OUR NATION.

I. We congratulate the country on the assured success of the reconstruction policy of Congress, as evinced by the adoption, by the majority of the States lately in rebellion, of constitutions securing equal civil and political rights to all, and it is the duty of the Government to sustain these institutions and to prevent the people of such States from being readmitted to a state of anarchy.

II. The guarantee by Congress of equal suffrage to all loyal men at the South was dictated by every consideration of public safety, of gratitude, and of justice, and must be maintained, while the question of suffrage in all the loyal States properly belongs to the people of those States.

III. We denounce all forms of repudiation as a national crime; and the national honor requires the payment of the public indebtedness in the letter and spirit in good faith to all creditors at home and abroad, not only according to the letter but the spirit of the laws under which it was contracted.

IV. It is due to the labor of the nation that taxation should be equalized and reduced as rapidly as the national faith will permit.

V. The national debt, contracted as it has been for the preservation of the Union for all time to come, should be extended over a fair period for redemption, and it is the duty of Congress to reduce the rate of interest thereon whenever it can be honestly done.

VI. That the best policy to diminish our burden of debt is to so improve our credit that capitalists will seek to loan us money at lower rates of interest than we now pay, and must continue to pay so long as repudiation, partial or total, open or covert, is threatened or suspected.

VII. The Government of the United States should be administered with the strictest economy, and the corruptions which have been so shamefully nursed and fostered by Andrew Johnson call loudly for radical reform.

VIII. We profoundly deplore the untimely and tragic death of Abraham Lincoln, and regret the accession to the Presidency of Andrew Johnson, who has acted treacherously to the people who elected him and the cause he was pledged to support; who has usurped high legislative and judicial functions; who has refused to execute the laws; who has used his high office to induce other officers to ignore and violate the laws; who has employed his executive powers to render insecure the property, the peace, liberty and life of the citizen; who has slowed the purchasing power; who has besieged the National Legislature as unconstitutional; who has persistently and corruptly resisted, by every means in his power, every proper attempt at the reconstruction of the States lately in rebellion, who has perverted the public patronage into an engine of wholesale corruption, and who has been justly impeached for high crimes and misdemeanors and properly pronounced guilty thereof by the votes of thirty-five Senators.

IX. The Doctrine of Great Britian and other European powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States as a relic of feudal times, not authorized by the laws of nations, and at war with our national honor and independence. Naturalized citizens are entitled to protection in all the rights of citizenship, as though they were native-born; and no citizen of the United States, native or naturalized, must be liable to arrest and imprisonment by any foreign power for acts done or words spoken in this country; and if so arrested and imprisoned, it is the duty of the Government to interfere in his behalf.

X. Of all who were faithful in the trials of the late war, there were none entitled to more especial honor than the brave soldiers and seamen who endured the hardships of campaign and cruise, and imperilled their lives in the service of the country; the bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten; the widows and orphans of the gallant dead are the wards of the people—a sacred legacy, bequeathed to the nation's protecting care.

XI. Foreign immigration, which in the past has added so much to the wealth, development, and resources and increase of power to this Republic, the asylum of the oppressed of all nations, should be fostered and encouraged by a liberal and just policy.

XII. This convention declares itself in sympathy with all oppressed peoples struggling for their rights.

On motion of Carl Shurz, the following two planks were added by a unanimous vote:

Resolved, that we highly commend the spirit of magnanimity and forbearance with which men who have served in the rebellion—but who now frankly and honestly co-operate with us in restoring the peace of the country and reconstructing the Southern State governments upon the basis of Impartial Justice and Equal Rights, are received back into the communion of the loyal people; and we favor the removal of the disqualifications and restrictions imposed upon the late rebels in the same measure as their spirit of loyalty will direct, and as may be consistent with the safety of the loyal people.

Resolved, That we recognize the great principles laid down in the immortal Declaration of Independence as the true foundation of democratic government; and we hail with gladness every effort toward making these principles a living reality on every inch of American soil.

Important to Magistrates, Clerks, Sheriffs and Others.

THE undersigned have in press, and will soon issue, a complete and full

Analysis of the Laws,

under the Code of Civil Procedure, as passed by the General Assembly, relative to the duties of Justices of the Peace, Sheriffs, Clerks of Court, and other County Officers, together with the Constitution of the State, a list of the Counties as divided into Judicial Districts, the time of holding Courts in the several Counties, the names of the Judges and Solicitors of each Circuit, the names of the Clerks of the Superior Court, Register of Deeds, Sheriff, County Commissioners, Treasurer and Coroner for each County. This pamphlet will also contain the Fees allowed by the new law to the several officers, with some of the most necessary

Forms of Civil and Criminal Process.

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☞ THE undersigned are also preparing, under the direction of a member of the Raleigh bar, A DIGEST OF ALL THE LAWS CONCERNING COUNTY OFFICERS, WITH A COMPLETE SET OF FORMS, adapted to the new order of things. This book, of some 600 pages, will be published as soon as the final report of the Commissioners appointed to revise the Code has been adopted by the General Assembly. The plan and scope of the proposed book will be further laid before the public at an early day. NICHOLS & GORMAN, Publishers.

Oct 8—1m

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oct 28—3m

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may 17—1m

Important,

QUALIFICATIONS AND GENERAL DUTIES OF CLERKS OF THE SUPERIOR COURTS.

Sec. 1. At the first meeting of the county commissioners of each county after the election or appointment of any Clerk of a Superior Court, it shall be the duty of the clerk to deliver to such commissioners a bond, with sufficient sureties, to be approved by them, as is now required by the law, payable to the State of North Carolina, and with a condition to be void if he shall account for, and pay over according to law all monies and effects which have or may come into his hands by virtue or color of his office, and shall diligently preserve and take care of all books, records, papers and property which have come or may come into his possession, by virtue or color of his office, and shall in all things faithfully perform the duties of his office, as they are or hereafter may be prescribed by law.

BONDS HOW APPROVED, &c.

Sec. 2. The approval of said bonds by the commissioners, or a majority of them, shall be recorded by their clerk, any commissioner dissenting may cause his dissent to be entered on record. Any commissioner approving a bond which he knows or believes to be insufficient, shall personally be liable as if he was a surety thereto. The said bond acknowledged by the parties thereto, or proved by a subscribing witness, before the clerk of said commissioners, as their presiding officer, registered in the office of the register of the county, in a seperate book to be kept by him for the registration of official bonds, and the original with the approval thereof endorsed deposited with the register for safe keeping. The like remedies shall be had upon said bonds as are or may be given by law on official bonds.

QUALIFICATION OF CLERKS.

Sec. 3. Every clerk of the Superior Court, before entering on the duties of his office, shall take and subscribe before some officer authorized by law to administer an oath, the oaths prescribed by law, and file the same with the Register of Deeds for the county.

FAILURE TO GIVE BOND.

Sec. 4. In case any clerk shall fail to give bond and qualify as above directed, the chairman of the county commissioners of his county shall immediately inform the Judge of the judicial district thereof, who shall thereupon declare the office vacant, and fill the same, and the appointee shall give bond and qualify as above directed.

OFFICES—WHERE TO BE KEPT.

Sec. 5. He shall have an office in the court-house, or other place provided by the county commissioners, in the county town of his county. He shall give due attendance, in person or by deputy, at his office, daily, (Sundays and legal holidays excepted,) from 9 o'clock A. m., to three o'clock, P. M., and longer when necessary for the dispatch of business.

TO RECEIVE OFFICIAL PAPERS, &c.

Sec. 6. Immediately after he shall have given bond and qualified as aforesaid, he shall receive from the late Clerk of the County and Superior Courts, and Clerk and Master of the Court of Equity of the county all records, books, papers, money and property of their respective offices, and give receipts for the same; and if any such late clerk, or clerks and master, shall refuse or fail within a reasonable time after demand to deliver such records, books, papers, money and property, they shall be respectively liable on their official bonds for the value thereof, and be held guilty of a misdemeanor.

TO KEEP RECORDS, &c.

Sec. 7. He shall keep in bound volumes a complete and faithful record of all his official acts, and give copies thereof to all persons desiring them, on payment of the legal fees.

BOOKS TO BE KEPT BY THE CLERKS.

Sec. 8. The clerk shall keep the following books:

1. A docket of all writs of summons, or other original process issued by him, or returned to his office. This docket shall contain a brief note of every proceeding whatever in each action, up to the final judgment inclusive.

2. An Execution Docket, in which the substance of the judgement shall be recorded, and every proceeding subsequent thereto, noted, with an alphabetical index.

3. A Docket of all issues of fact joined upon the pleadings and other matters, triable before a jury, and of all other matters for hearing before the judges, at a regular term of the Court, a copy of which shall be furnished to the judge at the commencement of each term.

4. An alphabetical index according to the names of the plaintiffs, of all final judgments in civil action, rendered in the court, with the dates and numbers thereof.

5. A Docket of all criminal actions, containing a note of every proceeding in each.

BY WHOM THE BOOKS ARE TO BE FURNISHED.

Sec. 9. The books specified in the above section shall be supplied to the clerks of the several counties by the Secretary of State, at the expense of the State, and the Secretary shall, as soon as possible, transmit an account thereof to the chairman of the County Commissioners, in order that the price may be levied in the county taxes, and also the Auditor of public accounts, who shall add the same to the taxes of the respective counties, and receive and account for it as for other taxes. The commissioners of any county failing to cause such sum to be levied with the other county taxes, shall be guilty of a misdemeanor.

PAPERS IN EACH ACTION TO BE KEPT SEPARATE.

Sec. 10. The clerk shall keep the papers in each action in a separate roll or bundle, and at its termination attach together, properly label, and file them in order of the date of the final judgment.

SOLICITORS TO EXAMINE RECORDS, &c.

Sec. 11. At every regular term of a Superior Court, the Solicitor for the Judicial District shall inspect the office of the clerk and report to the court in writing. If any clerk, after being furnished with the necessary books, shall fail to keep them up as required by law, he shall be guilty of a misdemeanor, and the Solicitor shall cause him to be prosecuted for the same. If the Solicitor shall fail or neglect to perform the duty hereby imposed on him, he shall be liable to a penalty of five hundred dollars to any person who shall sue for the same.

EXISTING SUITS.

The following sections, numbered 1, 2, 3, 4, 5, relate exclusively to actions which have been commenced, and in which no final judgment has been rendered prior to the ratification of this act, as a part of the Code of Practice and Procedure.

CLERKS TO DOCKET EXISTING SUITS.

Sec. 1. The clerks of the Superior Courts at the request of a party thereto, within six months from the ratification of a general act respecting the practice and procedure of the Superior Courts of this State, and on the payment of a fee of one dollar, shall enter on a separate docket, all suits, which, at the ratification aforesaid, shall have been commenced, or in which final judgment has not been rendered in the late County Courts, Superior Courts of law, and Courts of Equity, of their respective counties.

HOW SUCH SUITS PROCEEDED WITH.

Sec. 2. And every suit not so transferred within the time aforesaid, shall be abated and the Clerk of the Superior Court shall tax costs against the parties liable and collect the same by the proper process.

Sec. 3. The said suits shall be proceeded in, and tried under the existing laws and rules applicable thereto. After final judgments shall be rendered therein, the Clerk shall enter such judgments on the execution docket required to be kept by him, and the subsequent proceedings shall be as provided for action hereafter to be commenced.

PRINTING JUDGMENTS NOT DORMANT.

Sec. 4. Existing judgments and decrees not dormant may in like manner be entered on the execution docket, and the subsequent proceedings shall be as is prescribed for actions hereafter to be commenced, as far as shall be compatible with the previous proceedings, and no lien acquired before the ratification aforesaid shall be lost by any change of process, occasioned by this act.

DORMANT JUDGMENTS.

Sec. 5. Judgments or decrees which are dormant at the ratification aforesaid, may be revived or enforced in the manner herein provided.

ACTION COMMENCED AFTER THE RATIFICATION TO SECOND OLD DEBTS, &c.

Sec. 6. In all actions hereafter commenced, founded on such contracts as are provided for in an ordinance of the Convention of this State, entitled "An Ordinance respecting the jurisdiction of the Courts of this State," ratified on the 14th day of March, 1868, the summons shall be made returnable to the term of the Superior Court therein designated, and the subsequent proceedings shall be in accordance with the provisions of said act.

EXECUTIONS LEVIED ON PERSONAL PROPERTY.

Sec. 7. The late Sheriff of any County having in his hands any *fiere facias* execution, which has been levied on personal property of the defendants, which is unsold shall proceed to sell the same as now required by law, he shall pay over the proceeds after deducting his fees, and shall also make return of the writ, to the Clerk of the Superior Court, of the county to any Court of which the writ is returnable, the proceeds to be paid by the Clerk to the parties entitled thereto.

EXECUTIO SATISFIED.

Sec. 8. The said sheriffs shall in like manner return all executions in their hands which are satisfied, whether by a sale of property or otherwise, and shall pay over any proceeds thereof.

EXECUTIONS NOT LEVIED AT ALL, OR LEVIED ON REAL PROPERTY.

Sec. 9. As soon as the successors of the said late Sherriffs shall have qualified and given bonds as required by law, the said late Sheriffs shall deliver to such successors, all writs of executions in their hands which have not been satisfied, and have not been levied at all, or which have been levied on property which has been sold, and a residue remains unsatisfied, or have been levied on real property which in whole or in part remains unsold, with a return stating any receipt of money by them, and their action under the writ. The new Sheriffs shall proceed to act under such writs as if the same had been addressed and issued to them, and shall make return thereof to the next term of the Superior Court of the county, (or) to any Court of which the writ is returnable.

Any Sheriff failing to make due returns of such writs delivered to him, shall forefeit and pay one hundred dollars to any person grieved thereby, to be recovered on motion to the Court before which the writ is required to be returned. All proceeds of executions in part only satisfied, while in the hands of any late Sheriff, shall be paid by him to the clerk of the Superior court of the county, to any court of which the writ is returnable for the use of the parties entitled thereto under the penalties now provided by law in case of failure.

EXECUTIONS TO BE DOCKETED.

Sec. 10. The clerk of any Superior Court to which any execution shall be returned as is above prescribed shall at the request of any person interested therein, and on the payment of one dollar, enter such executions, on his execution docket, and the like process may be thereafter had thereon as is provided in similar cases on judgements recovered after the ratification of this act.

PENALTY ON SHERIFFS FOR FAILING TO RETURN.

Sec. 11. Any late Sheriff or other officer having executions in his hands, and failing to make due return thereof and to proceed as herein prescribed shall in each case forfeit and pay to any any person grieved, one hundred dollars be recovered on motion of the court.

JUDGMENT NOT DORMANT, WHEN—

Sec. 12. No judgment shall be held to have become dormant by reason of any stay of execution thereon in obedience to any general or special orders issued by the General lately commanding the military District of which the State of North Carolina formed a part, and the time during which execution was so stayed; shall not be counted in determining any question respecting a judgment being dormant.

ORDINANCE OF 14TH OF MARCH 1868, NOT AFFECTED.

Sec. 13. Nothing in this act contained shall affect or impair any right given by an ordinance of the Convention of this State, entitled "an Ordinance respecting the jurisdiction of the Courts of this State," ratified the 14th day of March 1868, in the cases to which it is applicable.

Ratified the 14th day of August, A. D., 1868.

(Signed,) JOS. W. HOLDEN,
Speaker House of Representatives.
(Signed,) TOD R. CALDWELL,
President of the Senate.

STATE OF NORTH CAROLINA,
OFFICE SECRETARY OF STATE,
Raleigh, August 22d, 1868,

I, Henry J. Menninger, Secretary of State, hereby certify that the foregoing is a true copy of the original act on file in this office.

H. J. MENNINGER,
Secretary of State.

Aug. 29 4w

Important Article in the New Constitution.

ARTICLE IV

JUDICIAL DEPARTMENT.

Sec. 1. The distribution between actions at law and suits in equity, and the forms of all such actions and suits shall be abolished and there shall be in the State but one form of action for the enforcement or protection of private rights or the redress of private wrongs which shall be denominated a civil action, and every action prosecuted by the people of the State as a party, against a person charged with a public offence, for the punishment of the same, shall be termed a criminal action. Pleadings therein shall also be abolished and the facts shall be tried by juries of twelve men in the Superior Court.

Sec. 2. Three Commissioners shall be appointed by this convention to report to the General Assembly at its first session after this constitution shall be adopted, the proper rules of practice and procedure to be in conformity with the provisions of the foregoing sections, and the commissioners shall report to the commissioners appointed under the provisions of the fourth section of this article.

Sec. 3. The said commissioners shall also report to the General Assembly as soon as practicable, a code of laws of North Carolina. The commission shall have power to call the attention of the commission to the consideration of any matter or thing which they may deem proper.

Sec. 4. The judge or judges of the State shall be elected by the qualified voters of the State, as is provided for the election of members of the General Assembly, and shall hold their offices for the term of eight years, and shall be ineligible to any other office in the State during the term for which they shall have been elected, and until the expiration of two years after they shall have ceased to be such judges. No judge shall be eligible to any other office or place of trust or profit under the State or the United States, or any city or town, during the term for which he shall have been elected judge, and until the expiration of two years after he shall cease to be such judge. No judge shall be eligible to any office or place of trust or profit under the State or the United States, or any city or town, during the term for which he shall have been elected judge, and until the expiration of two years after he shall cease to be such judge. No judge shall be eligible to any political office of any kind whatever, except that of a juror