

THE SENTINEL

AN ACT TO CALL A CONVENTION
OF THE PEOPLE OF NORTH CAROLINA.

WHEREAS, The present Constitution of North Carolina is, in many important particulars, unsuited to the wants and condition of our people; and whereas, in the judgment of this General Assembly, a convention of the people is the only safe, and is besides the most economical mode of altering or amending it, and believing the same to be utterly impracticable by legislative enactment on account of the great number of discordant and conflicting provisions of the Constitution as it now is, now therefore,

SECTION 1. The General Assembly of North Carolina do enact, (two-thirds of all the members of each House concurring,) That a Convention of the people of North Carolina be, and the same is hereby called, to meet in the Hall of the House of Representatives in the city of Raleigh, on Monday, 8th day of September, A. D. 1875, for the purpose of considering and adopting such amendments to the Constitution as they may deem necessary and expedient, subject only to the restrictions hereinafter provided.

SEC. 2. The said Convention shall consist of one hundred and twenty delegates, and each County shall be entitled to the same number of delegates that it has members of the House of Representatives under the present apportionment, and the said delegates shall have the qualifications required of members of the House of Representatives, of which qualifications the Convention shall be the judge.

SEC. 3. On the 1st Thursday of August, 1875, the sheriffs of the State shall open polls for the election of delegates to the said Convention from their respective counties, and the election aforesaid, and the registration for the same, shall be held and conducted; the officers thereof, including registrars and judges of election, appointed; the votes counted and compared; the result proclaimed, and certificates issued in the same manner as is provided by law for the election of members of the House of Representatives of the General Assembly.

SEC. 4. The said delegates shall be called to order at the hour 10 in the day fixed therefor, by the Chief Justice of one of the Associate Justices of the Supreme Court or Secretary of State, who, if there be not a quorum, shall adjourn them to the same place, and from day to day, until a quorum shall appear; and on the appearance of a quorum, he shall administer to each of them the following oath:

"You, A. B., do solemnly swear (or affirm, as the delegate elect shall choose), that you will faithfully maintain and support the Constitution of the United States and the several amendments thereto, including the 13th, 14th and 15th amendments; and that you will neither directly nor indirectly evade or disregard the duties imposed by the restrictions imposed upon the Convention by the act of the General Assembly authorizing your election." So help me God."

No delegate shall be permitted to sit or be entitled to a seat in said Convention, or act as a delegate thereto, until he shall have subscribed the above oath or affirmation; and as soon as a majority of the delegates elect shall have thus appeared and been sworn in, they shall then proceed to elect their own presiding officer, and such other officers and servants as they, from time to time, shall find necessary; and if a vacancy shall occur, they shall fill it in the same manner as the like vacancies are filled by law in the case of vacancies in the General Assembly. Said Convention shall have no power to consider, debate, adopt, or propose any amendment to the existing Constitution or ordinance upon the following subjects:

The Homestead and Personal Property Exemptions, the mechanic's and laborer's lien, and the rights of married women, as now secured by law, nor to alter or amend section 3 or 5, article V., said Constitution, nor change the ratio between the poll and property tax as therein established; nor shall the said Convention have power to propose or adopt any amendment or ordinance vacating any office or term of office now existing and filled or held by virtue of any election or appointment under the existing Constitution and laws, until the same shall be vacated or expunged under existing law; but the said Convention may recommend the abolition of any office when the present term therein shall expire or vacancies occur, and they may provide for filling such vacancies, otherwise than as now, and limiting the terms thereof.

Nor shall said Convention adopt or propose any plan or amendment or scheme of compensation to the owners of emancipated slaves, nor for the payment of any liability or debt incurred wholly or in part in aid of the late war between the States, nor for the restoration of imprisonment for debt; nor shall they require or propose any educational or property qualification for office or voting; nor shall said Convention pass any ordinances legislative in their character, except such as are necessary to submit the unamended Constitution to the people for their ratification or rejection, or to convene the General Assembly.

SEC. 5. The Constitution, as amended, shall be submitted to the people for ratification or rejection, and shall not be binding until the same shall have been ratified by the qualified voters of the State, and the Convention shall prescribe the mode whereby the same of the people thereof shall be taken and recorded.

SEC. 6. There shall be printed immediately ten copies of it for each member of the General Assembly, and one hundred copies within thirty days after its ratification for each board of county commissioners, and the use of the registrars and judges of election in their respective counties; and this Act shall be in force and take effect from and after its ratification.

Ratified the 19th day of March, A. D.

1875. TURNED AND 1875

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