

WILMINGTON, N. C.

TUESDAY, AUGUST 3, 1875.

CONVENTION.

Election, August 5th, 1875.

FOR DELEGATES:

- BRUNSWICK COUNTY. DAVID S. COWAN.
DUPLIN COUNTY. J. N. STALLINGS, WILLIAM FARRIOR.
CHESLEBURY COUNTY. JOSEPH A. WORTH, NEILL R. BLUE.
ROBERTSON. DUNCAN SINCLAIR, CALVIN A. McEACHERN.
BLADES. J. W. RUSS.
CARTERET. JAMES RUMLEY.
COLUMBIAN COUNTY. FORNEY GEORGE.
ONKLOW COUNTY. JAMES G. SCOTT.
RAMPSON COUNTY. S. J. FAISON, WILLIAM KIRBY.
NEW HANOVER COUNTY. GEORGE DAVIS, ROBERT STRANGE.
FRENCH COUNTY. R. K. BRYAN.

OUR DUTY.

To-day, to-morrow and next day, will pass away to be followed by the dawn of a new era of happiness and prosperity, if the white men of North Carolina shall, meanwhile, do their duty. The State is laboring under grievous and heavy burdens, growing out of the infamous Canby Constitution. A Convention has been called by the white men of North Carolina to change that Constitution and to remove those burdens. On Thursday an election for delegates to that Convention, will be held. The negro party asks that their candidates be made delegates and the white man's party asks that its candidates be chosen delegates. The duty to be done, therefore, on the day after to-morrow, is to elect the candidates of the white man's party as delegates to the Convention. The duty to-day and to-morrow will be to see that every white man votes on Thursday. Have arrangements been made to carry the lame and the halt to the polls? Let the man who has a vehicle carry his neighbor who has none, and who cannot walk. Have challengers been appointed who will attend at the polls and prevent fraudulent voting? Attempts will be constantly made, everywhere, to put in votes contrary to the law. The law requires that when a voter is challenged he shall prove the fact of his residence in the county and State, by the testimony of witnesses other than himself, and known by the Judges to be credible. This law has never been repealed, nor has any case under it ever been before the courts in which it was declared to be unconstitutional. If any vote shall be challenged, and the poll-holders shall admit it without requiring proof of witnesses other than the voter, and known to the judges to be credible, let the Democratic challengers make a note of the fact in order to contest the seat of the person elected, if necessary, and to punish the poll-holders for violating the law. Never did white men have greater reason to do their duty than we have. But suppose the white men shall not do their duty. What then? The answer is easy—there will be a hell on earth, here in our midst. There can be no hell on earth worse than that which exists when white men and white women are under negro rule. It is idle to talk as if white men will live under negro rule. They cannot do it if they would, and they would not if they could. If men honestly desire peace in North Carolina, they will vote to relieve the white people of the East from the degradation and disgrace of negro rule.

ARE THE RESTRICTIONS BINDING? If any man thinks the practice of imposing in the Act of Assembly calling a Convention, restrictions upon its work, restrictions as to the qualifications necessary for its delegates and restrictions as to the qualifications necessary for voters for such delegates, we advise him to read the following extract from the Act calling the Convention of 1775.

It was to do, that it specified particularly who should be eligible as delegates, and particularly who should be eligible as voters for such delegates. These restrictions upon the work for the Convention to do, upon the qualifications for its members, and upon the qualifications for the voters therefor, are all plainly written in the act, and they were respected, too. Indeed, we venture to say that no Convention has ever assembled in North Carolina that was not restricted in all these material points by the authority that called it into existence. And it will be borne in mind, too, that these restrictions were imposed by Legislatures that, until 1835, had no express grant of authority from the Constitution for calling any Convention of any sort. If, therefore, there be any question of constitutional practice well settled by precedent and authority in North Carolina, it is that which asserts and maintains the right of the Legislature to impose in a bill calling a Convention, restrictions upon its powers.

The Act of Assembly calling the Convention of 1789, was passed on the 20th of November, 1788, and reads, in part, as follows: Resolved, That it is the opinion of this House, a new Convention be recommended for the purpose of reconsidering the new Constitution held out by the Federal Convention as a government for the United States. Resolved, That it be recommended to such of the inhabitants of this State as are entitled to vote for members of the House of Commons at the annual election in August next, to vote for five persons in each county and one person in each borough-town having a right of representation agreeable to the Constitution of the State, to sit as a State Convention for the purpose of deliberating and determining on the proposed Federal Constitution for the future government of the United States, and on such amendments if any as shall or may be made to the said Constitution by a Convention of the State previous to the meeting of said Convention of the State, which election shall be conducted agreeable to the mode and conformable to the rules and regulations prescribed by law for conducting the elections of members of the General Assembly, and every citizen within the State being a free holder shall be eligible to a seat in the said Convention, sheriffs and returning officers excepted.

NORTH CAROLINA CONVENTIONS.

The first Convention, composed of delegates formally elected by the people, ever held in North Carolina, met in Newbern on the 25th of August, 1774. A brief sketch of this Convention, and the ten others that followed it, in the succeeding century, will, we trust, be not uninteresting to our readers. In the year 1773, the dissensions that for some time had existed between the Royal Governor on one side and the Colonial Legislature and the people on the other, grew to such a point as to produce general anarchy and confusion. The courts were closed, and the colony was without laws or judges. So grievous were the burdens upon the people and so determined were they to throw them off, and so bold about it withal, that a Congress or Convention to consist of delegates from all the towns and counties in the colony was agreed to be held at the very place in which the Royal Governor lived. The delegates to this Assembly, or Congress as it was then called, were formally elected and in despite of the Governor's proclamation, met in Newbern on the 25 August, 1774. The Royal Governor summoned his council to advise what should be done but only to be told that nothing could be done. The Convention while professing allegiance to the British crown asserted boldly that allegiance and protection, taxation and representation, must go together; denounced as unconstitutional, the Boston Port bill, and the sending of persons to England for trial for offences committed in North Carolina, and bound themselves not to trade with England either in buying or selling after the coming year. JOHN HARVEY, who was also President of the Colonial Legislature, and who had been mainly instrumental in getting up the election of delegates, was the President of the Convention. And this was the FIRST CONVENTION ever held in North Carolina.

The Colonial Legislature was ordered by the Governor to meet in Newbern in April, 1775, and thereupon JOHN HARVEY in February of that year issued a notice to the people to elect delegates to represent each town and county in another Convention to be held at the same time and place, by virtue of authority vested in him by the first Convention. The Colonial Legislature and the Convention both met in Newbern on 4th of April, 1775, and each body chose John Harvey as its presiding officer. The Legislature proved so impracticable, being composed very largely of delegates to the Convention, that the Governor dismissed it after a session of only four days. Very soon thereafter the Governor left his palace at Newbern and went aboard ship off Smithville, down at the mouth of the Cape Fear River, and thus ended British Royal Government in North Carolina. The Convention appointed a council of safety, upon whom devolved the Government, and from that time North Carolina was governed by North Carolinians; and this was the SECOND CONVENTION ever held in North Carolina.

The next Convention was held in Hillsboro, on the 21st of August, 1775. As heretofore, delegates had been elected under the call of the president of the preceding Convention, one hundred and eighty-four of whom took their seats. Samuel Johnston was made President. The emergency was now very great. The Royal Governor had abandoned his post, and all hope of reconciliation was at an end. The Convention promptly accepted the situation, and proceeded to provide a new government, and to raise troops to support it. The civil power was vested in a PROVISIONAL COUNCIL for the whole State, a committee of safety for each district, and one for each county and town. Samuel Johnston was chairman of the provincial council, and thereby became de facto the Governor of North Carolina. And this was the THIRD CONVENTION.

The next Convention met in Halifax on the 4th of April, 1776. The delegates were elected in the usual way, and one hundred and fifty-two of them took their seats. Samuel Johnston was again chosen president. It was this body that first declared in favor of absolute American Independence, by adopting, on the 17th of April, 1776 the following: Resolved, That the delegates from this colony, in the Continental Congress, be empowered to concur with the delegates from the other colonies in declaring Independence and framing foreign alliances; reserving to this colony the sole and exclusive right of forming a Constitution and laws for this colony.

And this was the FOURTH CONVENTION. The next Convention met in Halifax on the 12th of November, 1776, the delegates having been elected on the 15th of October upon the call of the PROVISIONAL COUNCIL. These delegates, one hundred and sixty-nine of whom took their seats, were instructed, "not only to make laws, but to form a Constitution which was to be the corner stone of all law." How well they performed that duty, the Constitution under which the people lived and prospered so long affords a ready answer, for it was that body that framed and adopted the first Constitution of their own making under which the people of North Carolina ever lived. Richard Caswell was the President. With the successful inauguration of the government under the new Constitution the transfer of the government from the British crown to the people of North Carolina was complete and this was the FIFTH CONVENTION.

The next Convention met in Hillsboro on the 21st July, 1788. It was called by act of Assembly, although no authority for such act appears in express terms in the Constitution then in force. It was to this body that the Federal Constitution was first submitted for ratification, and by which, through the influence mainly of Willie Jones, it was rejected by a vote of one hundred and eighty-four to eighty-four. The blessings of the Federal Government were not much sought after by North Carolinians in that early day. Samuel Johnston was its President, and this was the SIXTH CONVENTION.

The next Convention met in Fayetteville on the 16th of November, 1789, under a call of the General Assembly. It was this body that ratified the Federal Constitution and made North Carolina a member of the Federal Union. Samuel Johnston was its President, and this was the SEVENTH CONVENTION.

The next Convention met in Raleigh on the 4th of June, 1835, under a call from the Legislature, and revised the Constitution. Its President was Nathaniel Mason. And this was the EIGHTH CONVENTION.

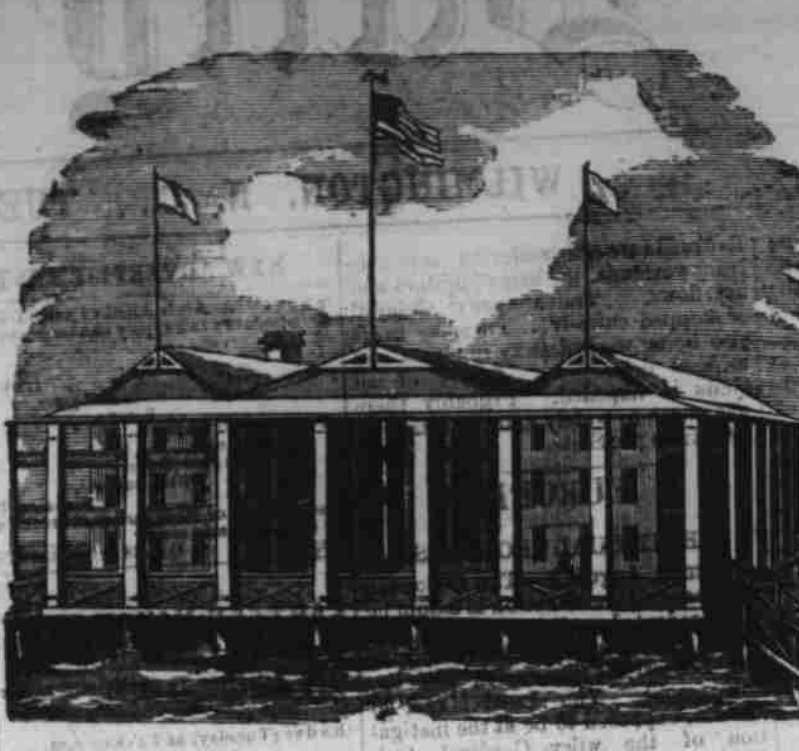
The next Convention met in Raleigh on 20th May, 1861, under a call of the Legislature. It repealed the Ordinance of the Convention of 1789, ratifying the Federal Constitution, adopted the Confederate Constitution, and formally made the State a member of the Southern Confederacy. Weldon N. Edwards was its President, and this was the NINTH CONVENTION.

The next Convention met in Raleigh on 2nd October, 1865, under orders from Andrew Johnson, then President of the United States, through W. W. Holden, provisional Federal Governor of North Carolina. This Convention declared the Secession Ordinances of the Convention of 1861, to be null and void. It framed a new Constitution which upon being submitted to the people, was rejected. Edw. I. G. Reade was its President.

And this was the TENTH CONVENTION. The next Convention met in Raleigh on the 14th of January, 1868, under orders from General Canby. It made the Constitution under which we now live, commonly known as the infamous Canby Constitution. Calvin J. Cowles was the President. Its members, with the exception of a handful of Democrats, were negroes, carpet-baggers and scalawags.

And this was the ELEVENTH CONVENTION. The next, and TWELFTH CONVENTION will meet in Raleigh on the 6th of September next, in pursuance of an act of a Democratic Assembly. Its President will be one of North Carolina's most distinguished sons, and the members generally will be the best men in the State—pure, able and patriotic. Its work will be the revision of the Constitution, and will be well done, and the people will, with one consent, so declare. And then we shall once more have good government in North Carolina! A cash system is one where a man pays for all he gets, and runs the chances of getting all he pays for.

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