THE SENTINEL.

WEDNESDAY, APRIL 5, 1871.

TO OUR SUBSCRIBERS

Subscribers who have expires with the adjournment of the Legislature (which will take place in a few days) will please renew. Look out for the red X mark. We will dislike much to strike off any names from our list, but we must do a strict cash business.

CONVENTION.

That the people of North Carolina desired, above all things a convention is a fact that any man at all conversant with public sentiment must admit. One of the most odious and corrupting features of the carpet bag constitution under which we suffer is the absolute lordships Mr. Lun Ord Paschal of Granville in a most excellent letter on the county expenses of that county under Carpetbaggery and the old system of county courts showed that the chairman of the county commissioners and the attorney they employed received more money from the county treasury than was expended under the old system for all county expenses.

The people of Wake in 1869, paid more tax than the people of the whole State paid into the public treasury in 1840, or any year previous thereto, since our existence as a State.

The people are ready and ripe for a Convention. They are a long way ahead of their representatives on this question. There is no member of this Legislature who will vote a tax sufficient to pay the interest on our old State debt, notwithstanding his oath and the Constitution require that he should do so. There is no member who if he should do so, could be again returned to the Legislature by a vote of his constituents. This alone should make every honest, considerate and reflecting man vote for a Convention.

It is a long time till August. There is ample time for discussion and reflection on this question. Gov. Caldwell wants the convention question to turn upon secession and the firing on Fort Sumter, revolution and bloodshed. These questions have had their day—they have been passed upon a constitution and will do so regard. [illegible] Congress. Let the discussion in each county begin upon the arrival home of the members of the Legislature. Since we have been a State, there never was a day when a convention was so much need.

MAKE HIM ANSWER

We learn that Mr. Richard C. Badger refuses to answer certain questions before the committee to inquire into the conduct of Senator Pool in suggesting to Holden the arrest of certain citizens who were to be "*lost*," by placing them in the hands of a bad man.

Mr. Badger puts himself on his constitutional rights. He thinks the act unconstitutional. Why don't he think that way about the congressional committee who are inquiring and asking questions of the same character? If John Pool proposed to have men murdered for their political opinions let it be known.

Gen. Clingman refused to answer questions before the Welker committee and no coercion was used.

We believe Mr. Badger's evidence will not amount to much when it comes. It is not on that but on another point that he may feel disposed to hold back—for the sake of protecting his party friends.

RICHEST MAN.

The New York *Tribune* says, notwithstanding Gov. Holden lost heavily by the war, he is one of the richest men in North Carolina.

This may be said to recommend Holden to President Grant, who is said to have but little use for a poor man, or rather a decided preference for the rich. A banker told us two years ago that Gov. Holden was a rich man. If Holden is rich, where did he get his money? He has had no income for sometime save his salary.

We never believed that an honest man would have been quiet, as Holden was, under the late wholesale robbery in North Carolina, nor a dishonest man, neither, unless he was partaking of the profits with the robbers. We said so when the robbery was going on, and we say so now.

How did the Governor get rich?

THE FRAUD COMMISSION

The commission provided by the General Assembly to enquire into the railroad and other frauds and robberies perpetrated in this State during the past few years, have organized and are prepared for work. The commission now consists as follows:

Attorney-General Shipp, Chairman,
Gen. J. G. Martin, of Buncombe,
Jos. B. Batchelor, of Wake.

On Saturday the Commissioners adjourned to meet again on the 25th inst., when they will proceed with the testimony. All persons possessed of information likely to assist in this investigation are requested to communicate with the Chairman of the Commission or with any other of the board.

There are seventy-seven hundred children in Edgecombe who are subjects for common school instruction. Pilgrim Ashley, since his administration of affairs, has given them twenty-five cents each gith which to educate themselves. This is Republican management.

The Conservative Legislature has ordered the treasurer to refund to Edgecombe the $1900 taken from that county by Pilgrim Ashley, and which belonged exclusively to Edgecombe and to her educational fund. Besides this, Edgecombe is to retain all the school portion of her poll tax. With this she can doubtless give her poor children more than six schools for their education. We call upon the people to note this.

At a meeting of the subscribers to the Wilmington and Smithville Steamship line, held in Wilmington on Saturday evening, Messrs. S. L. Fremont, T. G. Drew, W. J. Potter, J. T. James, T. B. Carr, M. Bellamy, and J. H. Thees were elected a Board of Directors. The Board, when organized, will elect from their number the necessary officers.

LAST WILL AND TESTAMENT OF W. W. HOLDEN.

In the name of ——, amen:

I, W. W. Holden, being of sound mind and [illegible] but mindful of the uncertainty of life, do make my last and publish this my last will and testament.

Imprimis. I will that my faithful friend Friday Jones be retained in my service.

Item 2. I will that my local friend D. Grissom be retained in my service in the lunatic asylum [illegible] the service he rendered in my behalf during the Union League conspiracy. Here John I. Defies and the people of the State, great traitors, the [illegible] with Judge Asper.

Item 3. My will is that if [illegible] ever propose to call a convention of the people that my executor, hereinafter named, shall refuse to make proclamation or otherwise aid in calling the same.

Item 4. Chief Justice Pearson having rendered a decision against the writ of Habeas corpus, I order that he be impeached.

Item 5. I desire that my executor retain the services of that trusty medical John B. Neathery as Private Secretary. He will be useful in bearing messages to Judge Pearson when the writ of *habeas corpus* is to be again suspended, and has a convenient memory.

Item 6. I give and bequeath to Col. Clarke of the State Journal, my sword used in the Kirk campaign against the rebels of Caswell and Alamance.

Item 7. I give to my friend Gen. Milton S. Littlefield, fifty-two special tax bonds, coupons attached. I give to Hugh B. Griffith and Rev. Solomon Pool, on bond each of the University Railroad Company.

Item 8. I give to W. H. Bailey, as a souvenir, I finding pistols, a present to me from my courageous friend, Hon. Joseph C. Abbott, of New Hampshire.

Item 9. I give to my friend Charles Haver, a half keg of clear Cactus best whisky, buried to mellow it in the north corner of my cellar. This bounty would be entirely [illegible] but for his [illegible] the prerogative and pardoning the Wade Ditcher murderers by [illegible] Billy 200 suits of clothes, returned uniforms of Kirk's brigade, said clothes to be used only on election occasions for voting negro women.

Item 11. I give to Robert W. Lassiter, Hon. James Harris (colored), and the letting committee, all the interest I have in the 8,000 acre purchase for the penitentiary on Deep river.

Item 12. I give and bequeath to Chief Justice Pearson, who sustained me in suspending the writ of *habeas corpus* with that noble sentiment, "the safety of the State the supreme law," my gilt bound copy of the trial and impeachment of Lord Chancellor Bacon.

Item 13. I give to Judge Bond, of Baltimore, for his clandestine release of my friend, Col. Burgen, and for his noble decision that my "sword was the process of law" a copy of Judge Brook's opinion imprisoning Burgen and releasing the prisoners whom Burgen had in jail.

Item 14. I give to Judge Settle one of Senator Pool's patent gates, to be erected on his plantation near his $10,000 bridge over Dan River.

Item 15. My will is that Hon. James Harris (col.) be retained, but with a reduced salary, as superintendent of the colored deaf and dumb institution.

Item 16. I desire that Solicitor Cox indict Samuel Merrill, the monkey wrench man, for knocking the Hon. James Harris down at the polls. I hereby enjoin upon Solicitor Cox to indict that "*holy and an righteous*" man, as Mr. Boyden called him, Jo Turner, Jr., for daring to return Gen. Clingman's blow. That he may be convicted, I suggest a loyal jury, such as we had when the bare-butners were acquitted at the last term of Wake court.

Item 17. My will is that Marshal Carrow without fail appoint Capt. Hester his deputy marshal.

Item 18. I would not have my executor make a requisition for Col. Kirk or Burgen, as he did for Gen. Littlefield of half dozen governors at a time, as it allows them little chance for escape.

Item 19. My will is that if Wm. Beattie should steal Wiatt Holleman's mule again that my executor pardon him, as I did in my lifetime.

Item 20. My son, Judge Olds, having received as yet only $500 of the $5,000 mentioned by Gov. Caldwell in his report to the General Assembly, I will that the Treasurer retain the $4,500, balance due, to make up in part for the loss sustained by the State in selling North Carolina railroad bonds at 65 cents when they were worth one dollar.

Item 21. Out of one million three thousand bonds, Andrew Jones, one of my railroad presidents, has spent only $55,000 on the road, leaving in his hands for the use of the party $1,245,000: my will is, that this fund be spent to defeat convention, after making good to Sheriff Lee and Judge Watts the amount of bonds received by each in the Kehoe injunction suit and lost in New York by the gold speculation.

Item 22. My will is, that Andrew Jones make up the deficit in the salaries of Cebe Harris, Pilgrim Ashley, Rev. J. W. Hood, and all other loyal men and office holders whose salaries have been cut short by reason of rebel rule and their fidelity to the union and the flag.

Item 23. My will is, that Major Smith make no further effort to lease the North Carolina railroad, but sell out the same at all hazards, that it may not fall again into rebel hands.

Item 24. My will is that Jehu Davis be reconciled to the widow Harris, and that he represent the people of Montgomery in the convention, provided one be called.

Item 25. My will is that the people vote against convention, but if rebels will call it, then my executor shall declare the convention an unlawful assembly, and call upon Kirk, Burgin, Willie D. Jones, Red-Eye Bill Albright, Calvin Rogers, and all loyal men, to disperse the same.

Item 26. I positively forbid my executor to employ either of my sons, Joe, Lewis or Calvin, in the camp as their services are only equaled by the valor and [illegible] of their father.

Item 27. In the matter of [illegible] I positively forbid all medical advice [illegible] his counsel and advice to me as to secure Thos. Bragg, Wm. A. Graham, and D. Turner [illegible] Jones.

Item 28. My will is that Gov. Harris [illegible] in the occupation of the executive mansion [illegible] Blow Your Horn Bill [illegible] the [illegible] republican [illegible] convention. The most trained horses with the best [illegible] to the time have gone to sleep of the house.

Item 29. My executor will allow A. H. Jones to put my witnesses in the jury of the rebel people of North Carolina to acquit their local governor.

Item 30. My will is that my friends Clingman, Dockery and the Republican senators who voted to convict their governor, with the rebel Gilmers, Graham, Bragg, Battles, Moorheads, Leach, Venable, Adley, and such upstarts as Blow Your Horn Billy, calls them.

Item 31. If a vacancy should occur in Judge Jones district I nominate and appoint Lewis Holland as his successor. If however my executor should think like Judge Green that Mr. Holland was too slow in coming to the relief of the freedmen, he is at liberty to appoint any loyal man whose disabilities have been removed and whose fidelity to the Federal government has been approved by act of Congress as in the case of Gen. Clingman, Judge Cantwell, Taz Hargrove and Judge Rodman.

Item 32. My will is that my executor buy Hon. Wm. Bills, Henderson, a mule to be paid for out of the Andrew Jones fund.

Item 33. I impute no improper conduct that he allow my rebel battalion friend, Hooke Rogers, to vend the executive office from 10 to 2 and from 2 to 6, as he was slow in bringing mules.

Item 34. I appoint and appoint my friend W. A. H. Jones my executor, and I request Gov. Caldwell, executor to this my last will and testament.

Signed, seal and published in the presence of

JOHN DAVIS,
EDWARD CANTWELL,
GEORGE GREEN,
DR. SLOAN,
A. J. JONES,
MILTON S. LITTLEFIELD.

W. W. H.

(CODICIL.)

My executor will pay to Chief Justice Pearson and each of his associate justices, to wit: Reade, Dick, Settle and Rodman, ten thousand dollars each for refusing to grant a warrant for my arrest for making Burgen kidnap the rebel rascal Turner and locking him up in jail to sleep with a convicted felon. He will pay to the superior court judges $5000 each for following the example of the supreme court judges in the matter of bench warrants. Judge Mitchell is not loyal or deserving and is not included in this boundy to the judiciary. Publishing and declaring this codicil as a part of my last will and testament, I sign as I am,

W. W. H.

In the presence of
[Witnesses as above.]

FEELING IN BUNCOMBE.

We publish to-day a petition signed only by Republicans and by the prominent Republicans of Buncombe against Kirk and his men.

When Kirk issued his proclamation of war whoop, proven on the impeachment trial to have been written by that arch fiend Holden himself, Col. Mark Erwin, Judges Cannon and Henry, Solicitors Lusk and Henry, the Republican Sheriff and Clerk of Buncombe, all joined in this solemn protest, petition and supplication to the Governor, against the employment of Kirk and his myrmidons. The petition is signed too by prominent citizens outside of Buncombe, among them is Gen. Erastus Rowley Hampton, son-in-law of Judge Cannon, signing himself Brigadier General of the 7th North Carolina militia. These Radical gentlemen declare that "peace, order and quiet prevail." They declare the "civil law competent in its domain."

There was some of these same gentlemen before the outrage committee in Washington City. There they flatly and emphatically contradicted their own petition to Gov. Holden. We shall publish their evidence before the committee soon, and the people of Buncombe can see by comparing their statements in the petition to Gov. Holden that they told a deliberate lie to the Governor or they swore a lie before the outrage committee. We will do them the justice to say they told the truth when they petitioned the Governor against the coming of Kirk. How they swore may be judged of by the public.

OFFICIAL EXCESS.—We are credibly informed that two sub-assessors acting under Col. W. P. Henderson, Assessor of the Sixth District, one day last week, went to a still-house in Alexander county, where they supposed illicit distilling was carried on, but on arrival at the place found no stills, only the stilling-house and some tubs that had been in use, which had been upset. They set fire to the house and destroyed it with whatever remained of property inside. The public would like to know of Col. Henderson if this is according to law? or is it not a gross offence against the law? An officer of the revenue service, on seeing an empty tobacco box in a merchant's store, the tax upon which he might suppose had not been paid, would have as much right to set fire to the store and destroyed the house and stock of merchandise as the officer had to destroy this still-house under the circumstances.

In such cases, if we are correctly informed, property is liable to seizure and sale for the benefit of the Government, but not burned.—*Statesville American.*

First class fare on the boats between Wilmington and Fayetteville has been reduced to $4.

Convention Act.

AN ACT ENTITLED "AN ACT TO [illegible] AN ORDINANCE TO THE PEOPLE AND TO PROVIDE FOR THE ELECTION OF DELEGATES."

WHEREAS, The present constitution is [illegible] and oppressive to the people of the State, and is in many of its provisions ill adapted to their wants and condition; and whereas, the changes wrought by said constitution ought to be fully and freely considered by the people of this State; and whereas, it is the duty of the General Assembly, by an act of the General Assembly, to give effect to the will of the people; and whereas, the said people are [illegible] and wishes. The General Assembly, believing that a majority of the voters of the State are anxious to amend the [illegible] in many particulars, and to [illegible] their duty to adopt an ordinance ascertaining the will of the people concerning the same, and to provide the mean for carrying that ordinance into effect when ascertained, therefore,

The general Assembly of North Carolina do enact: That the sheriff of the several counties of this State shall open polls at the various precincts in their respective counties as now established by law on the first Thursday in August, A. D. 1871, when and where all persons qualified to vote for members of the General Assembly may vote for or against a State Convention, under the restrictions hereinafter prescribed, those who wish Convention voting with a printed or written ballot, "Convention," and those who do not wish such Convention, voting in the same way, "No Convention," also to open separate polls at the said time and place for the election of delegates to the convention to be assembled in the city of Raleigh at such time as is hereinafter prescribed, said polls to be superintended by the Registrar of the precinct, and by two judges or inspectors, at each of said places of holding the election, to be appointed by the commissioners of said counties respectively.

SEC. 2. That it shall be the duty of the said registrar and said judges or inspectors immediately after the close of the polls to count the ballots in the presence of such electors as may desire to be present and make and execute a correct statement under their hands of the polls at their respective places of holding said election, which shall be sealed up and addressed to the commissioners of their respective counties. In Carteret, Currituck, Dare and Hyde shall be allowed ninety days after the election to make [illegible] of them in the presence of five or more of the citizens of said county, shall compute said returns at the court-house, or other place of holding court in their respective counties, and make duplicate statements of said returns, sworn to before some person authorized to administer oaths which shall be deposited in the office of the Register of Deeds of the county, and if for any cause the return for any precinct be not in by twelve o'clock, p. m. then and in that case the commissioners shall adjourn without computing the polls, to meet again on the following Tuesday, at 12 o'clock, m., when the polls of the various precincts of that county shall be compared, and in the meantime they shall direct the sheriff, or one of his deputies, to compel the attendance of the delinquent returning officer with the vote of his precinct. When the commissioners have thus completed the comparison of the polls they shall make proclamation at the court house door, of the vote cast for and against the convention, and the names of the person or persons duly elected as delegates.

SEC. 3. The Register of Deeds for each county shall transmit by mail, on or before the 10th day of August, A. D., 1871, to the office of the Attorney General, under his hand, one of the certified statements provided for in the foregoing section and shall, on or before the same day give to the person or persons duly elected delegate or delegates a certificate of his or their election, and if for any cause there be no Register of Deeds in any county, the commissioners of such county, when they declare the result shall appoint one for this purpose.

SEC. 4. The Attorney General shall endorse upon the returns thus made to his office the time when the same were received, and shall file them away until the 4th Thursday of August, A. D., 1871, when they shall be opened and counted by the Attorney General, the President of the Senate, the Speaker of the House of Representatives and the Secretary of State, or any two of them; and the result shall be by them announced in such manner as they may deem best. If a majority of the votes be against a Convention they shall so declare in a proclamation, and in that case the delegates shall not assemble. But if a majority be for a Convention they shall so declare and in that event the delegates elected at said election in the various counties shall assemble in the city of Raleigh on the third Thursday of September, A. D., 1871, for the purpose herein declared.

SEC. 5. The election shall be held in all respects in strict conformity to the existing laws of the State regulating elections for members of the General Assembly, and according to the provisions of this act.

SEC. 6. That the inspectors of election mentioned in section 1st of this act, shall be appointed by the commissioners of each county respectively, at a meeting to be held on the 1st Monday in June, 1871, or as soon thereafter as practicable, and said commissioners shall at the same time appoint a registrar of voters for each voting precinct or township, whose duty it shall be to revise the existing registration books of his precinct or township, in such manner that said books shall show an accurate list of all electors previously registered in such precinct or township, and still residing therein, without requiring such electors to be registered anew; and such registrar shall also at all times, after his appointment, up to, and on the day of election aforesaid, keep open said books, and shall be at the polls on said day, with said books for the registration of any electors residing in such precinct or township, and entitled to registration, whose names have never before been registered in such precinct or township, or do not appear in the revised list; no certificates of registration shall be given, and no elector shall be entitled to register or to vote in any other precinct or township than the one in which he is an actual and *bona fide*, resident on the day of election. Any person offering to vote, although his name may be on the registration books, may be challenged as to his right to vote on the day of election and the question shall be decided by the inspectors of the box and the registrar of the precinct or township, before the ballot is received.

SEC. 7. That if a vacancy shall occur by death or otherwise, of any person elected delegate as aforesaid, the presiding officer of the convention shall issue his writ to the sheriff of the county in which such vacancy may have occurred, after such notice as the convention may order, to open polls to fill such vacancy under the same rules and regulations as hereinbefore prescribed for the election of delegates.

SEC. 8. That said convention shall consist of one hundred and twenty-one delegates, and each county shall be entitled to the same number of delegates as members of the House of Representatives, under the present apportionment, and the county of Dare shall be entitled to one delegate.

SEC. 9. That said convention shall have power to fix the pay of all its officers and members, and shall provide for either expenses to be paid out of the Treasury as it may direct.

SEC. 10. The said convention shall have power to elect its officers, and shall be the judge of the qualifications and election of its members, who shall be electors of the State of North Carolina.

SEC. 11. The said convention shall have power to consider and propose all previous amendments and alterations to the constitution, not inconsistent with the constitution of the United States except so far as is hereinafter provided to the contrary. The said convention shall have no power or authority whatever:

1st. To offer or propose any amendment or alteration of or in any way impair the right of property in slaves, or any act passed during the session of the General Assembly of the State of North Carolina, 1866-'67, and 1867-'68, relating to the rights of property in slaves, or to impair or destroy the rights of property created by said acts, or any of them, or any rights of property, or any other rights or privileges or immunities which are now guaranteed to them by the 13th, 14th and 15th amendments to the constitution of the United States, or to propose any amendment to the constitution of the State in any way impairing or restricting said rights, privileges or immunities.

3d. To modify or repeal that clause in the present constitution which provides for a mechanics and laborers lien law.

4th. To pass any ordinance or ordinances legislative in their character, except such as are necessary for the purpose of submitting the constitution as amended to the people for their ratification or rejection, and except ordinances in relation to the public debt and in relation to the convention itself.

SEC. 12. That said convention may revise the constitution of the state, embodying in it such alterations and amendments as may be agreed upon, not inconsistent with the provisions of this act, but no such revised constitution shall have any force or validity until the same shall have been ratified by a majority of the qualified voters of the state, to whom the same shall be submitted according to the mode to be prescribed by ordinance of said convention.

SEC. 13. That no delegate to said convention shall be permitted to take his seat in said convention until he shall have taken and subscribed the following oath or affirmation before any judge of the supreme or superior courts or any justice of the peace of Wake county, to wit: I A. B. do solemnly swear (or affirm) that I will be true and bear allegiance to the United States of America and to the State of North Carolina, and will not reject, slightly esteem, or violate any of the rights, privileges and immunities secured to the people of this State by the constitution of the United States, and will not reject, slightly esteem, or violate any of the rights, privileges and immunities secured to the people of this State by the constitution of the United States, or any part of said constitution, which are now guaranteed to them by the 13th, 14th and 15th amendments to the constitution of the United States, or to propose any amendment to the constitution of the State in any way impairing or restricting said rights, privileges or immunities.

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