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THE SENTINEL

PHILLIPS AND HOLDEN.

Mr. Phillips succeeds Holden as chairman of the republican executive committee. Mr. Phillips has issued a lengthy address, which cannot be read by one in thirty of his followers.

Phillips has fallen suddenly in love with our abominable township system, which enables his friend, Calvin Rogers, and all other radicals, to plunder the people by swearing to, and proving mileage when it is not due. Let the people of Wake and the state remember, when they read Phillips on townships, that his friend, Calvin Rogers, is indicted for swearing to mileage he had not traveled, as chairman of the board of commissioners. Let them remember that under the township system, county expenses have more than doubled, and in some counties quadrupled. Let the people of Wake county remember that they paid more taxes in 1869, than the whole people of the state paid to the public treasurer in 1840, or any year previous to 1840, since they have constituted a state. Think of Johnson Butler Thomas J. Whitaker and 'Squire Stephenson meeting at February court each year and laying your taxes in four lions, and then think of Calvin Rogers, Jody Vaughan and Bill Jincks, meeting any day in the year and as many days in the year as they choose. Think of Calvin charging for more miles than he had walked yards to the court house, place of meeting, and then say which you prefer county courts or county commissioners, when Phillips and the negroes elect such men as Calvin Rogers.

The address of Mr. Phillips is more nearly Billy Henderson than a well raised Presbyterian. Mr. Phillips argues that townships once existed in North Carolina but they were abolished because they were in the way of slavery. He says there is a township after the Plantation throughout North Carolina. "Many virtuous people," he says, "struggle with the forbidden appetite." The hypocritical Kirkite then says, "One step towards its restoration would probably be the abolition of the townships. We enter our protest against it." The charge made by Phillips is that the late slaveholders yearn to re-enslave the negro, and the abolition of townships is one of the means to accomplish the end!

When Phillips endorsed Holden's military move in a speech in Asheville, and by his silence encouraged Kirk in arresting Judge Kerr and hanging Rogers and others, we told his old neighbors at Chapel Hill, in a speech, that we would as soon shake hands with Kirk as with Phillips. The address of Phillips shows that he will go as far as Kirk in political matters, except, perhaps, in taking human life.

There is but one paper and one man, as we remember, who ever claimed even pay for his slaves, and that editor, we are told, voted for Mr. Phillips—we mean the Hillsboro *Recorder*.

Mr. Phillips' address contains calumny and falsehood against his neighbors and old political associates; he knows it, and feels it, and hangs his head when he meets them.

In Patterson township, in Orange, where every white man had voted for Mr. Phillips, in times past, in his late election for attorney general, not a white man voted for him, and many of the negroes followed the example of his Presbyterian brethren.

Mr. Phillips' address proves that he is a fit associate for Billy Henderson, Red-Eye Albright and Holden's detectives, whose admiration for him is only equaled by the contempt his old associates feel for him.

CANVASS IN MARTIN.

We are requested to announce that Capt. George H. Gregory, and other prominent gentlemen, will open the convention ball, at FLAT SWAMP, MARTIN COUNTY, on the FOURTH OF JULY. All the friends of convention, low taxes and reform from the counties of Pitt and Edgecombe are invited to meet their Martin friends there on that day.

Capt. Gregory will on that occasion enter the field and remain in it till the election closes in the triumph of Martin's candidate, E. T. Crawford, Esq., and the success of the cause. There will be few abler advocates on the stump during this campaign than Capt. Gregory.

PERSON FOR CONVENTION.—Our old friend Joseph Pointer, of Person, is in the city, and says Person will give a larger majority for convention than she gave for Shipp; Shipp's majority was over 300. James Holeman, Sr., is the conservative candidate and Horace Pumpass the scalawag. It will do the weak-kneed good to talk with Pointer. It was said of Webster on one occasion, that each word weighed a pound. Some of Pointer's weigh two.

OREGON is not afraid of the majority ruling—either in the legislature or among the people. The following is the manner in which that state amends her constitution:

"Amendments may be submitted by the 'legislative assembly' to the electors, and, if adopted by a majority of voters, shall become a part of the constitution."—*Constitution of 1857, art. 17.*

CONVENTION IN THE EAST.—A staunch friend for convention writing us from the east says we may rely upon that section of the state doing better than last summer. In response we can assure our friend that the west and centre will follow suit.

JOURNALISTIC PROPRIETY.

Many of our editors are given to prate about "journalistic propriety," and have been reading us lectures on editorial manners for two years or more.

Two-thirds of the radical papers in the state are edited by carpet-baggers. We have studiously avoided the mention of their names or papers. Except on one occasion we have not noticed their continued coarse attacks upon us. Occasionally our Associates have named and alluded to the carpet bag editors.

We had two motives in not noticing them—one was, we did not care to defend ourself against such harmless assailants. The other was, to notice them was to advertise for and give them the importance they sought but did not merit.

There are several papers of the state whose editors intended to be radicals, had that party carried the state in August last. They constantly talked about the SENTINEL, and seemed anxious to engage us in personal dispute. We gave them no offense by making no reply. We declined either to quarrel or exchange with them. We get on quietly and harmoniously now, and it is all our fault that we do.

The *Standard* and its editors were engaged in aiding Littlefield and his associates to rob and plunder the people, in which they succeeded. We had necessarily to speak of them in plain terms—sometimes it may have been rough, but it was the plain truth. We charged them with stealing and robbing, to have spoken of them in terms of moderation and civility would have been like *Pinging a cow bag* "Please to leave the house." To have spoken of them mildly was to have winked at crime.

The *Telegram* has read us several lectures on editorial etiquette and denies having said anything offensive to us, after publishing cards with, and without the names of the authors, that were false and foully abusive of us. Our notices of the *Telegram* have been mostly to copy from it, and only occasionally, that its political proclivities might be known to the readers of the SENTINEL.

We have thought, and think now, it is published in the interest of the radical party. For proof of it we refer to its columns. As the editors are not aware of this they should be told of it. It never does harm for those who act together to understand each other thoroughly.

U. S. CIRCUIT COURT—Wednesday June 21st. The court assembled at the usual hour.

The case of Hill, of Minnesota, vs. Cyrus Mendenhall, of N. C., upon the sufficiency of a record growing out of a suit in a court in the state of Minnesota, was argued by counsel, Graham standing on the part of the plaintiff and Messrs. Phillips & Merrimon for the defendant. After argument by counsel as to the jurisdiction of the court which gave judgment against the defendant, the court announced it would reserve its opinion for the present.

The case of Daniel McCann, of Baltimore vs. Cyrus Mendenhall, N. C., action in assumpsit on bill of exchange. Scott & Scott for plaintiff, and Phillips & Merrimon for defendant. Verdict of $2,500 and interest in favor of plaintiff.

The case of Chas. Dewey assignee, vs. Wm. Daniel, T. B. Venable and C. F. Jordan, action of assumpsit, was taken up, B. F. Moore and Messrs. Phillips and Merrimon for plaintiff, and Messrs. J. B. Batchelor and T. C. Fuller, for defendants. Verdict for the plaintiff.

AFTERNOON SESSION.

U. S. District Attorney Starbuck made a motion to postpone all the criminal cases, arising under the recent acts of Congress, (kuklux) until a special term of the court to commence on the second Monday in September. The motion was granted.

A true bill having been found by the grand jury against M. M. Wilson, Robt. Rhinehcart and A. Yoder, all of Catawba county, for committing an assault upon A. L. Ranson, were allowed to give bail for their appearance at the adjourned term of this court in September, which is to be held specially for cases of this kind.

SUPREME COURT.—The following cases were taken up and argued in this court yesterday:

G. F. Simmons *et al.* vs. commissioners of Jones county; Manly and Haughton for plaintiffs and Green and Lehman for defendants.

H. H. Core vs. Penny Holt *et al.* Wayne; Bragg and Strong for the plaintiff, and W. T. Faircloth for defendants.

Samuel Hirsh, vs. J. D. Whitford & Co., Wayne; Phillips and Merrimon for the plaintiff and W. T. Faircloth for the defendants; *certiorari* ordered and cause continued.

J. F. Scott vs. L. D. Wilkis, Jones; Moore, Hubbard and Green for the plaintiff and Manly and Haughton for defendant.

John H. Steadman vs. J. E. Jones, Craven; Manly and Haughton for plaintiff and R. F. Lehman for defendant.

Amelia Kirkman vs. Jos. H. Dixon *et al.*, Craven; Manly and Haughton for plaintiff and G. Green for defendants.

HON. SAM'L. P. HILL.—This gentleman is at the Yarbough, looking as well as when we saw him in Kirk's prison in August last. No one kept up a better spirit under Kirk's indignities than Mr. Hill. He served his country at Point Lookout, eating rats and hard tack. He whipped out Holden and Grant in the Kirk war. If Grant and Caldwell will, let them try him. He is no kuklux either.

For the Sentinel.

LENOIR COUNTY CONVENTION.

In accordance with previous notice the friends of a convention met at the court house in Kinston on Saturday the 17th of June, to nominate a candidate to represent them in said convention.

On motion, J. C. Wooten, Esq., was called to the chair, and Alex. Fields, appointed secretary.

The object of the meeting having been explained by the chairman, on motion, the following were appointed a committee to draft resolutions for the action of the meeting and to nominate a candidate for the convention, to wit: W. W. Dunn, H. F. Grainger, T. J. Kennedy, Wm. Ormand, Wm. H. Whitfield, R. M. Abbott, Calvin Herring, Jesse Jackson, John Cunningham and Stephen Miller.

During the absence of the committee Col. S. D. Pool, of Newbern, N. C., entertained the meeting in a very able and instructive speech.

The committee on their return, reported that John F. Wooten, Esq., was unanimously selected by it as a candidate for the convention and recommended the adoption of the following preamble and resolutions:

WHEREAS, A majority of the present legislature mindful of the interests of the people has ordered an election to be held on the first Thursday in August next, to decide whether or not they will call a convention for the purpose of amending our state constitution; therefore

Resolved, That we most heartily approve of the action of the legislature in submitting the question of convention or no convention to the people, believing it to be the surest, speediest and most economical way to secure such amendments to our constitution as its practical workings for nearly three years have shown to be in the interests of our people and the better administration of our public affairs.

Resolved, That we approve the resolutions contained in the act submitting the question of convention to the people, especially those forbidding interference with the rights of the colored people, the exemption and lien laws.

Resolved, That we are opposed to all political secret societies and believe them to be subversive of good government and dangerous to the liberties of the people, but we condemn violence and lawlessness of every kind and regard it the duty of every citizen to use all lawful means to bring offenders against the law to justice.

On motion, the report of the committee was unanimously adopted, and Mr. J. F. Wooten being present, near the close of the meeting, accepted the nomination in an eloquent and feeling address, pledging himself, during the campaign, to discard politics and discuss only the questions affecting a convention.

On motion, the following were appointed county canvassers: W. W. Dunn, J. W. Harper, H. F. Grainger, A. J. Loftin and H. F. Bond.

On motion, J. P. Bryan, S. J. Kennedy, J. C. Wooten, J. A. Hartsfield and J. M. Patrott were appointed as the county executive committee, and the following as canvassers and executive committees for the different townships:

Kinston township—Nick. Hunter, J. M. Newborn, J. M. Wooten, Wm. Sutton and T. A. Harvey.

Mosely Hall township—S. J. Sutton, J. M. Hadly, A. J. McIntyre, J. M. Patrick and R. J. Westerman.

Woodrow township—Jno. H. Rouse, W. T. Mosely, Jos. B. Taylor, R. M. Abbott, R. B. McCotter and Alex. Fields.

Sand Hill township—Jno. S. W. Pearce, R. T. Haughety, Wm. H. West, John Rhem and W. B. Pearce.

Harper's township—Dr. Ira S. Davis, James Kornegay, Maj. D. S. Davis, N. B. Whitfield and Nathan Hill.

Pink Hill township—S. W. Noble, H. S. Nunn, J. W. Kinsey, W. A. Jones and George Turner.

Mr. J. H. Bryan, of Craven county, and Messrs. H. F. Grainger and J. W. Harper, of Lenoir, being called on addressed the meeting in short pertinent speeches.

On motion, the thanks of the meeting were tendered the chairman and secretary.

On motion, the secretary was requested to forward the proceedings of the meeting to the Raleigh SENTINEL, *Carolina Messenger* and Newbern *Journal of Commerce* for publication.

J. C. WOOTEN, Ch'm.

ALEX. FIELDS, Sec'y.

For the Sentinel.

HOW IS THAT FOR HIGH, MR. TELEGRAM?

A few days ago, the *Telegram*, of this city, published a statement, that the Hon. J. M. Leach was against convention, and that he said it was "unconstitutional and revolutionary," when the Salem *Press*, in denouncing the statement as untrue and wholly without foundation, said he had searched his copy of the *Telegram* and could find the statement in none of its columns, and asked the question, "can it be that our brethren of the *Telegram* publish such articles in a portion of their edition intended for circulation in sections of the state where a contradiction would not be likely to reach, and then substitute others for them in the remainder of the edition intended for circulation where a contradiction would reach?" The *Telegram* then said, "it may be that the paragraph in question did not appear in our evening edition," which was sent to the west, and if such was the case, "it was the fault of our foreman, in making up, and not by intention.

Now, yesterday, this same *Telegram*, which disclaims to be the organ of the radical leaders, copies from the *Old North State*, what is said to be the opinion of Judge Ruffin against the convention which was called by Andy Johnson and provisional governor Holden and *not by the people of North Carolina*, but to which opinion the name of Judge Ruffin has never before been signed in print, not even by the *Old North State*, from which it is copied, and this same *Telegram* now adds, in print, the name of *Thomas Ruffin* in conspicuous letters. What gull is this intended to catch?

General Spinner, U. S. Treasurer, who went to Europe to negotiate a new loan, called on the Rothschilds in London, and was made to wait for an hour or more in their ante chamber for an audience, when he left in great wrath. He was, however, overtaken by a clerk with an apology, which he declined to receive, telling the messenger that Rothschild might go to the devil.

The house of Rothschilds must have felt bad, as it is getting old, being just 100 years of age this month. Spinner should have exercised more forbearance towards gray hairs.

A colored conference of the M. E. Church south, for the states of North Carolina and Virginia, has been organized.

From the Raleigh Daily Telegram.

SAMUEL F. PHILLIPS' ADDRESS.

[PUBLISHED BY REQUEST.]

To the People of North Carolina:

Following the example set by their political opponents, the republican party have instructed its executive committee to address you in relation to the proposed convention.

It is very much against our wishes that you have been precipitated into a campaign upon this delicate and important subject. The state during the past ten years has been subjected to the experiments of various political doctors, and what seems most needed now, is repose and quiet,—an opportunity for the operation of nature's soothing and restorative powers, rather than a resort to new pills and potions, however, confidently recommended. On the contrary, the conservative party produces in great plenty lancets, blisters, drugs both emetical and purgative, patent medicines guaranteed by many certificates, and a glittering array of surgical instruments,—the upshot of all which is that North Carolina is once more to be subjected to *active treatment*.

It seems that conventions are to become *of ordinary occurence* in this state. Mr. Jefferson has been generally denounced by conservative men for having advised that state conventions should be called once in every twenty years. *Here*, however, in about one half of that space, we have had (including that now pending) no less than five elections upon the subject of conventions, and if the one now proposed shall be called (which Heaven forbid!) from these elections have resulted *four* separate sovereign conventions. It is obvious to ask, if the three conventions already encountered have retraced after she has been submitted to the tender mercies of a fourth!

It has occurred to us such, who labor, whether with hands or head, will not then to find themselves unaccountably unfitted for work which ordinarily is easy. At times nothing goes right. The brain and hand seem to have lost their cunning. Blunder follows blunder. Under such circumstances it becomes a wise to withdraw the division, and go about something else. By so doing we see ourselves in a short time restored to power, and we enable easily to triumph over the obstacles which just before had overcome us; we even wonder how it was that they had given us trouble. May this not sometimes happen to whole communities of men, as well as to individuals? Has not North Carolina, for the last ten years, been in just such a condition? We ask this question upon the conservative theory. It it be true, as said by them, that nothing but blunders have followed all this ten years of endeavor by North Carolina to amend her fundamental institutions—had she not better lay the task aside, and await the coming of a season in which her brain will be clearer, her nerves more steady, her temper less ruffled, and her hand under better control?

Such is the advice which we most respectfully tender to the people. As the case is most clearly *out of sorts* for constitution making, let her for a while lay this business aside.

To the same effect we would add, if the loud adverse clamor upon this subject will permit us to be heard, that the present constitution in many important respects it is an improvement upon any constitution that we have ever had, and in no respect is it one that cannot be borne with until the community has reached a period more propitious for impartial consideration. Conceding that it needs amendment in substantial particulars, is such concession more than a *common place*, applicable to all our constitutions, state and federal, and indeed to every political constitution that has existed in any age or country.

Before taking the very cursory view of this instrument, which is all that the limits of an address will permit, allow us to remind you that the mighty political violence to which we have been subjected since 1861, resulted in casting North Carolina society, after 1865, upon *an unknown shore*. Everything around is strange. The social machinery of our old forms of life does not suit *here*. What was political wisdom *there*, in many respects, is not so *here*. Perhaps even the wise men of that condition of things are not the wise men of our present, and will not be so in our immediate future. If the character for wisdom in question were founded upon familiarity with the relations and proportions of the structure that has passed away, then it has perished along with them, and to call the possessors of such a quality to the conduct of that complicated machinery which now bears our fortunes, were as prudent as, under other circumstances, it might be to call upon one heretofore known as a trusty wagon driver, to become at once engineer for a lightning express passenger train. There is, however, a quality more worthy of the sacred name of wisdom, which would, on such occasions, prove to be most valuable. If a citizen had studied, and been inspired by the great theme of human liberty, divest of all such circumstances as are merely technical, accidental and transitory, if, whilst jealous for his own peace and freedom, he prized aright the peace and freedom of all other citizens of whatever color or lineage, if the leanings of his heart had been taught to keep time with that famous saying uttered by a dark skinned man in Athens two thousand years ago, which, endued with greater vitality, and winged by a loftier eloquence than any other saying that had preceded it upon that renowned spot, has circled the earth, and visited both poles, gathering new strength with the lapse of ages, and bearing richer fruit with every returning season,—to wit, that God *has made of one blood all nations of men*; if, in fine, his lessons had taught him to gaze with unabated delight upon that glorious scene within this republic, on which the curtain rises higher from day to day, bearing in his heart all parts of the assemblage, and gifted with an eye sight so purged and unscaled as to be engrossed with the brilliance of the tableau rather than offended by its spots, then, of such a one it may be said that there was not so much room, as need!

Was there in all our borders such a man? If not, then, without disparaging the just claims of our more distinguished fellow citizens,—it was not of their assistance that our society had most need. This new wine was not for their old bottles.

Our fundamental institutions required for sure laying, workmen who were not trammelled by ideas peculiar to the former state of things in North Carolina. However such men might fall upon certain details, their work would not be affected by the deadly sin of a failure to correspond with the situation; whilst, upon the other hand, however skilful might have been *the details* of the work by our own good men, it would have been utterly cursed by being unconformable to, and unsusceptible of union with our new society. The changes therefore are that the parties stigmatized as *carpet baggers*, soi disant, and scoffers, had some qualities for framing a new Constitution for North Carolina that were in advance of those possessed by many of the best educated and most distinguished of our own citizens. It is probable that our posterity, and history, will be unable to comprehend that the Constitution of 1868, had less mountainousness to the true contour of the people of North Carolina than any paper that would probably have been drafted by the best of our native citizens. It will be said that it sympathized with the new social life that had sprung up and was to continue, whereas that *sympathy was the very point of disgust and aversion* with those whose theories had taken color and proportion from the former North Carolina.

A consideration and digestion of such questions in the only wise temper that of *lowliness* will, we are persuaded, entitle the constitution to a favorable judgement, and render a consideration of its most important details light work.

TOWNSHIPS.

Take, for instance, the new system of county government, including *townships*. It is generally supposed that townships are a yankee invention, imported into North Carolina as a badge of subjugation, and machinery for oppression. The truth is that they are a feature which for more than twelve centuries, as all students of English law know, have marked that free society from which we have borrowed the substantial parts of our own. The most philosophic foreigner who has discussed American institutions, one whose decision upon various portions of our system seem, at the end of the forty years which have passed since he wrote, possessed of prophetic glance, (De Tocqueville,) regarded that which it was introduced. It is known that a like substitution of counties was recommended by Mr. Henderson, and it is remarkable that in the early settlement of North Carolina the same ideas were carried out. They disappeared before the revolution, probably under the growing influence of our slave interest. It deserves consideration whether that influence did not naturally substitute *the class plantation* in place of *the township*. The *township*, according to *De Tocqueville*, is the germ of and supplies vital force to the only free societies that have endured for centuries. Is not *the plantation*, its correlative, in slave societies? The communion, free speech, and local self control of the one, naturally grows, in the society at large, to a free press, a parliament, and the other noble institutions which mark the conscious presence and free movement of a self governing people. The isolation, restraint and combined independence and refinement of a few, with the ignorance and constraint of the many, that distinguished *the plantation*, were, on the other hand, no less seen and felt to the extremities of the other society. What was *power* in the one, in the other was mere *whistle*.

Merely suggesting then that *the township* of 1871 was the proper substitute in North Carolina, for *the plantation* of 1861, we submit that its introduction here, which in *carpet baggers* was mere habit or instinct, in a North Carolinian would have been proof of profound reflection and wisdom. For the rest, the township is a small and natural republic made up of and generally are friends. In great matters in which they only are interested, incidentally, it promotes public spirit, prevents consolidation of county matters at the court house, develops talent in rural communities, brings forward good material for public servants that would otherwise remain unknown, and what observers of such things will not underrate, it affords in the *organized* circle of its neighbors, that *machinery* for forcing forward and upward local merit, in the absence of which promotion so much depends upon the reluctant favor of court house cliques.

Pressed by such reflections, which no doubt have often occurred to them, our opponents, whilst specifying this township system as a main objection to the present constitution, admit that it works well in other parts of our country, adding that this is *because they are populous, intelligent and wealthy*, which we are not! How very poor a shift this may be for an argument to countenance unfounded prejudices, appears by recalling the fact that *they were adopted where they now flourish, at times when those counties were thinly settled, grossly ignorant, and very poor!* They have grown to their present prosperity under the influence of this institution. Long centuries ago, when thick darkness covered all people, before printing was invented, when people who could read were as rare as in this country now are men who own their million of dollars, the township took form. What its splendid story has since been history tells! What, the bright consummate flower that now adorns it in the spot where it sprung up, is seen and known by all men!

It is natural that there should be some yearning after *the plantation* throughout North Carolina. Many virtuous people no doubt struggle with the forbidden appetite. One step towards its restoration would properly be the abolition of *the township*. We enter our protest against it! Under our Constitution the township is very much under the control of the General Assembly. Its powers, until we become more used to the new county machinery, may be clipped very close by the Assembly, and then by degrees new functions may be added, until at last all merely local affairs be entrusted to its control. Such is our proposal, instead of its abolishment by a convention.

The other county machinery is so obviously an improvement upon former methods, that its consideration need not detain us. The difference between being taxed by our *representatives*—those whom we voted for, and who have to come before us again, and *render an account*—as is the case with county commissioners—is, beyond all measure, an improvement upon the former system of county taxation, by an irresponsible and partially distributed bench of magistrates.

CHANGES IN LAWS.

It was to be expected that a number of shrewd lawyers, rendered skilful in such matters by old experience, in the defence of criminals, would be able to say something worthy of their reputation in defence of the old system of law and equity—of trespass, case and detinue, and other caitiffs,—as against the system recently introduced. Let it be remembered that *the code* is no part of the constitution. *That* may be altered as the General Assembly shall think best. What the constitution provides, is only the abolishment of two sets of courts,—law and equity, and of the different forms of action. That it has done so, is a mighty stride in civilization! It is an improvement already adopted in a dozen of the most intelligent, wealthy and populous states of the Union. No one that has tried the change, has gone back to the former condition of things. Even in England, the cradle of the old forms, after mere *amendments*, (although upon an enormous scale,) had been tried with slight effect for forty years, the Lord Chancellor has in charge, with the sanction of the government, bills to effect the very purpose, and, what is more, to adopt the system of pleadings of the New York code! The change is a very great amelioration, and in the course of a few years, will universally be so regarded. The benefits which the people receive from the constitution of 1868 in this one item, might well *float* that instrument, even if loaded with objections ten fold greater than any which can be ascribed.

It may be pronounced, with great certainty, that this change in the law as well as that of *township* for *plantations*, are in more danger of being annulled now, than, if they escape the assault, they can ever be again. If unchanged within the next ten years, they will remain permanent tributes, to the instinctive wisdom of the convention of 1868. Meanwhile, no one will wonder if all middle aged and more advanced lawyers, much of whose capital consisted of familiarity with the hooks and crooks of that rusty, musty, dusty labyrinth, hooks and crooks that concern justice to effectuate that by often serving to plague and defeat it, are keenly sensible of the mighty loss that has been sustained, or should *subdue* in new Lamentations thereabouts.

GENERAL OBJECTION.

We greatly marvel that the conservative party should have urged, as a general and most potent objection to the constitution, that, with regard to many of its provisions—important ones at that—nobody could tell what they signified until they had received judicial construction, when the very same remark is no less true of the constitution of the United States, and of every other constitution, that has been formed upon the continent. Have they not, each and all, been a theme for debate, even after they were built? Is not that equally true of the constitution of the United States? Did not the people get together by the ears, and fight for four years, for one or other side (perhaps both) did not understand provisions in that constitution? Were not there passages in it that seemed contradictory, because any man could say what was meant upon the whole? Is it not true that the convention which formed it did not understand how it was to work in many important particulars, and indeed did not realize what part of it would be most prominent in the new society which it was to create?

No convention can remedy such defects. A new constitution may abolish errors in the one now existing, but it will be at the expense of creating new ones. It may safely be foretold that a great harvest for the legal profession will follow the work of another convention. Nobody will know where he stands. All the questions now at rest will be renewed. Other fees will be to pay. An *unlawful* revolution (such as we hope the approaching one will be) is necessarily a great feast for lawyers. All of them ought to be in favor of such. Whether the interests of the people in general are the same, is not so clear!

Upon this topic it may be added, that while the conservative party are fluent upon the matter of the want of perspicuity, simplicity and logic in the present constitution, and upon the doubt and confusion necessarily resulting therefrom, they offer not a single amendment, not even an amendment to be offered in a revolutionary manner. It connexion with the method in which the next convention is to be called, the people have some interest in this view. That a vendor of land has not expressed his ideas in elegant language, is certainly a defect, in a deed, but after all, is not one to be compared with the trouble which arises from his having *no title* to convey the land!

TAXATION.

One other topic urged for a call of a convention, demands particular consideration. It is that which is most strenuous is urged in this connection. The matter of high and ruinous taxation, which, it is urged, can be avoided only by a convention that shall strike out the obnoxious clause.

The present constitution requires (art. 5, sec. 4,) that the general assembly shall provide for the prompt payment of the interest upon the public debt, "*by appropriate legislation and adequate taxation.*" It is admitted that no one can compel the general assembly to impose such taxation, but the point is made, that, as the constitution requires that members of the assembly shall swear to support it, they are bound *in conscience* to do so.

It seems that this provision applies only to the *old* state debt, i. e. to that which was in existence when the constitution was adopted. The debt to arise after the constitution, was provided for in the next section. The method of providing for *its* interest is marked out there.

This rids us of the great bugbear connected with the many millions of the *new*, extravagant, and fraudulent debt. The obligation of conscience in question, does not extend to that. That there should appear, as upon the face of both the addresses of the conservative party to the people this year, there does,—a suggestion that the conscientious obligation extends to both, shows how uncertain a thing the conscience of a politican may be. Probably some *brass* might be digged out of an address, which insinuates a threat that if the people do not call a convention, the signers of the address, who are also members of the legislature, will be constrained by their consciences—whatever under the circumstances this may mean, to levy a tax to pay the interest upon the whole debt!—whether Swepson's, or Littlefield's, or whosoever.

But then, as to the *old* debt: How does this stand? Is there an obligation in conscience, under the oath in question, to lay adequate taxes to meet its interest promptly?

The answer is this: The provision in question is of no force for any purpose! If we were under the constitution of the United States it might have effect. But it adds no force to the obligation already imposed by the constitution of the United States. Members are sworn to support the constitution of the United State, as well as that of the state. The constitution of the United States recognizes the existence of the obligation of a contract, not only by forbidding the states to impair it, but also by enforcing it itself. It enforces it in various ways, according to the character of the person it deals with. As to most people it enforces this obligation through its courts: sometimes by ordinary execution against goods and chattels, and sometimes by *mandamus* against officers who are charged with official duties in levying taxes (say in counties and towns) for such purpose. There are other classes of officers whom it reaches only through their official oaths, i. e., operates only upon their consciences. Such are members of the legislature. All of such are sworn to support that constitution. That constitution applies itself to the details of all contracts, and imposes an *obligation* of like quality, manner, force and condition. What is the character of its obligation in reference to officers who are not to be sued, is evidenced by its operation on those who *can be*. If county coupons are payable semi annually, a *mandamus* may be had for the identical payment contracted for! If state coupons are payable, the obligation in conscience enforced by the official oath, is the same. There may, in the case of the members of the general assembly, be some *play of discretion* allowed by the United States Constitution. Such persons may claim that in deference to their condition, as set over the affairs of a *quasi* sovereign, requires that they are to have some *discretion* as to laying taxes, for instance, in times of great public want, &c., that they are to consider the *appropriateness* of the proposed legislation, its appropriateness *all around*, so to say, i. e., to the wants of the creditors, and the exigencies of the state.

We do not know how this may be. We are discussing a question of casuistry, and such questions are proverbially delicate and deceptive. It may be presumed, however, that the conscience of a man who was in fear of his constituents, would be apt to take some such turn. However this may be decided in regard to the constitution of the United States, it is very plain that the state constitution binds nobody's conscience who believes that a tax bill for payment of the interest on the public debt is, under the circumstances of the community, *inappropriate* legislation. He is required to do it only by "appropriate legislation." Let any gentleman who threatens the people with such a law be asked whether he regards such legislation as *appropriate* to the present circumstances of the times. If he say yes, then let him say what sort of a provision such a provision as this, to levy the tax. If he say no, then the present section is without force.

Two oaths to the same duty bind no more than one oath. The section in the state constitution is a mere nullity, for it commands a duty already commanded by the constitution of the United States, and this too, in terms not so comprehensive.

HOMESTEAD.

Indeed, the tactics resorted to upon the point just discussed, by the supporters of the convention, bring forcibly to mind the celebrated hunting expedition of the lion and the jackass, in which these tactics originated. The jackass was to set up an awful braying, and thereupon the affrighted game would escape from such jaws as he had, and fall into those of the lion lying in ambush. *Here*, this section about taxation is, to play the part of the ass, whilst the affrighted people run off and fall into the trap upon the subject of *homestead*, which has been prettily set for that purpose. This trap is coming to be very well understood, and requires no elaboration. The delegates are to be sworn not to touch the homestead provision, and, all the while, vows have been registered *to clean out the supreme court!* This will answer quite as well! The most result will be that at the next Christmas many a present of homesteads will be made to honest creditors who now sit behind long-suffering judgments waiting to be let slip. The exceeding tenderness of conservative consciences in regard to the oath upon "adequate taxation," &c., required the compensation of some indulgent property, to run with sworn vows not to touch *the words in the constitution* which guarantee them! If you take the conscience in too tightly in some quarters, you necessarily let it out too far in others!

REVOLUTION.

We have not said anything in regard to the *method* in which it is proposed to call this convention. The point has been thoroughly discussed recently, as well as formerly, about 1854. We shall not elaborate it here. It is enough to repeat, that the method, i. e., a call under a vote of a majority of the assembly, has been condemned by the General assembly in times past as being *revolutionary*; that this doctrine was affirmed by resolutions of state conventions of the Democratic party in this state before the late war; that it was acted upon in 1861 in reference to the call of the Convention of February, which did not sit; that language so extensively and notoriously discussed and construed, was adopted without change into the present constitution; and that recently the governor, and the supreme court of the state, have pronounced such a call to be unconstitutional and revolutionary. Those who wish for other authority upon this question than can be had from persons *who hold*, or from others *who seek* offices that are at stake in the call of a convention, we refer to the late *Chief Justice Ruffin*, the greatest lawyer we have at any time had in North Carolina. He was so convinced that such methods as the present are revolutionary, that he volunteered, upon a memorable occasion, to come out of retirement, and, in an elaborate paper, so advise his fellow-citizens.

We quote his language:

"Two modes of amending the constitution are provided: One through the agency of the general assembly, proposing an amendment for ratification by a vote of the people, which need not be considered here; the other, by a convention, called in a manner prescribed in the constitution. It is obvious that in prescribing these two, all other modes are excluded by irresistible inference. In respect to a convention, the words are, "no convention of the people shall be called by the general assembly unless by the concurrence of two thirds of all the members of each houses of the general assembly." *Letter of July 2d, 1866, to Mr. Coniglaud.*

Upon all points of law it may well be said of Chief Justice Ruffin; that to consult him, was, "as if one had inquired at the oracle."

Those who disregard such an array of warning voices, appear to be regardless of social duty, and fatally bent upon mischief. We trust that the wisdom of the people at the election now at hand, will dissipate the cloud of apprehension which naturally arises in view of what seems to be, at any rate, such recklessness.

If otherwise, it is well for sober men to consider what may be the result. If any of the present officials of the State relying upon Chief Justice Ruffin's opinion, believe their removal under elections held by virtue of the proposed convention, to be revolutionary and illegal, they may regard themselves bound by their oaths of office to resist the same. In such event the president of the United States is bound by his oath of office, supposing him to be equally deferential to that as well as the other opinions quoted above, to interfere with a strong hand and suppress all the consequences of the contemplated movement. It was done in the case of a northern state (Rhode Island) by a southern president, Mr Tyler; it may be done again in the case of a southern state, by a northern president. Does anybody doubt it? Who does not feel that if it occur, it will not only shock, but shake down public confidence in the stability of everything that promotes prosperity in, or that attracts capital to North Carolina?

The very mildest form in which the question can be put, is, can North Carolina justify herself in resorting to doubtful expedients under such circumstances,—will she trace her path upon the very edge of danger,—when all know that another inauguration of violence within her limits will necessarily result in so much confusion, and so irretrievable ruin? She could not so justify herself, even if the purposes proposed were more clearly right than now they seem to be. But when it is added, that there is, at most, no need for the constitutional reform suggested,—that, standing alone, many of these suggestions deserve condemnation rather than endorsement, it is a wanton thing to call such convention! Improper ends by violent means, is simply preposterous!

The republican party of North Carolina have the same interest in the general peace and prosperity that their opponents have. They desire to see no public trouble revived; they wish to aid in raising and recovering the exhausted energies of the state. They prefer that all disorder in the state, if possible, shall be put down by the powers of the state, and, in the first instance, inasmuch as an ounce of prevention is worth a pound of cure, they desire that *the people* shall forbid it is threatening measure.

It is in this interest, that representatives of the republican party from every section of the state, at two different meetings in Raleigh, unanimously adopted the following resolution:

Resolved, That the republican party of North Carolina, hereby protesting that the pending call for a convention is unconstitutional, recognize that it will be most for the public good that the people should decide at the ballot-box, and therefore recommend that an appeal be made to the people, and that the question be presented in the usual way, by a campaign and candidates.

It is in this interest that we have been directed to address them. We trust that our designation may prove to be effectual.

In several important respects the constitution is a great gain upon all that have preceded it. In the large majority of its provisions it is a good constitution, in all, it is tolerable.

The state is in an untried condition; in that condition it is not easy to say what constitutional provisions in some respects may be best. An experiment has been set on foot at great expense. Let us give it a fair and full trial—the rather that if we were now under compulsion to make a constitution, no considerate man could be sanguine that such as we should adopt would answer even the purposes that we have in view. Let us walk carefully *forward* to our place in the future, avoiding, so far as we can all risks of failing to secure for our posterity a fair chance in the race now being made up for the fortunate men who are to come after us. Above all things, let us tread no step *backward*, upon pain of receiving the maledictions of future generations, as those who, with great opportunities for escape, fell under condemnation meet for such as are not deserters of the times.

With hearty good wishes for this state of ours, our North Carolina, and for all our fellow citizens, of every race in this, who has not vowed to get mourning all his days over a dead past, will lend his aid to defeat this threatened *convention, and retrogradation and revolution.*

S. F. PHILLIPS,
Chairman, &c.

REGISTRARS AND INSPECTORS OF ELECTION.—The board of commissioners for Wake county, have appointed the following registrars and inspectors of election to be held for a convention on the first Thursday in August next. The first named are the registrars:

RALEIGH TOWNSHIP.—W. Whitaker, D. A. Wicker, John E. Williams, V. Ballard, John H. Boner, John C. Gorman, J. J. Sawyer, W. P. Wetherell, J. Q. DeCarteret and Henry Jones.

BARTON'S CREEK.—J. H. Hutchinson; B. Nipple and W. W. Wynne.

BUCKHORN.—J. M. Holeman; W. H. Bennett and W. H. Norris.

CEDAR FORK.—C. J. Green; J. L. Morring and J. Q. Adams, Jr.

HORSE'S CREEK.—Isaiah King; Geo. Perry and Doc. Chavers.

LITTLE RIVER.—Riley Privett; Henderson Ray and J. H. Scarborough.

MARSH CREEK.—G. W. Scarborough; H. W. Rhodes and J. K. Nowell.

MIDDLE CREEK.—J. L. Johnson; G. H. Alford and W. W. Clements.

NEW LIGHT.—P. J. Bailey; H. R. Chappel and H. C. Ray.

OAK GROVE.—Joseph T. Rogers; J. T. Calclough and J. P. Chandler.

PANTHER BRANCH.—I. H. Adams; Lynn Banks and Ransom Gulley.

ST. MATTHEW'S.—G. A. Keith, B. B. Buffaloe and N. B. Williams.

ST. MARY'S.—W. I. Busbee, J. G. Andrews, Henry Uzley.

SWIFT CREEK.—S. D. Stephenson, Phoris Yates and Allen Adams.

WAKE FOREST.—G. A. Sanderford, G. S. Patterson and M. Fleming.

WHITE OAK.—A. C. Council, C. S. Jinks