

Carolina Watchman.

SEPTEMBER, 16.

We regret to learn that the Hon. F. E. Shober has been quite unwell nearly ever since he went to Raleigh; but he has never missed a vote. Such devotion to the public interest is entitled to the highest commendation.

The recent election in Maine for State officers resulted in large Democratic gains, in fact, a triumph.

The Democrats have also gained a substantial victory in California. The Banner of Democracy is rising and it will ere long float triumphantly over this whole country, redeemed, disintegrated and free.

We understand that Governor Brogden has appointed Messrs. Rollins and Pearson, of the Asheville Pioneer, Directors on the Western N. C. Rail Road. There is yet another to be appointed, and it is thought, Myers, of Charlotte, will be the man. This is an outrage upon Salisbury. What has Charlotte done for the Western N. C. R. R.? Her people have been doing it all the damage possible, and especially her capitalists. Salisbury first started and got the Road under way, and her people are more deeply interested in its completion than any other town or county on the entire line. Why was Salisbury overlooked in this matter? It seems that nobody will suit the Governor but "fire tied" Radicals, then why was not D. L. Bringle or some other influential Rad from Salisbury appointed? We want a Salisbury man on the Board, and as we can't get a Democrat we will take a Rad. But we claim a Director as a matter of right, and it will tell against the governor and his party, if he should refuse to recognize this just claim.

The Tribune says that some of the suggested Constitutional provisions are so obviously desirable that it wonders North Carolina has gotten along eight or ten years without them; such, for instance, as that providing for the disfranchisement of persons convicted of felony. But the party of moral ideas has found jail birds and released penitentiary convicts very good voters, and always reliable, and therefore has opposed what is so "obviously desirable."

Just so. The trouble about the calling of a Convention arose from the fact that the people did not know how to have a constitution they had. If they had taken the pains to inform themselves concerning the character of the odious constitution under which they lived, when the opportunity was offered to remodel it, they would have rallied and carried the measure by fifty thousand majority. The necessity for a Constitutional Convention, and the wisdom of the call will yet be fully demonstrated and endorsed by the people. If our people would only read more, take more of their home papers, and keep themselves better posted on their own home and State affairs, North Carolina would soon be the most harmonious, most prosperous and best governed State in the Union.

The Usury question is exciting some discussion again. From the great money centres, called, the howl against the Usury law comes. This seems to indicate that the moneyed interest is most anxious to have the law repealed, which is the case. The banks which are established on a false and rotten basis are about to go under because they are not allowed to exact the usurious rate of from 15 to 30 per cent. interest they were, previously to the passage of the present Usury law, gauging out of the pockets of the laboring classes.

The howl against the law is altogether in the interest of the money rings. The capitalists will alone be benefited by its repeal. Every thing has been done by the moneyed rings, the bankers and brokers, to bring about a money panic, to produce the impression, unjust as it is, that the Usury law is the cause of the tight times in money matters; and notwithstanding every effort has been made and every trick and device resorted to for this purpose the times have not been so hard, nor money half so scarce as would the friends of the law expected. The moneyed rings, the usurious bankers and brokers, had made enough at excessive usury to enable them to hold their money from the public for a long time and to refuse to lend it, and it was expected, as many of them have done, that they would do it. But as it happened there were a great many honest men, who would not be guilty of the mean trick of sending their money off and of locking it up at the expense of the prosperity of the country. They lent out their money at the rate of interest provided for in the law, and in this way relieved the distress that might otherwise have been felt.

This usury law has saved fall many a poor man's property from being sold under the Sheriff's hammer. Very many will yet be sold out, because it was not passed earlier, but few will be sold out in the future, for liabilities incurred since the passage of the present Usury law. Let the Usury law stand. It is a very necessary measure for the protection of the great masses of the people.

That Protest.

We endorse the protest of A. W. Tourgee and 23 other members of the State Convention, protesting against the restrictions of the Legislature as inserted in the Act calling a Convention of the State to amend their State Constitution. Although the protestants are Republicans we are not afraid to assert and declare that they enunciate the principles of the State Rights Democratic party, and we are sorry that every Jackson and Van Buren Democrat, and Jeffersonian Democrat, in the Convention, did not endorse the protest.

We declare now, as we stated when the call for Convention was first made by the Legislature, that a Legislative body has no right to restrict the act of a Constitutional Convention. The Legislature might as well prescribe what food a private family shall eat as to undertake to prescribe what a Convention of the people of the State, duly elected, shall do or not do.

We have abundant authority for what we say on this subject. Gov. Bragg, probably the ablest man that ever led the Democratic party in this State, in a speech in 1854, said:

"A Convention of the people cannot be restricted by the Legislature. A Convention may make most unexpected and unacceptable changes in the Constitution, and the people can have no remedy."

When the question of "Free Suffrage" was being discussed in this State, the Hon. Daniel M. Barringer declared:

"If we call a Convention, that call must be absolute, and not conditional. The Legislature cannot control the sovereigns, but can call them together in pursuance of the Constitution."

And the Hon. Chas. Manly, the leader of the Whig party in North Carolina for many years, said:

"It cannot be doubted that a Convention called by the General Assembly (two-thirds concurring) would be clothed with unlimited discretion over the Constitution. The General Assembly has power to call a Convention into being, but no power of themselves to prescribe a limit to its authority."

While we think that Mr. Tourgee and his Republican friends who joined in the protest are right, we do not mean any approbation or justification of their inconsistency in presenting such a protest after their course in the late campaign, in which they accused the Democrats of an intention to violate the restrictions imposed by the Legislature. The Democratic Delegates who promised to obey the restrictions have shown good faith, while Mr. Tourgee and his party friends have shown bad faith. But consistency is as much a jewel now as it ever was.—Charlotte Democrat.

The editor of the Charlotte Democrat, Wilmington Journal, Southern Home, and the associate of this paper, are about all the Old Line, States Rights Democratic newspaper men in the State: The others being what Joe Turner would call galvanized Democrats, or young men who were never connected with either of the old parties.

We have no doubt the editor of the Democrat will be twitted for the above bold and manly sentiments by some back woods newspaper, if indeed, some eleven hundred convert does not propose to read him out of the party, for it is by some of the self constituted leaders regarded as disloyal to act independent or to speak out honest convictions. But we admire the Democrat's manly utterances. They are true, and every man who has brains enough to edit a newspaper, or to render him worthy of the position of a legislator, knows they are true.

The Legislature has no right to restrict a Convention, and whenever it is attempted the act is ipso facto null and void. There is no such right conferred or implied in the Constitution, and the people could not confer it upon the Legislature, without inaugurating a new order of things, and rendering the necessity for a Convention, and the right of the people to assemble in Convention, not only impracticable, but an absolute nullity. We could fill this column with the names of the ablest men of this nation who have given it as their opinion that a Legislature has no right to restrict a Convention. If such a thing were permissible in other countries, if it were allowable in England, for instance, for one Parliament to restrict a subsequent Parliament, it would not be so bad as a Legislature restricting a Convention in this country, since the Legislature is the creature of the Convention which is, so to speak, the first cause of government. Some learned essayist say that a Convention must be called in conformity with law, and that any deviation from the act calling it would be revolutionary. But the act which the Legislature passed in calling a Convention is revolutionary pure and simple so far as the restrictions are concerned, for it is outside of the Constitution and unauthorized. We say, and we know that we can sustain it by the best authorities, that there is no power in a Legislature to restrict a Convention, or to require its members to take or subscribe an oath, or to submit their work for ratification after it has been perfected. We were opposed to the restrictions not merely because they are illegal, but because we believed they were damaging to the success of the Convention cause, (and we think we lost ten or fifteen thousand votes by reason of them); and we are now opposed to the Convention's submitting its work to the people, for twofold reason: that it is not required by strict law, and it is both dangerous and expensive to do so.

The Convention is composed of a goodly number of very able men,—men in whom the people have confidence,—men who are deeply interested in securing for North Carolina a good Constitution, and who are fully competent to judge of the people's necessities and wants and able and willing to conform to their wishes. Why not, then, leave the matter of Constitution making solely in their hands, rather than incur the expense of ratification and the danger of defeat. We see no necessity of the Convention's submitting its work for ratification. We are willing to trust the able and patriotic delegates there, and we know we will get a good Constitution.

Our talented young friend John S. Henderson is, as we anticipated, making his mark in the Convention. There is no member more thoroughly awake to the true interest of the people than John S. Henderson. He is thoroughly conversant with the defects in the Canby Constitution, understands what is necessary to be done to meet the demands of the public, and will labor assiduously and effectively until all that can be done has been consummated.

The subject of important ordinances

We notice that the Commissioners of other counties are availing themselves of the county papers to lay before the public a statement of their receipts and disbursements during the year ending 1st inst. The law requires that such statement be published in a county paper or posted at the court-house, &c. But Rowan, one of the wealthiest counties in the State can not afford to expend a few dollars to show the tax payers what has been done with their money. The posting at the court-house amounts to no publication at all. Perhaps, the Board prefer that the public should not know any thing about the receipts and disbursements.

NOW OR NEVER.

The harmony, pertinacity and pluck evinced by the members of the Democratic party in the Constitutional Convention, betoken great good to the State. But however remarkable and admirable such conduct may be, nothing less can be expected from the men whose names are to be found in the list of delegates composing that body. The people are most ably represented. There is no lack of ability, and the patriotism, devotion, and responsibility of the delegates are a sufficient guarantee that the work of the Convention will not only be well done, but will be generally acceptable to the people.

We are therefore in favor of leaving the work of amending the Constitution entirely with the delegates. There is no use of submitting it to the people for ratification. It will save a heavy expense which is of more concern to the people just now than the possibility of getting a bad Constitution. And there will be no danger of reaping defeat which would be ruinous. If Clingman, and Coleman, and Avery, and Shober, and Henderson, and McKim, and Dobson, and Bennett, and Price, and Durham, and the many other able and patriotic Delegates in that body are not capable of making for the people of North Carolina a Constitution which will prove good and acceptable, then when will we get one, and who will make it? They as a body are more capable of making a Constitution to suit the masses, and of passing judgement upon its merits in their capacity as legislators than the people are as voters, en masse. And the question has just narrowed down to this: Is it better, now that we have the necessary majority and the opportunity, to settle at once and definitely the character of the State Constitution by refusing to submit it for ratification after it has been properly and acceptably remodeled, than to submit it and run the risk of having it voted down by 80,000 negroes and their white leaders. This is a grave question, and since there is no good reason why the Democrats should incur this great danger and expense, we think it the imperative duty of the Convention to refuse to submit its work. Who are the best judges of what the people want in the way of a Constitution, such gentlemen as those named above, or the 80,000 negro voters and their white allies in this State? We say that the Convention and the white Democratic voters who are in a minority as shown by the last election, are the best judges of what the people need. Every one knows that the negroes will vote solid against the Constitution that may be submitted by the Convention, no matter how good it may be or how well suited to their wants. And they, with the white vote that usually goes with them, will very probably vote it down. If it is voted down, we will have the spectacle of a people incurring an enormous debt, in calling and in holding a Convention whose work was rejected at an additional expense, and it will prove not only most disastrous to the cause of good government, but it will prove the political death knell to the Democratic party in North Carolina for years to come. There is too much at stake to run such a risk or to incur the hazard of defeat. If our political foes were intelligent and responsible voters, or disposed to be rational in the discharge of their political duties, we would not fear to measure strength with them on this great question of civil and cheap government; but the reverse is the fact. It is therefore foolish to butt one's head against a stone wall until the brains are out just to keep up the appearance of consistency.

If the Convention choose it can forever bury Radicalism in North Carolina and give us a Constitution of which our people will long be proud; or it can bury Democracy and leave disaster, ruin, and chaos in its wake. The question of submission all depends upon the legality of the so-called restrictions, and we take it for granted that no man of sense will hold that they are binding. Will the Convention take the ball by the horns? Now or never!

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have been drawn up and introduced by him. Both will we have no doubt be adopted:

A Bill to be entitled an Ordinance to amend sec. 21, art. 1, of the Constitution, concerning the Suspension of the Writ of Habeas Corpus.

Be it ordained by the people of North Carolina in Convention assembled:

That section 21 of Article 1, of the Constitution be amended so as to read as follows:

The privilege of the Writ of Habeas Corpus shall never be suspended. And any Governor, Judge or any other person, holding office under the laws of this State, who shall deny to any person imprisoned, or restrained of his liberty within this State, the benefit of the Writ of Habeas Corpus, or shall suspend the execution of, or refuse to obey said Writ, shall be deemed guilty of a felony, and shall be liable to arrest—by the ordinary criminal process—and to indictment and punishment according to law.

A Bill to be entitled, an Ordinance to change the time for the meeting of the General Assembly, &c.

Be it ordained by the people of North Carolina in Convention assembled:

That sec. 2 of art. 2 of the Constitution be stricken out and two new sections be inserted in lieu thereof to read as follows:

Sec.—The Senate and House of Representatives, when assembled, shall be denominated the General Assembly. Neither House shall proceed upon public business, unless a majority of all the members are actually present. The General Assembly elected in the year A. D. 1875, shall meet on the first Wednesday after the first day of January, 1877; and thereafter the General Assembly shall meet in regular session once only in every two years; and said meeting shall be on the first Wednesday after the first day of January next after the elections of the members thereof.

Sec.—Every adjournment or recess taken by the General Assembly for more than three days shall have the effect of and be an adjournment sine die.

THE CONSTITUTIONAL CONVENTION.

EIGHTH DAY.

At 10 a m, Mr President Ransom called the Convention to order.

Prayer by Rev Mr Spake of the Convention.

Mr Bennett, from the Committee on the Judicial Department, submitted a report recommending that an amendment be adopted making the Supreme Court consist of a Chief Justice and two Associate Justices.

By Mr Carter: An ordinance to amend sec 31, art. 4, in regard to filling of vacancies in office by appointment by the Governor unless otherwise ordered.

By Mr Kerr: An ordinance to prescribe an oath for members of the General Assembly.

By Mr Runley: An ordinance to prohibit counties, cities and towns from contracting debts.

By Mr Watts: An ordinance abolishing the Senate.

By Mr Blocker: An ordinance to amend sec 1, art 3, regarding a call of a Convention. Requiring two-thirds of Legislature ratification by popular vote.

By Mr Cooper: An ordinance to amend art 3. Fixing salaries of State officers. Governor \$3,000; Secretary of State \$800; Treasurer \$2,000; Superintendent of Public Instruction \$1,000; Auditor \$1,000; Attorney General \$1,000, &c.

NINTH DAY.

Mr President Ransom called the Convention to order at 10 a m.

Mr Bennett, from the Committee on the Judicial Department, reported upon various ordinances.

[The Judicial Committee returned the ordinance to make the homestead a fee simple, saying that the restrictions in the Convention act precluded any interference with the present homestead law.]

By Mr Bennett: An ordinance to restore to Anson the representatives in the General Assembly of which it was deprived by the Convention of 1868.

By Mr Singletary: An ordinance providing the election of Solicitors by the General Assembly.

By Mr Anderson, of Madison: An ordinance to amend sec 17, art.—

By the name: A resolution to give Justices of Peace jurisdiction in actions of replevin.

By Mr Redwine: An ordinance to amend art 4, to divest Superior court clerks of the Probate matters, and elect a Probate Judge.

Several ordinances of minor importance were introduced, and the matter of the Robeson county contested case was discussed. The result was the tabling of the resolution offered concerning the matter.

The Love and Devotion of Woman.

"He was in the habit of getting drunk and beating his wife, and had often been known by the neighbors to strike her before the time of the fatal blow."

Substantially like this runs some police report in almost every number of the great daily papers of our large cities. The unfeeling reader turns from such a paragraph with disgust. He regards it as low and vulgar. And low and vulgar, in the extreme, is the conduct of the husband which is thus described. But how about the wife, whose wretched life has been ended by an act of brutality and violence on the part of another? In many an instance it has been here to practice a patience which was long-suffering and untrusting, and a forbearance realizing the divine command: "Whoever smiteth thee on the one cheek, turn to him the other also." No fiction narrates a love, a devotion, a submission surpassing hers. Painters have not illustrated and poets have not sung higher Christian qualities in woman than are sometimes found to adorn the habitations of the lowly, and amid abject poverty, and where vice and brutality are encountered. If love led to the fall of our first parents, it can be said, on the other hand, to have illuminated the darkest abysses to which human nature has ever descended.

The Mississippi Troubles.

The conflict of races in the State of Georgia has hardly ended when a still more alarming and deplorable condition of affairs is witnessed in Mississippi. In the latter State in some counties the troubles have culminated in a war of races; blood has been shed; armed bodies of men are scouring the country; the peace of the country is broken; the horrors of civil strife are upon those unfortunate people.

Why is this? Why does not peace sit with folded wings at the door of the Virginian, or the North Carolinian? Why is there enmity, bad blood, hostility, war?

The reason is plain. We need but notice the true condition of the State to comprehend the cause. It is the direct, natural, logical sequence of negro supremacy! White men will not—they ought not, to submit to the control of an inferior race of people. We should despise our own blood, our own race, if they quietly, peacefully and tamely submitted to the dominance of the African. White men were not born to be ruled by colored men—and we believe the mark of God's disapprobation is fixed upon the brow of that descendant of Shem or Japheth who submits and cowardly bows his neck to the ignominious yoke of the descendants of Ham.

We make no disguise of our position in this matter. We believe the negro serves a good purpose in this world; that he is entitled to the enjoyment of life, liberty, property, the pursuit of happiness, equally with his superior countrymen; we would have broad acre of the government always spread above him, protecting and sheltering him; we would have the scales of justice meted out just measure; we would have him a useful good, and worthy citizen of free Republic; we would have him an enlightened, moral, thrifty being—we would have him have all these things, but God forbid that we should surrender our rights, or that we should govern our race, or shape the destinies of our State.

In Mississippi the white race is struggling against negro despotism and for the supremacy to which the white race is entitled. We regret that violence and bloodshed is a consequence of that struggle; we wish that the trappings of black men could be successfully resisted by the ways that are known to peace, but is otherwise, and we point to the bloody scenes enacted in that State, the murdered, humiliated and robbed State, as the bitter, bitter fruits of Republican supremacy. Let us take the lesson to heart. Let us recall the scenes enacted in this State in 1868-69, when the Republican party held the reins of power; and let us begin now to give our own loins for the next great struggle. It is never too soon to begin organizing for victory, that we may not shape the fate of unfortunate Mississippi.—Sentine.

Administrator's Sale of Real and PERSONAL ESTATE.

Notice is hereby given, that the undersigned will offer for sale at public auction, on FRIDAY, the 5th DAY OF NOVEMBER, 1875, at the late residence of Felix D. Clodt, deceased, about one hundred acres of land belonging to the estate of said deceased, adjoining the lands of M. W. Goodman, Mrs. M. K. Watts and others—situated on the Uta Township, about 16 miles west of Salisbury, on the waters of Sitts Creek, near Back Creek Church. This is a very desirable tract of land, with good buildings, orchard, &c., with plenty of timber and about twenty acres of good bottom. Terms of Sale—One-half cash, and the balance in twelve months, interest from date. (The same amount of land belonging to the estate of said deceased, adjoining the lands of M. W. Goodman, Mrs. M. K. Watts and others—situated on the Uta Township, about 16 miles west of Salisbury, on the waters of Sitts Creek, near Back Creek Church. 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