

W. E. PELL, Proprietor.

IMPORTED RESTRICTIONS ON
STATES.

The proposed "amendment" set forth for admitting several recently reconstituted States is clearly unconstitutional for applying upon the States admitting not imposed by the Constitution. We copy the first section of the bill:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That each of the States of North Carolina, South Carolina, Louisiana, Georgia, and Florida shall be entitled and admitted to representation in Congress as a State of the Union, when the Legislature of such State shall have duly ratified the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and known as article 14, upon the following fundamental conditions: That there shall never in such States any deviation or departure of the states from, or any colorizing of Indians, or any State of Georgia shall only be entitled and admitted to representation upon this further fundamental condition: that the first and third subdivisions of section 17 of the fifth article of the constitution of said State, except so far as they relate to the first subdivision, shall be null and void; and that the General Assembly of said State, by solemn protest, shall declare the assent of the State to the foregoing fundamental condition.

Such a condition is not worth the paper on which it is written. The Chicago Convention itself had to confess in its platform that "in the free States" Congress has no right to interfere with the elective franchise. But if it does not possess this right in all the States, it has it in none. We will grant, for the sake of argument, that the unrepresented States are, to all intents and purposes, nothing but territories; but it cannot be denied that when they shall have been admitted, they will be States, standing on the same footing and entitled to the same rights as the others. On what legal or constitutional ground, then, can such a condition be imposed?

If such a condition can stand at all, it must be upon the ground of a compact between particular States, each acting for itself, and the Federal Government. But there is a prior compact of superior obligation to which all the States are parties, and the proposed condition is a violation of that compact. The relations of the State to the Federal Government cannot be changed by a compact, save by those individually and Congress, but on, *i.e.*, amendments to the Constitution, or by one made throughout the States simultaneously, or by a compact with a particular State, its relations to the Federal Government can be changed, the rights of every State in the Union, in like manner, as changes in every State, or put on a different footing from those of the others. Our Federal system may thus be completely altered, and the Constitution abolished by amalgamation. It is one State at a time by a compact between that State and Congress. A bare majority of Congress and one contracting State may do whatever thirds of Congress and three-fourths of the States are not competent to do by amendment to the Constitution; for, when the Constitution is amended in the regular way, the change affects all the States alike.

This doctrine that a State may change its relations to the Federal Government by compact might not, in the end, bear all the fruits the secession party expects from it. For, if a State may surrender its constitutional rights by a compact, it may be a subsequent compact regains them. Such a condition as Congress attempts to impose is not only legally null, but practically futile. If Louisiana wishes to make like Michigan distinctions founded on race and color, it has only to wait until Congress is Democratic, and then by joint consent abrogate this compact. Or, the first Democratic Congress can repeal this restriction, and leave the states as free as they ever were. Or, still again, the States, after their admission, may amend their Constitutions and change the rules of suffrage; and then see what steps even a Republican Congress can take to reverse their action. When they are again in the Union their rights as States will depend on the Constitution, and so the Constitution incontestably permits Ohio and Michigan to exclude negroes from voting, every State that chooses may do the same, unless it can be made to appear that the Constitution does not give a right in respect to a particular State to do what it does in respect to the rest. But, in good truth, the perfect equality of the States is the chief and chiefest fundamental thing in the Constitution.

THE NEGRO DISTURBANCES AT WASHINGTON.

The riotous and murderous conduct of the blacks at Washington after the electoral election had resulted in a general victory, may well alarm the country. It matters little whether the first blow, which was the proximate, accidental cause of the riot, was struck by a white or a black hand. All are units now to a negro, and that an infamous white man, who, though the first victim of negro violence, was not the ringleader. Another white man, a negro, who beat him across the face, was, without an injury. This is the conservative judge of election was overruled by a negro mob, which was incited by the strategy of a police officer, demagogic of the office of the National Guards. Demagogues were stoned, forcing entered and robed. The windows of other buildings were broken, and the glass of a police officer was struck off the shoulder by one of the miscreants. Throughout the city, a large number of negroes were arrested, most of whom were found to be armed with knives, clubs and pistols, but as if indicating the savage fury of the infested blocks, their favorite weapon was found to be the

ribs of a negro who, when captured, died of his wounds.

ANOTHER ARRIVAL OF BOSTON'S CLOTHES. Boston's cloth clothes in Boston and New Bedford, May 5-6.

WILLIAM W. JONES, ATTORNEY AT LAW, HENDERSON, N.C.

WILL PRACTICE IN THE COUNTIES OF HENDERSON, Franklin and Warren, and in the Federal Court at Raleigh, N.C. Special attention given to matters in Bankruptcy.

Will attend to business in collecting debts in all parts of the State.

MARCH 31—JUNES 1.

100 BALD-FRUIT PLATE. For sale by UPHURCH & DODD.

MAISON'S SILK BLACKING. 1000 BOTTLES. For sale by UPHURCH & DODD.

SILK. SASH.

PRIME MESS POKE. \$92.50 PER TON OF TWO THOUSAND POUNDS. For sale by DOUGLASS & CO.

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