

- FOR DELEGATES: BRUNSWICK COUNTY, DAVID S. COWAN, DUFREN COUNTY, J. N. STALLINGS, WILLIAM FARRIOR, CUMBERLAND COUNTY, JOSEPH A. WORTH, NEILL R. BLUE, ROBERTSON, DUNCAN SINCLAIR, GALVIN A. McRACHERN, HLADEEN, J. W. RUSS, CARTERET, JAMES RUMLEY, COLUMBUS COUNTY, FORNEY GEORGE.

If, in spite of protest and challenge, an illegal vote is polled, let the proper affidavits be at once made before the proper officer, so that the parties thus illegally voting may at once be arrested and thereby prevented from escaping the penalty provided by law in such cases.

Remember that the election law requires 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.

Remember also that the election law says: "No elector shall be entitled to register or vote in any other precinct or township than the one in which he is an actual or bona fide resident on the day of election, and no certificate of registration shall be given."

ARE WE READY? THE CONFLICT IN UPON US

If we are to be successful in our efforts to get rid of the burdensome Constitution that has so long paralyzed all of our powers, we must get to work at once and perfect a thorough organization of our party. If we would win the prize that for seven weary years we have been contending for, that is to say, the right to live under a government of our own making, and not one of military manufacture, we must not take it for granted that our opponents will be defeated, and that we have nothing to do but to divide the spoils, as it were. We warn our friends that if we would enjoy its fruits we must first win the victory. As powerful as are the incentives to our people to get rid of the Canby Constitution, and to overthrow the party that with its rule brought ruin and disgrace upon the State, it can be done only by honest, zealous work, and thorough organization of our party in the several counties of the State.

Our cause is too just and our need for victory too great for us to throw away triumph so nearly within our grasp. Too many men we fear are taking it for granted that the grievous burdens imposed by the Canby Constitution together with the abuses and corruptions of the Radical party generally, will insure our success without proper effort and proper organization on our part. There can be no delusion more fatal to our cause than this. The time has come when every man who loves good, honest, economical government must work, and work with a will. If we fail how it will be in our children's day, and not in our own, that we can alter our Constitution.

And we must work together if we would work for good. We must work as members of a common organization having a common end in view. There must be no strife and no division in our local ranks. There is too much at stake to hazard the result by petty local or by personal differences. There must be sacrifices of aspirations and of preferences.

In every political organization the will of the majority must constitute its rule of action, or it will lack the unity and concert of policy absolutely necessary to success. This will of the party can be definitely and accurately ascertained only through mass meetings, or through conventions of delegates, and when it is thus formally expressed by a nomination duly made in accordance with the usages of the party there can be no appeal from it, and in point of fact none is ever so made.

The so-called independent candidates do not appeal from the nominating convention to their own party, but they appeal to a tribunal composed of the enemy and a minority of their own party. It is plain then that all independent candidates and their supporters, where a party has put forward regular candidates, can be regarded

only as disorganizers—in a word as enemies. The man who puts himself in opposition to the regular nominees of his party cannot be regarded as a true member of that party. By proper organization, by proper discipline, by earnest effort, by united effort, victory will be as certainly ours as that the sun will set on the first Thursday in August.

But suppose we remain idle and are defeated, what then? The answer is a plain one. We shall have the Canby Constitution fastened upon us for the rest of our lives. Now or never is the time to throw it off. What say you white men of North Carolina? Will you throw away the golden opportunity now before you?

And just here we cannot forbear a word of warning, of solemn earnest warning to our party and it is this. If the Democratic party of North Carolina is to be forever pledged to a policy of timidity, if it is to win glorious triumphs on hand fought fields only for the sake of a few bon fires and illuminations, if it is to be always afraid of grasping the legitimate and necessary fruits of victory for fear of offending somebody, it may rest assured that it will lose far more of strength and prestige and power by chilling and disheartening its warmest supporters than it can possibly gain by conciliating its enemies who are the enemies of good government. There is nothing the party need fear so much as a change from enthusiasm to indifference among its members.

THE HOMESTEAD LAW IN IT IN DANGER

The restriction plainly written in the very act calling the Convention, forbidding that body to interfere with the Homestead clause of the Constitution is simply sufficient to satisfy any sane man that it is in no danger. But even if there was no such restriction upon the Convention, it would need but a moment's thought to be assured that the Homestead was safe in the hands of a Democratic Convention, for the simple reason that the vast majority of the people interested in preserving Homesteads untouched is to be found in the ranks of the Democratic party. Indeed as a party the Radical party has comparatively but little interest in any law looking to the security of the Homestead.

But we find our views upon this question so well stated by our esteemed contemporary the Piedmont Press that we transfer the entire article to our own columns.

The Press says: The Republican party of this State polls some 90,000 votes, of which 75,000 are negro votes, there being only about 15,000 white Republican voters, or about one sixth of the strength of that party in North Carolina.

Everybody who knows anything about negroes knows also that not one in a hundred of those 75,000 have acquired any interest in the Homestead clause of the Constitution, and more than one in 500, or we may say a 1,000, had a Homestead at the time it was made a part of our Constitution. The per cent among the white Republicans interested in this clause, of course, is some greater, though it is well known that they have paid more attention to the forming of rings and defending the State Treasury than to the purchase of Homesteads. A liberal estimate we think will admit that about one-tenth, 9,000, of the Republican voters in the State are the same hook or crook the estimable eyes, or holders of Homesteads, and specially interested in its preservation.

Of the 100,000 Democratic voters in the State it is reasonable to calculate that three-fourths 75,000 are owners of Homesteads, and that being about all that the war, and the high taxes, brought about by Radical mismanagement has left them, they are therefore doubly interested in the preservation of that saving clause of the Constitution. Leaving off all other motives which Democrats generally possess, and basing our calculations solely upon self interest which is surely the very strongest argument with Radicals, we conclude that the Democratic party are eight times more interested in preserving the Homestead laws than the Republican party, and that said law is ten times safer in the hands of Democrats than of the Republicans.

A Democratic Legislature has said these clauses shall not be disturbed. The Democratic Executive Committee have committed the whole party to their preservation, and no one wants them repealed. The Radical party knows that there is no intention of doing it, and only keeps up the false cry in hopes of soaring some poor Homesteader away from his real friends, the Democratic party. Don't you listen to it. It is all a lie, told for a lie, and known so to be when told.

OUR COUNTY GOVERNMENTS—THEY WENT RESPONDING TO THE APPEAL OF THE EAST.

The following article, coming as it does, from a county that has felt and can feel none of the evils of ignorant, corrupt negro county government, and for the reason that the negroes there are in a minority, is a very gratifying response to the demand of the Eastern counties for relief. We feel quite sure that the Concord Register speaks the sentiments of the whole people, not only of Cabarrus county, but of the entire western portion of the State, when it declares it is not wedded to the present system but that

if it were, it would not sacrifice us of the East therefore.

The Register says: The members of the Eastern part of the State the negro population grows in the majority, and the consequences of such a majority of those counties are in the hands of corrupt, ignorant men, placed there by negro votes, and a very grievous burden is upon the people, for corruption and ignorance surely follow ignorance as night follows day. To the Convention the people look for relief, and if it fails to give them relief they will very properly consider it a failure. The remedy they look to is simple and obvious. It is simply a return to the old paths, the old time honored paths we used to follow in North Carolina before the curse of reconstruction blighted our fair land. In the olden time when North Carolinians lived under a Constitution made by their freely chosen delegates in lawful convention duly assembled the Legislature selected the magistrates, and the magistrates conducted the affairs of the counties.

And this is what the East wants the Convention to do—to so change the Constitution as that the magistrates may once more be elected by the Legislature. Here in the Western counties, where the number of negroes is considerably smaller, the present system is not so grievous or objectionable, but even if we were wedded to it, which we are not, we would not sacrifice our brethren of the East for it; therefore we hope that the Convention will give them the relief they ask, by having the magistrates elected by the Legislature.

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DOES THE CONSTITUTION NEED AMENDING?

It is the imperative duty of the State to secure the liberty of every citizen, whether he live in a palace or in a hut. This can only be done by a wise fundamental law called a Constitution and by proper legislation in accordance therewith. It is the imperative duty of every citizen to yield obedience to the Constitution and laws of the State. But how can the citizen perform this high duty unless the Constitution be so written that its requirements may be understood? It cannot be done. It is manifest, therefore, that when the Constitution, which is the fundamental organic law of the land, is ambiguous, susceptible of various interpretations, conflicting in its provisions, incomplete and inconsistent, insensible as well as tyrannical and oppressive, that the State cannot perform its duty to the citizen by securing to him his liberty, nor can the citizen perform his duty to the State, by yielding obedience to its Constitution and laws.

What sort of a Constitution have we in North Carolina? Is it that wise fundamental law that in the opinion of men of experience is absolutely necessary to secure to the citizen his liberty and is so plainly written as to leave no doubt of its meaning and intent in the minds of the people who are so constantly sworn to maintain and uphold its provisions?

In answer to these questions we do not propose to give our own opinions, but those of gentlemen whose business it has been to study the Constitution carefully, and who have done so for seven years. If these men, the first men in the State in learning and statesmanship, have been unable to understand the Constitution; is it to be expected that other men, who make no pretence even to be learned in the law, can understand it and obey it?

What does Governor GRAYMAN say about it? He declares: The present Constitution of this State is an anomaly in American institutions. It has no claim to continuance by reason of the times in which it was composed, the national character of its authors, and we may add the circumstances of its adoption. It has as much application to the people of Illinois as to us. There are provisions in the Constitution insulting and degrading to the sovereignty of the State and purposely placed there.

Judge MANN says: The Constitution ought to be amended in many material respects, and it should be done at once, as an indispensable necessary to useful legislation. There is no person in the State, it seems to me, who has the sense to form a judgment upon the subject at all and who, at the same time, is capable of freeing himself from the blinding effects of prejudice and self interest, who does not understand and acknowledge this. Many of its provisions are foreign to our habits and modes of life, unsuited to the condition of our people, cumbersome and expensive. It is tainted with an arrogant use of moral platitudes and exhortations, is unintelligible, absurd in parts, and has many matters crystallized into constitutional law which belong to the evanescent and changeable ideas of the day, and ought to have been left to the domain of ordinary legislation.

Judge WARREN says: No change of the incumbents of office can make our present Constitution tolerable. Persistence in the fight has won all our recent victories. The calling of a Convention is a monument in the interest of true Conservatism and I cannot understand that what is so manifestly for the good of the people is likely to be dangerous to the party that favors it.

Colonel FOLK says: I consider a Convention the cheapest and most expeditious as well as the most satisfactory mode of amending the Constitution and ridding ourselves forever of the obnoxious features which confessedly overwhelm and oppress us. If a Convention shall assemble and restore the old Constitution as far as is consistent with the new order of things and guarding the Homestead and conserving the people will "rise up and call it blessed."

the addition of the homestead and personal property exemptions.

Judge HOWARD says: The general animosity of the instrument; the uncertainty of the terms of office; and the resultant embarrassment to the administration of justice; if the late opinion of the Attorney General be correct; the establishment of all the Courts thereby restraining the discretionary power of creating and modifying Courts to meet the varying wants and interests of the people; the limitations of jurisdiction, and increasing the expense and uncertainty of litigation; the localizing the Judges when the reasons had suggested reorganization of circuits at various other times; the restriction upon legislative action, entirely beside and in no way dependent upon the great provisions that should constitute the organic law and protect the rights of the citizen from unjust or partial legislation—these all demand revision or rejection.

Hon. JOHN MARSHALL says: The Constitution was framed by men for the most part of very little experience in political affairs, and still less acquainted with our condition and wants, and never received the free, untrammelled approval of a majority of the people who were to be subject to it; and were it ever so perfect, it is wanting in the vital essence of a free Constitution, that is to say, the consent of the governed. It is impossible for the Legislature to do much to relieve the people while the present Constitution is in force.

Hon. JOSEPH B. BARNWELL, formerly Attorney General of the State, says: I know of no member of the Democratic-Conservative party who has at any time defended the present Constitution or said that material amendments were not necessary. Under these circumstances to harbor a doubt that the best interests of the people of the State require that the present Constitution should be materially and speedily amended, would be to cast unjust imputations on the sincerity and honesty of purpose of the party which I have supported since its organization.

Colonel WALTER L. STEWART says: The Constitution is not the choice of the people who are governed by it, but a bastard gotten by tyranny and perjury. It is a compound of organic principles and statutory requirements thrown together without order, incongruity and absurdity. It is expensive and cumbersome, and tends to impede rather than advance rational progress. It imposes burdens "grievous to be borne" and prevents the passage of laws which growing conveniences and necessities demand. It needs heavy pruning and a thorough reconstruction to bring it into harmonious shape, solid structure and becoming proportions. All partial attempts at amendment therefore will only add more patches to the mosaic garment. A general revision preserving the principles established by our fathers and such new provisions as our changed condition requires, is the only means by which we can hope to get the organic law into harmony in all its parts, securing all proper landmarks for legislative and judicial guidance and unfettered the General Assembly, from many needless restraints which now hamper and control it. And this requires a Convention.

Honorable MORGAN, Esq., of Perdue, says: The Constitution was imposed on us by force. We look on it as a badge of servitude. It was the work of needy adventurers ignorant of political science, and only on plunder and office. It has shackled the hands of the Legislature where action is essential to prosperity and progress. It has engendered and kept alive a constant strife between the several departments of the government; the boundary line between the law-making and executive branches of our Government is yet undefined after years of litigation. The verdict of the people is made up. This Constitution is an offence to us and we do not intend to live under it.

Colonel L. O. EDWARDS says: Our Constitution is as full of mischief as an egg is of meat and in truth is well high as bad as bad can be. There are many bold and bad men in the State but no man has as yet been found with enough of that bad courage which begets public odium to stand forth in defense of this most mischievous and wicked constitution.

Colonel DAVID COLEMAN says: The Constitution wants not one or two amendments; a general change is needed. By a Convention we are sure to get the amendments, all of them, without delay, without excitement, better and far more cheaper than by the legislative mode.

Colonel WILLIAM A. ALLEN says: My active participation in the Legislative department of the General Assembly of North Carolina under our present Constitution has been such as to impress upon me in no ordinary manner the many and important defects and great superfluities of that instrument and its utter inadaptation to the situation and condition of our people. Its ambiguity and restrictions upon the legislative department, its loose and unrestricted power vested in the hands of the Executive Department have been and continue to be sources of much embarrassment in perfecting useful legislation for the country. Under such a Constitution we can never hope to see our good old State developed into a great and glorious commonwealth such as her natural resources amply her to be.

Mr. W. A. WAGNER, Judge R. S. FRENCH, Judge O. P. MEARS, Mr. JOHN L. HOLMES, Colonel ROBERT STRANGE and Honorable GEORGE DAVIS unite in saying: We are decidedly of opinion that the Constitution needs to be changed in very many and very material respects, and that the right speedily, loudly and unrestrainedly expressed in our Legislative Hall, in the Courts of Justice, and in every walk in life, shows that it is an insuperable obstacle to good government.

EDWARD GOODLAND says: The Constitution of 1868 is not adapted to the wants of the people, is burdensome and oppressive in its operation, and should be amended in the most efficient and speediest practicable mode.

The last authority we shall quote will be that of the venerable man who is confessedly the father of the bar in North Carolina, a man who has escaped through life the sway of passion as well as from natural caution as

from great natural ability. Never a politician and ever a lawyer, an unwavering, uncompromising Union man before the war, during the war and since the war, so many dark charges that the country's Hon. B. W. MOORE arises from partisan feeling. And what does Mr. Moore say, this venerable man who for fifty years has made the laws of North Carolina his daily and nightly study? He says:

The present Constitution is admitted by every intelligent man in the State to be replete with grave and demoralizing faults and errors, and so far as I am informed every person best acquainted with it, without regard to politics, would be pleased to see it so remodelled as to make it plain and promotive of good government; to the end that while it is our greatest and most stable law it may be readily comprehended, obeyed and executed. A people who do not understand their laws will never be expected to be obedient to them. The Constitution of 1776 was wisely founded upon our political condition at that period.

The changes made by the Constitution of 1868 were caused mainly by the misfortune of having amongst its framers several leaders from other States who had no settled interest in our government, each of whom nevertheless was ambitious to engage in it the provisions of the Constitution of his own State. They succeeded in their purpose, each taking by turns a clause from the Constitution of his own State, and the result was a complete overthrow of our venerable and venerated great charter of liberty and the introduction in its place of a particular colored fabric of patch work inharmonious in its provisions, obscure in its language, unsuitable to our condition and condition in its tendencies.

During its existence for the short period of six years its true meaning has often been the subject of more judicial question and interpretation and dissembling pliancy of our supreme judiciary than has been the Constitution of 1776 with its amendments of 1835 since the Revolution. In my candid opinion the next hundred years would not suffice to settle the complications of construction and in my judgment I declare the present Constitution to be a burden on true liberty rather than its shield and protector. No mere party should be charged with its disastrous birth. It was the offspring of a subverting storm ere its agonies had ceased and the departing clouds had left in the calm of open quiet and day. I feel satisfied that every citizen of the State of every class and of every race, would be better secured in his liberties, rights and property and the rate before would be extended and enabled by binding the people to a closer allegiance to the State as one of the great republics of the Union as would be done by the needed amendments of the Constitution.

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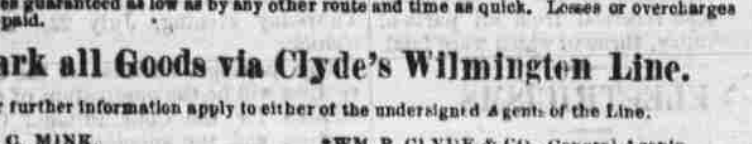
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