

CONVENTION.

Election, August 6th, 1875.

FOR DELEGATES:

- BRUNSWICK COUNTY. DAVID S. COWAN. DUPES COUNTY. J. N. STALLINGS. WILLIAM FARRIOR. CUMBERLAND COUNTY. JOSEPH A. WORTH. NEILL R. BLUE. ROBESON. DUNCAN SINCLAIR. CALVIN A. McEACHERN. BLADEN. J. W. RUSS. CANTON. JAMES RUMLEY. COLUMBUS COUNTY. FORNEY GEORGE. ONELOW COUNTY. JAMES G. SCOTT. HAMPSON COUNTY. S. J. FAISON. WILLIAM KIRBY.

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 the voter to be sworn before he votes 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."

THE "COLOR LINE."

The Fayetteville Gazette is in favor of drawing the "color line," and commencing upon this declaration, the Duplin Record says:

"The 'color line' has always been drawn by the negroes. We simply want the whites to do the same. We expect but few negroes to vote with us—they never have. We would not trouble to them one iota to induce them so to vote. While we are willing for them to go with us, let it always be with the understanding that our's is a white man's party, and that white men must rule."

We say draw the "color line" so strongly, so decidedly, so distinctly, that every white man who goes with the negro party, now, in this moment of supreme necessity, will be made to understand that his action puts him, politically at least, with the enemies of his color and people, and that he must abide the consequences.

The "color line" has been and still is drawn. The present contest is between the native white people, on the one hand, and the negroes, led by a few white men of the old carpet-bag school, and native slaveholders and office-seekers, on the other. The one constitutes the Conservative-Democratic party, the other the Radical.

Our attention not having been called to the question of the eligibility of office holders to seats in the coming convention and being aware of the precedent set by Judge Gaston, and others, in 1855, we have made no objection to any candidate on the ground of his being an office holder. An examination of

the question satisfies us, however, that no office holder and no place holder of trust or profit is eligible to a seat in the Convention. On several occasions, the Hon. Wm. A. Rouse, if we mistake not, has called public attention to this point, and we confess that we cannot see how his argument can be answered. It says: "We are fully satisfied from an examination of the Constitution that office holders, either State or Federal, are not eligible to seats in the Convention."

The Constitution of 1776 provided in Sec. 33: "That no person in the State shall hold more than one lucrative office at any one time. Provided that no appointment in the militia or in the office of a Justice of the Peace shall be considered as a lucrative office."

Under the construction that a delegate to a Convention was not a lucrative office, Judge Gaston, Daniel and other State officers held seats in the Convention of 1855.

The Amended Constitution of 1835 provided: "Sec. 4. No person who shall hold an office or place of trust or profit under the United States or any department thereof or under this State or any other State or Government, shall hold or exercise any other office or place of trust or profit under the authority of this State, or be eligible to a seat in either house of the General Assembly. Provided that nothing herein contained shall extend to officers in the Militia or Justices of the Peace."

A person holding an office or place of trust shall not hold or exercise any other office or place of trust. It seems plain if there is any meaning in the English language, that this provision excluding all persons holding an office from holding or exercising any place of trust, prohibits a Federal or State officer from holding a seat in the Convention, which, to say the least of it, is a place of trust.

Sec. 7, Art 14 of the Constitution of 1868, provides:

No person shall hold more than one lucrative office under the State at the same time. Provided that officers in the militia, Justices of the Peace, Commissioners of public charities and commissioners appointed for special purposes shall not be considered officers within the meaning of this section.

Under this provision, as in the Constitution of 1776, a person holding an office might be a delegate to a Constitutional Convention only held a place of trust, and is no office holder.

But in the Amended Constitution of 1870, under which the present proposed Convention was called and will be held, the above section in the Constitution of 1868, was amended and provides as follows:

No person who shall hold an office or place of trust, or profit under the United States or any department thereof, or under this State, or shall hold or exercise any other office or place of trust or profit under the authority of this State, or be eligible to a seat in either house of the General Assembly—provided that nothing herein contained should extend to officers of militia, Justices of the Peace, Commissioners of Public Charities or Commissioners for special purposes.

This is the law now, and so it seems plain to us that no office holder can be a delegate to the State Convention, even if such position is no office, and only a place of trust.

Nor is this the only argument. The Act of the Assembly, calling a Convention, says:

Sec. 3. The said Convention shall consist of one hundred and twenty delegates, and each county shall be entitled to the same number of delegates that it has members of the House of Representatives in the present session, and the said delegates shall have the qualifications required of members of the House of Representatives of which qualifications the Convention shall be the judge.

By this Section the same qualifications are required for delegates to the Convention that are required for members of the House of Representatives. As, therefore, all persons who hold any office or place of trust or profit under the United States or any department thereof, or under the State or under any other State or Government, are expressly excluded by the Constitution from becoming members of the House of Representatives, it is clear they cannot be delegates to the Convention. In a word, the qualifications of a member of the House of Representatives constitute the test of the qualifications of a delegate to the Convention. If a man can be a member of the House of Representatives, he can be a delegate to the Convention. If he cannot be a member of the House of Representatives, he cannot be a delegate to the Convention. The Constitution expressly says, that no office holder and no place holder of trust or profit can be a member of the House of Representatives. No office holder, therefore, can be a delegate to the Convention.

Mr. E. A. Wright, of Goldsboro having been nominated for office by the Radicals, published a manly card in the Messenger, declining to receive office at the hands of that party, and uses the following strong language: "I had rather live for my honest living by the sweat of my brow and live poor, and die poor, than to be buried by subscription; than to bring this disgrace upon myself, my wife and my children, and the race of my kindred and the whole white race brown."

Scott Parish, who murdered his wife and child in Wake county a week ago, was arrested in Brunswick, Halifax county, and was carried to Raleigh on Sunday.

MISCELLANEOUS.

"AHEAD OF ALL."

From Packed Java, Cagayara, Maracabo and Blue Coffee all fresh this week. BUCK & CO'S. Celebrated Pickles, Hoes and Jars, with an assortment of all "Good Brands. BEST BUTTER IN THE WORLD.

NEW PRESENT FAMILY FLOUR,

Always reliable and the best. Call on us for your supply for the week. We will make the price our own. G. W. MYERS, July 12. 11 & 13 South Front St.

IN STORE!

600 BBLs. FLOUR, 50 Boxes D. S. Sides & Shoulders, 50 " Smoked Sides & Shoulders, 75 Hhd. New Crop Cuba Molasses, 100 Bbls. S. H. Molasses, 30 " Rice, 50 Boxes Tobacco, 100 " Lye and Potash, 75 Bags Coffee, 50 Bbls. Sugar, 100 Cases Oysters, 50 " Pickles, 400 Spirit Casks, 100 Bbls. Ghee, 200 Papers Rives, 20 Tons Hoop Iron,

Candles, Candy, Matches, Snuff, Shot, Caps, Powder, &c., &c., &c.

For sale by KERCHNER & CALDER BROS. July 4

22.

ON HAND AND TO ARRIVE

357 BOXES

Plug and Twist Tobaccos,

DESIRABLE STYLES. Old Stock—prices to correspond.

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Corn, Meal and Hay!

1,000 Bushels Corn 500 Bushels Water-ground Meal, 100 Bales Hay.

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500 Barrels Flour, 20 Barrels Sugar, 10 Barrels Coffee, 20 Barrels Rice.

FOR SALE BY KERCHNER & CALDER BROS.

Spirits, Casks, Clue, Etc.

500 Spirit Casks, 10 Barrels Clue,

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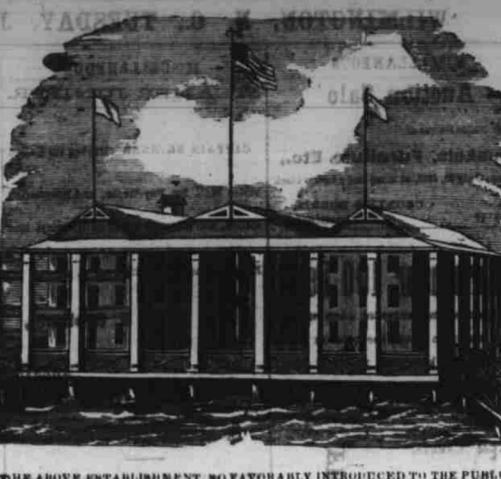
MOSQUITO NETS

AND FRAMES, Gause and Lace. Our second stock. Just received and for sale low by D. A. SMITH & CO. June 27

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A SEASIDE RESORT,

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THE ABOVE ESTABLISHMENT, SO FAVORABLY INTRODUCED TO THE PUBLIC last Summer by the new owner, Capt. B. H. Graham, is for the season of 1875, May 1st to October 1st, open to such visitors only as the undersigned may be willing to admit to his family circle. He hopes to renew his pleasant acquaintance with all former guests of the Atlantic Hotel. The peculiar situation of this house affords all the pleasure of a voyage without peril or sea sickness.

NO DUST! NO FLIES!! NO MOSQUITOES!!!

Washing Rooms are attached to the house, where guests may at once enjoy the exhilarating effects of salt water and learn the art of swimming. The Music Hall and reading room added last year afford a pleasant retreat from the glare of the sun by day, and a brilliant court of refreshment at night. All the games for exercise and amusement to be found at inland resorts, besides pleasure boats, fishing and well managed, for

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MISCELLANEOUS.

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Bacon, Pork, Sugar, and Coffee.

50 Boxes D. S. Sides, 50 Boxes Smoked Sides and Shoulders, 25 Bbls. City Mess Pork, 100 Bbls. Refined Sugar, 100 Bbls. Prime Rio Coffee. For sale low by WILLIAMS & MURCHISON.

Flour-Corn-Syrup-Rice.

800 Bbls. Flour—all grades, 6,000 Bushels Prime White Corn, 50 Bbls. S. H. Syrup, 25 Bbls. Rice. For sale low by WILLIAMS & MURCHISON.

Hay-Hoop Iron-Clue-Spirit Barrels.

500 Bales N. R. and E. Hay, 400 Bundles Hoop Iron, 100 Bbls. Clue, 300 Second Hand Spirit Casks. For sale low by WILLIAMS & MURCHISON.

MOLASSES-GUANO-NAILS-SHOT

100 Hhd. and bbls. New Crop Cuba Molasses, 200 Tons Guano, 100 Tons Eureka Guano, 300 Kegs Nails, 200 Bags Shot. For sale low by WILLIAMS & MURCHISON.

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The Carolina Household Magazine.

will be a large 28-page, eighty-four column monthly, handsomely printed on tinted paper, and beautifully illustrated. It is a thoroughly useful, entertaining and instructive journal, and its success is already fully assured. The publisher means to make it a first-class monthly, that, once introduced in the family circle, is sure to be eagerly watched for and carefully preserved. THE "PORTRAIT GALLERY" will prove an attractive feature. The January number will contain a life-like picture of EX-GOV. Z. B. YANCEY, and biographical sketches, to be followed in each succeeding number with portraits of other prominent statesmen, divines, &c.

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