lands, and other confiscated and abandoned real property, that is now or may hereafter come under their control, to be made, and besides keeping a record of such themselves, will forward monthly to the Commissioner of the Bureau copies of such descriptions, in the manner prescribed by circular No. 10, of July 11, 1865, from this Bureau. They will, with as little delay as possible, select and set apart such confiscated and abandoned lands and property as may be deemed necessary for the immediate use of refugees and freedmen, the specific division of which into lots and the rental or sale thereof, according to the law establishing the Bureau, will be completed as soon as practicable and reported to the Commissioner. In the selection and setting apart of such lands and property care will be used to take that about which there is the least doubt, that this Bureau should have custody and control of.

Sixth—When any land, or other real property that shall come into the possession