SALISBURY, PRIDAY; JAN, 13, 1871. INHERENT OR DERIVED.

We observe that some highly respectable, able and patriotic men are taking the ground that the Legislature may enact any law which it is not prohibited from enacting by the Federal and State Constitutions -that it is omnipotent onder said Constitutions. This doctrine would undoubtedly hold good of the British Parliament where, from the days of Magna Charta, the sovereign power is supposed to be inherent in the King, Lords and Commons. But in our Democratic constitutions it is very different. The very first sentence of our old Bill of Rights is as fol-1600; [All polit'e I power is vested in and defrom the people only," Our present Bill of Rights re-iterates the same doctrine in the following words: "All political power is vested and derived from the people; all government of right originates from the people, is founded upon their will only, and is instituted for the road of the whole." Then comes a restriction upon the exercise of that power in the follow: "But every such right should be es-

the States. The powers thus conferred must be | Conservative views then entertained and exercised in subordination to the Constitution vanced by Cor. FISHER denounced as radical of the United States. No argument seems to be by persons anxious to conecal their own radi necessary to enforce these views. A simple calism. For an attempt to overleap all the statement of them seems to be sufficient to carry | barriers of the Constitution, erected to insure conviction to every intelligent mind. The power claimed for the Legislature, then, to pass the which we always denounced in the Republican pending Convention bill by a mere majority simply because it is not prohibited by the Constituof two-thirds of all the members of each House" out such approval. There is no grant of power, other express or implied, to the Legislature to

dag at ast | AMENDED.

On the 4th of November we published from bins in opposition to a Convention and in favor We simply called attention to the article as containing views worthy of calm considin our next issue took grounds against them

that purpose. Our views have, in this regard, undergone no change. We are still opposed to making amendments to the Organic law by the Legislative mode, if it be possible to call a convention in rmity with the requirements of the constitotion. If the Legislative mode is adopted it or party politics. At every recurring election

ade the mere foot-ball of party. It will lose all its sacredness in the eyes of the people, and few will be able to say what it is We are, therefore, for a convention, as we have been from the beginning. And, as we said last week, we can see no reason why any conservative or P. publican for that matter - membermay not wate for the call of a restricted convention subject to the approval of the people. nego them all to do vo. But if it be found inpossible to induce the required two-thirds to vote for the call of a convention, then, much as we are opposed to it as a general rule, we are for making a number of amendments by the Legislative mode.

In addition to the reasons which we have given for making the amendments by a convention. it is much the speediest mode. If a convention is called we can have the services of our ablest men in it, as the 14th amendment will not exclude any man from occupying a seat in it. The whole work can be completed in ten months, while by the Legislative mode it would require nearly, or quite, two years. It is also believed that the convention mode will be the cheapest as well as the quickest.

CIVIS -THE CONVENTION.

At the request of sebscribers we re-publish this week the articles of Civis and Cattion. The argument and conclusions of Civis on the legal and constitutional question involved we endorse fully. We believe that the pending Convention bill cannot be passed, so as to become a law, except by "the concurrence of two thirds of all the members of each House," And to enable our readers to investigate the matter fully, so as to come to correct conclusions of their own, we elswhere publish the bill itself. An examination of the bill will show that it is simply a bill to call a Convention, subject to the approval of the people. And if the Legislature cannot call a Convention in one way except by the concurrence of two-thirds of all the members of each House" can it do so in another? The answer to this question can be given by every intlligent reader.

The position of our correspondent is eminent ly a Conservative one. He is for numerous son upon the affidavit of Governor Coldwell .amendments to the Constitution, and prefers to see them made by a convention. But decided ly as he is in favor of a convention, he is only in favor of calling one in strict and undoubted accordance with the requirements of the Con stitution. If it shall be found impossible to call a convention by the present Legislature is strict and undoubted conformity with the organic law of the State, then he is in favor of making the needed amendments by the Legislature, to justice those great criminals who have em-This is our position, and we shall not be driven from it by the clamors of radical revolutionists - whose patriotism has no higher aim than partiran assendency and desire for office--recking to divert attention from their own radical designs. They may charge us, and our correspopulants, with radicalism as much as they restore the credit of our good old State. please. It is the old cry of "stop thief" which will never cease to be heard while human napure remains what it now is.

The inherent right of the people of the State to alter or abolish their Constitution and form requirements of the Constitution of the United But, in the anguage of the third section of the soon righted.

The Old North State erclaed in purmance of lane." By this is not meant merely statute law passed by the Legislature without authority of the Constitution, By it is meant Organic law, or statute law pass-THE LEGISLATURE -ARE ITS POWERS ed in pursuance of authority of the Organic

looked both by Cryts and ourself, greatly strengthens our position and weakens that of the friends of the pending bill. In the Old Constitution and Bill of Rights it was not express y declared, as in the present, that inherent right of the people to change their constitution and form of government "should be exercised in pursuance of law." Yet even under that Constitution it was twice held, by the Legislature that no such bill as the one now pending could be passed, except "by the concurrence of two thirds of all the members of each House" of the General Assemby.

The grounds taken by Civis and ourself or the Constitutional question involved are certainly not new to the people of Rowan. The late Col. CHARLES F. FISHER, then Senator from Rowan and Davie, greatly distinguished himself in the Legislature of 1854-55 in a discussion of the same question. In that discussion he took the same grounds and came to the same conclusion with Civis. His speech on the occasion gained him much reputation with his party friends, and many Whige, even, acof the coasineing force of his argu-

its permanency, is radicalism of the worst type party. The sovereign people, in the Constitution, have expressly provided two distinct modes fier cannot be maintained. "The concurrence for the amendment of that instrument. The first mode is by a convention to be called a as necessary, then, to call a Convention subject pursuance of have by the General Assembly to the approval of the people as to call one withcurring." The other is by the legislative mode, in which three fifths of all the members of each call a Convention in any way except by a two- House, of one General Assembly, and two-thirds of all the members of each House of the succonding General Assembly, must agree to the HOW SHALL THE CONSTITUTION BE amendments proposed. The proposed amendments must also be published in the newspapers of the State for the information of the people six consecutive months preceding the election of the Sentined an article written by Senator Rob- the second General Assembly. And after the amendments have thus been agreed by three-fiths of amending the constitution, by the Legislative of all the members of one General Assembly, and two-thirds of all the members of the succeeding one, they must also receive the approval of the eration, making no comments at the time. We people at the polls before they can become a ook a whole week to consider his views, and part of the Organic law. In both of these modes of amendment it will be seen that the and in favor of a convention, giving our reasons | Constitution has jealously guarded against sudat some length. We met Maj. Robbins a few den and frequent changes in the Organic law. days afterwads when he told us that he believed In neither way can any change be made except that we were right -that the Organic law ought "by the concurrence of two-thirds of all the only to be amended by a convention called for members of each House" of the General Assembly, and the subsequent sanction of the pecple at the ballot box. The very fact that two modes of amendment, thus restricted and hedged, are expressly provided in the Constitution for its ammendment, is of itself, to our mind, con- General Assembly unless by the concur clusive proof that no other exists. Yet we now two-thirds of all the members of each find many able, patriotic and good men who the General Assembly. It is not prove think it may be ammended overleaps and sets at defiance all the restrictions

We feel conflident, however, that a close investigation of the subject will convince them of their error, and that they will abandoh all efforts to call a Convention by less than a majority of "two-thirds of all the members of each House" of the General Assembly. We endorsed, as our readers will remember,

but one of the three positions of our correspondent Caution. We fully agree with him that the amendment to the convention bill in relation to the decision in the case of Hill as. Kestler is not worth the paper on which it is written. But on the other two points made we differ from him. He is opposed to the call of a convention in any way, while we are for a restricted convention called in undoubted conformity with the Organic law of the State. We are for the present bill, if passed by the required "twothirds of all the members of each House," though we think an additional restriction necessary to secure the approval of a majority of the people He thinks that a convention cannot be restrict ed, while we think differently. Should the pending bill become a law, and should the convention which it calls be approved by the people we have no fears that the restrictions which it imposes will be overleaped by that body. Still, as is our custom as an independent journalist, we gave his communication a place in our col-

We still adhere to all we have written on the convention question. Our opinions have undergone no change except as to the majority in each House necessary to pass the bill. We hope that the bill will finally be passed, not only by the required two-thirds, but unanimously. We would like to see the matter considered independently of all partizan considerations and the convention called by general consent. In such a convention we would be willing to trust the people without imposing any resirictions whatever upon their delegates. The people, as a whole, are comply with the organic law, be conservative, and can be safely trusted.

ARREST OF GEORGE W. SWEPSON.

We publish elsewhere an account from the Sentinel of the arrest of the notorious individual whose name heads this article. The arrest was made on a warrant issued by Chief Justice Pear-The writ charges Swepson with embezzlement, conspiracy to defraud the State and the West-N. C. Railroad, &c., &c.

This action of Governor Caldwell is just what was to have been expected from him. Though differing from him in party politics we believe im to be an honest man, and a sincere friend of the State. No man, in the executive office, would go farther or do more to arrest and bring bezzled the funds of the State and destroyed her credit, than Gov. Caldwell. And it must be gratifying to the honest people of the State to know from his acts that they again have a Governor who is mindful of their interests, who will devote himself to the welfare and endeavor to

"How is THAT FOR HIGH ?"-As the stage was coming over lately from Asheville to Marion, the wheels on one side crushed through the ice and went down into a deep hole, pearly of Government, subject to the limitations and upsetting. The driver cried out, "How's that for high?" A gentleman inside replied, "You've spect, for neither States, is admitted both by Cruss and correlf. played the deuce." after which the stage was

The power of the Legislature to rebuilt the question of colling a Convention, as is proposed by the

It is universally conceded that State Constitution contains radical defects, of a a bo haracter so grievous that if they are not changd, we will be greatly injured thereby, The Township system is not adapted to the

wants of a sparsely populated, agricultural peo-to ple. The Judiciary system is worse than the waship system. The election of Judges by the people for a short term of years, has worked hadly in every State where it has been adopted. The conferring of large Judicial powers upon for the elerks of the Superior Courts is worse than farce, and has already given rise to many emplicated legal questions.

The article of the Constitution making it imperative upon the Legislature to levy taxes sufcient to pay the interest on the entire indebtnent of the State, regardless of the ability of the tax-payers to meet it, requires amendment. A return to something like our old Constitu-

tion with the changes made necessary by the esults of the war, is a desideratum greatly needed. A grave question arises, in limine, how are we to obtain these amendments? In determining this question we are not to permit our passions or prejudices to control our judgments, but we must look calmly at the surroundings, and see how the grave defects in our organic law can be removed. For if we attempt to remedy the at glaring defects in our Constitution, and

curred, excitement created, and time devoted. to such objects will be worse than vain and idle.

The question then arises, can the Legislature a majority only, submit to the people of the State the proposition to call a Convention, and should a majority of the people sanction the act of the Legislature, and call a Convention, could it amend our organic law? To answer this question we must first ascertain whether such a procedur is anthorized by our State Constitution. It admitted by all that a Constitution is ordaine for permanence, and the power of amendment restricted, and hedged with hindrances. Wi s this? Simply because if the organic law subject to be changed at every recurring election by a majority of the Legislature, with the su equent sanction of a majority of the peop there can be no permanency of government. To nit such a principle is no less than a decla tion that the organic law is entitled to no m weight than statutory provisions.

A Constitution is the act of principals natructions. It establishes a principle which o govern the the framing of rules and reg ions, whilst the Legislature merely carrie the rules and regulations so established.

The Legislature being the creature of the ditution it can exercise no powers incons with the rules and regulations prescribed rovernment. The Constitution declares shall be done, and what shall not be done, as quires that the Legislature shall act in abordination to its commands. This till ing the distinction between the organic la the creature of that organic law, the qu arises, does the proposed bill for calling vention violate the Constitution? We clearly does so. Article XIII sec. 1 dec. Convention of the people shall be called Convention, but two-thirds "of all the

Convention. It was intended that the Constitu-Convention. It was intended that the Constitupolitical sentiment. The power to hange the poment of the State; and after he organic law is here hedged in with hindrances this question the Courts of the Uni It was intended that no sudden change of the bend to follow his decision. This views of the people of the State shelld be suffered by decided in Luther vs. Borden, 7 views of the people of the State shelld be suffered by Reports, Page 1. cient to authorize a change of the Constitution than the Convention to be called If the Constitution was to be changed by a Color an election for Governor, and abol-If the Constitution was to be changed of earliest Judicial system. Will any many vention, "two-thirds of all the members of earliest doubt what government the Pres House of the General Assembly shall assent to United States would recognize? call. This clause is not unknown to the peop of our State. It is a verbatim copy of the am ded Constitution of 1835, and has received Legislative construction from two different (eral Assemblies in this State, which I si hereafter refer to.

It cannot be pretended that a Convention be called under the above quoted clause, with upon the rights of the parties. out the concurrence of two-thirds of al members of each House. Then where is the thority for calling a Convention in the wa manner proposed? There is no grant i Constitution authorizing such a procedure unless there be some delegation of authors then should we attempt to do that which thorizing the proposed Bill, then it must youd the power of the Legislature so to a is of no more efficacy than if any other of dred and seventy citizens of the State she therize the people to vote open the que calling a Convention. c law. Is not this plan preferable to the w proposed, which will be attended with

But say the advocates of this moder the people approve it, then it is all ris they are sovereign, and their subsequ cation of the action of the Legislatur the step. By what kind of reasoni conclusion reached? In one sense are sovereign, and they delegated THE CONVENTION QUESTION. eignty to the Convention which In my former article I undertook to show hat the bill now pending before the Legis-

Constitution. The people ratified tion, and with all their sovereign set it aside. For the right of change the organic law is deper powers and grants in the Cons ave declared when, and how is to be exercised, and unless t of the Constitution are complied ereignty remains where it was What greater right has the

anjority only to aubmit the a Convention to the people self-constituted, should asset submit such a question to t tion of such a body will fin for such a course, as for majority only to do so. empted revolution.

In 1841, under the tes Dorr, the citizens of Rha it was a restriction upon the rights of the people, to which Jude Gaston replied: "We are called on by every consideration not to gates from every Towns sembled and submitted twenty-one years of ag a Convention. It was by a large majority of tuition was adopted was not called in accor might and spectting the fundamental prinart of the lose. What was the ciples of government." Judge Gaston further and if the right of a bare majoriwid. How thing was declared called as United States to be then will a Conve is proposed by ou Rhode Island Co. question to the majority only c

w of the State. Such a pro-

political functions. If such

o attempt to exercise the

of our State, and have been

date. Men were heretofore

shielded and protected the

nal defeat met them at each

in the Senate voted against the

ble violation of the constitution, of Commons the bill met with

avor, seventy against, whilst

me they regarded

Il we find that in the

8. 1975 (Vide I. U. S. Statutes at

in contravention of law. You have

to impair the obligation of contracts

Wirect violation of the constitution of States." Here then litigation would

e action of our State Courts would not

ould be carried to the Supreme Cour

nited States, where it would surely be

nat the Convention was called "against

tion legally, and if this fails, then try

d the edious parts of our constitution by

islative mode? Let us do nothing which warrant in the constitution. If a Con-

can not be now called, agrendments can

vince many of the gross defects in our

ted through the Legislative mode. Time

mense outlay of money, and can in no way in anything save in evils of untold mag-

No. II.

Mure for calling a Convention was revolu

louary, and if carried into effect would be in atter nulling. I have propose to call upon he Wirness Stand some persons whose tea-imony will receive credit from all parties.

will first introduce JUDGE GASTON. Iu-

he Convention of 1835 a committee had

been appointed to report the different modes

by which a Convention might be called

when the committee reported that amend-ments might be made by a majority of two successive Le isla ures. Upon which Judge

ras on sand; This was one of the most

important questions that had come before

may have promised ourselves from our labors in this body in laying the foundations of the

Constitution on equitable and fair principles, if we put it in the power of bare majorities to upset them all then indeed have we totted in

Again in the same body, when Mr. Meare

ntroduced what is now the XIII article of

our present Constitution, it was insisted that

sanction the principle that a bare majority can

authorize a Convention; if we do we shall be exposed to continual fluctuations. The

they prossess the power of rising in their

convention; for whatever benefits we

of the House

te, who wanted to tear down

GOVERNOR MANLEY is my next witness. In his annual message in 1850, speaking about changing the Constitution, Gov. Man-ly advised the Legislature to submit to the people the naked question whether they desired an amendment to the Constitution or not, and he recommended that the people vote on the said question, "change" of sented by some of the ablest the Assembly. If the result of the popular on by two different General tillty to the change, none ought to be attempted. If, on the other hand, it shall ex-hibit a very decided popular feeling in favor of the proposed alterations or cuy of them, the moral effect of the popular vote might soffice to procure from our legislatu e the requinite Constitutional sanction to any de-

overthrow was the result of irably reform."
Here we learn that a bare majority of the Legislature may submit to the people the question of amending the Constitution, and submit to the people the quesf a large majority fayor it then it may pronvention as is now proposed uce "MORAL EFFECT" sufficient to of each branch of the Genthe Legislature to give "fie requisite Conwas opposed upon the ground stitutional sanction" to the making of the was revolutionary, and was yoproposed amendments. What in 1850 was Senate by thirty against and fled "Moral effect" is now dubbed as clear avor of the bill. Such men as Constitutional right! My purpose now is not to exprese in iggs, Col, David Coleman, Hon. C. F. Fisher, Col. Jno. F.

own views, but to examine witness s. I will place P. H. Winsros, of Borrie, on the stand. In 1854, when the bill was before the House of Commons proposing to call a unvention precisely as the present bill prowases to do Mr. Winston made at argus

wored.

MR. WYSETON paid: "If this proenable, it is fine that the pen tenable, it is fline that the people of the Slate were informed of it. I hazzard the conjecture that not one man in a thousand ever heard of it before. And that it is wrong. I think I can show beyond all doubt." Spenking of the Constitution being amendod except by the two modes provided in that instrument; Mr. Winston said: "And I undertake to say that when this part of the act is seen and properly understood the principle that there is still another mode amending the Constitution, besides the two provided by the Constitution, vanishes into this are" Mr. Winston further said: "That the Supreme Court of North Carolina would decide that a Convention called by a majority of the people under an act passed by a

distribute the first distributed in the order of before; a shortene which drags down the Constitution from its sacred position, and gives it no more authority than a mere set of the Legislature; a doctrine which abolishes the Constitution which our Fathers left us; a doctrine which or Fathers left us; a doctrine which the case of the returns of the vote for electors. which our Fathers left us; a doctrine which will, in my opinion, meet the decided condemnation of the people of North Carolina."

Sec. 3. That it sdall be the duty of the Govwill, in my opinion, meet the decided con-demnation of the people of North Carolina."

It is uscless to add that Mr Winston is one of the ablest lawyers in the State, a life-long Whig, and now one of the pillars of the Conservative party in North Caroof the Conservative party in North Card- of the State, to compare the unit of the State Printer shall imm. I now introduce as my next wit- and against the convention; and if it shall appear alsy. pees against the proposed bill, and who that a majority of the the votes polled we in facharacterizes it as "the DORR PLAT- proclamation, in such manner as he may think FORM," the

HON. ASA BIGGS. In 1864 Mr. Biggs was in the Senate

and made a speech of great power and amrked ability against the bill proposing submit the question of calling a convena novel one. At its incomtion I enter-

those provided in the Constitution, and that the power to amend by any other mode ted by the commissioners of each county rewhat is so pulpable that the proposition of ter of voters, for each voting precinct or town the Senator inevitably places him upon the bents of said offices would say, we sed interest—a property—in our officed by the Supreme Court of our State. Henderson. We have been depriv-DORR PLATFORM."

It is needless for me to tell your readers an accurate list of all electors previously regis who is Judge Biggs, a life long Democrat, tered in such precinct or township, and still reformerly a United States Senstor, and a siding therein, without requiring such electors Federal Judge, now a leading Conservative. Whilst Gov. Manly and Mr. Wins- and on the day of election aforesaid keep ton were always Whigs, and now Consersaid books, and shall be at the polls on said day, servatives. In their speeches they spoke with said books for the registration of any elecnot for party-but their country.

We can furtify the views taken in our first article by quotitions from other eminent Conservatives, but think the present will suffice now.

If the land," and the late incumbents to the offices fill they are legitimately, or their ferms expire. Will the Legislature heed the voices of 1835? Will not the settled convictions books, may be challenged as to his right to vote General Assemblies of this State have no weight, or will the Legislature disregard their opinions? Call the convention as required, and none will support it more CIVIS. hear i v than

For the Old North State. MR EDITOR :- I saw in this morning's elegram what shocked me very much. Gen Abbott intends to contest with Gov. Vance his seat in the Sepate, on the ground that, all the votes east, for Vance were nullities because of his disabilities. I say this shocked me, for though I am

in ardent republican, I believe in fair play. If this Congress had always acted egite, tpon the principle that votes for one under disabilities were blank votes, then it might be proper now so to set. But when the whole State Government elected by the republican party, had to be relieved after their election it is unjust to act now on a different rule.

Mr. Abbott is not the choice of the republican party of North Carolina, and if t had been thought that Congress would vary from its former precedent, and let in the minority candidate, he would not have received the republican vote.

I am satisfied, Mr. Editor, that if the Congress shall act favorably to Gen. Abrepublican party in this State into atoms, and make it certain that her vote in the electoral college in 1872 will be cast for the democratic candidate.

We have no republican organ, and ask you to insert this for me with or without endorsement, as it may seem proper REPUBLICAN. people have the sacred right of revolution

In Rhode Island they never offer bribes, but this is the way they do it : An honest man says to an independent voter : "['ll ty to care a Convention were recognized in the Constitution he would not give one fig for all the matters which the Convention had been het you \$10 you don't vote for Voter-"I'll bet you \$10 I will." submit the matters which the Convention had been goes and votes for ———, wins the 'le, lature by a stood of any permanent regulations every and gets his money. Of course no reason the call thing would be set affect and see thould onable man would call this bribery.

CERNING A CONVENTION OF THE PEOPLE.

WHEREAS, The present Constitution of North Carolina is, in many respects, burdensome as appressive to the people of the State, and sor of the provisions ill adapted to the coasts.

of the provisions ill adopted to the condition of the people.

And Whereas, the taxes required by said Constitution to be lexical upon the citizens of the State by the General Assembly, are too burdensouse to be borne by the tax payers of the State, and cannot be collected without effecting the ruin of the best interests of all our people.

And Whereas, For the reason here set forth, and want others in the judgement of this General want of the pudgement of this General want of the pudgement of this General want of the pudgement of the pudgement

matters of such grave import, is reluctant to unmatters of such grave import, is remained as of dertake any change in the fundamental law of the State without the sense of the people, in whom, under our government, all absertigity resides, being first ascertained; therefore, section 1. The General Assembly of North Curments made by said Convention, to the Courments made by said Convention, to the constitution as ensembled, to the property of the State for their ratification or rejection and provide for filling such vacancies as no occur by reason of any amendment or amount of the constitution as ensembled, to the property of the State for their ratification or rejection and provide for filling such vacancies as no occur by reason of any amendment or amount of the State for their ratification or rejection and provide for filling such vacancies as no occur by reason of any amendment or amount of the State for their ratification or rejection and provide for filling such vacancies as no occur by reason of any amendment or amount of the State for their ratification or rejection and provide for filling such vacancies as no occur by reason of any amendment or amount of the State for their ratification or rejection and provide for filling such vacancies as no occur by reason of any amendment or amount of the State for the St whom, under our government, all absertighty resides, being first ascertained; therefore, Section 1. The General Assembly of North Car-

olina do enset, That upon the passage of this act the Governor of the State be, and he is hereby. required to issue a proclamation commanding the Sheriffs of the respective counties in the Sheriffs of the respective counties in the provides for a mechanics and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the provides for a mechanic and laborery lies because the pr State to open polls at the several places of holding elections in said counties on first Thursday in March, A. D. 1871, where and when all persons qualified to vote for members of the General Assembly may vote for or against a State to seeds, and that every clime owes paramount to seeds, and that every clime owes paramount Convention, under the restrictions hereinafter provided for; those who wish a Convention voting with a printed or written ticket, "Convention voting in the doubt wish such Convention of the State, embodying in it such also to open reparate only at the convention of the State, embodying in it such also to open reparate only at the convention of the State, embodying in it such also to open reparate only at the convention of the State, embodying in it such also to open reparate only at the convention of the state, embodying in it such also to open reparate only at the convention of the state, embodying in it such also to open reparate only at the convention of the state, and thus every elitizen owes paramount of the United States. (Article 1, sections 4 and 5.)

also to open separate polls at the said places, for the election of delegates to vention to be a sembled in the city of at such time as is hereinafter provided for, said have been ratified by a majority of the qualified polls to be superintended by two judges, or inspectors, at each of said places of holding the election, to be appointed by the Commissioners ed by ordinance of said convention.

majority of the Legislature would be unconstitutional." In this same great argument, Mr. Winston further said:

"Read the proof dings of the Convention and you will must that if there is any sentiment southed in the minds of the members it ment southed in the minds of the members it was that the Constitution which they were

vor of a Convention, he shall forthwith issue a diately print two copies of this act for each Supercolamation, in such manner as he may think proper, summoning the delegates elected to said ties, and shall print and transmit by mail for Convention as aforesaid, to convene in Raimen iy copies to the on the 3d Monday in April, A. D. 1871, but it a chunty, whose of majority of the voice polled are against Convention, the Governor shall in like manuer is seen and the convention, Sec 4 That the election for delegates

counted, the scrolls compared, the result ed my solemn protest against it I think claimed, and certificates issued in the same man- The Statesville Seminary it indisputable that the Constitution can per, as now pre-cribed by law, for members of not be amended by any other modes than the House of Representatives. Sec. 5. That the inspectors of election mentioned in section 1st of this act, shall be appoin-

than these provided is excluded. I have pectively, at a meeting to be held on the first model the accuracy of the Senator is absurd. Monday in Echguary, 1871, and said commisand this absurdity is arrived at to avoid sioners shall at the same time, appoint a regisship, whose duty it shall be to revise the existing registration books of his precinct or township, in such manner, that said books shall show also at all times, after his appointment, up to, tors 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 on 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 statesmen and patriots who framed the day of election. Any person offering to vote, the amendments to the Constitution of although his name may be on the registration of the large maj rities of two different 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

sec. 6. 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 of the Convention may orper, to open polls to fill such vacancy, under the same roles and regulations as hereinbefore prescribed for the election of delegates.

Sec. 7. That said Convention shall consist one hundred and twenty-one delegates, and each county shall be entitled to the same number of delegates, as members of the House of Represen-tatives, under the present apportionment, and the county of Dare shall be entitled to one del-See. S. That said Convention shall have por

er to fix the pay of all its officers and members and shall provide for other expenses to be paid out of the Treasury as it may direct.
Sec. 9. That said Convention shall have pow

er 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 Car-Sec. 10. That said Convention shall have por

er to consider and propose all ne essary amend-ments and alterations to the constitution of the

State, (excepting the restsictions hereinafter mentioned,) not inconsistent with the Constitution of the United States. But said Convention shall have no power or authority whatever, to offer or propose any amendment or alteration of, or in anywise interfere with, repeal, or modify bott in this contest they will shiver the the Homestead and personal property exemptions, as provided for in Article 10 of the con-stitution of the State, but may declare that the Three per cent payable on first day of March present provisions of the constitution concerning such exemptions shall have a retroactive effect so as to render such provisions of force against debts contracted prior to the adoption of the the first day of February to first day of constitution in April, 1868. Nor shall they to March on first payment, and from first day any way interfere with, modify, repeal or do any other act to restrict, or impair the rights, privileges, or immunities, of any person in the State, on account of race, color, or diffion, which are now guaranteed to him, by the 13th, 14th and 15th amendments to the consti bition of the State, in any way impairing a stricting said rights, privileges or imm nor shall said Convention pass any ordinance or propose any amendments to the constitution of this State which shall in any wise provide for payment to the late slaveholders of the State, or any other person, for the loss sustained by them by reacon of the emancipation of said slaves;

wide for the payment of any debt or debts Convention possessify ordinance, or offer any a-mendment which shall in anywise provide for

indiction of expored punishment for erin-ing indiction of expored punishment for erin-ing offences; nor shall said Convention have ower to abolish the present system of public astruction, but to make such alterations in said stitution to be lexied upon the citizens of the State by the General Assembly, are too burdenous to be borne by the tax payers of the State, and commit be collected without effecting the rum of the best interests of all our people.

And Whereas, For the reason here set forth, and many others in the judgement of this General Assembly, said Constitution requires such amendments and alterations no will give to our people the relief demanded by them from their present heavy burdens, which can only be immediately and judicially effected by a Convention of the people, And Whereas, This General Assembly, in pass any ordinance or ordinance legislative in pass any ordinance or ordinance legislative in pass any ordinance or ordinances their character, except such as are tution of the State; and excep-

> upon, not inconsistent with the have my fivee or validity antil the same shall have been ratified by a majority of the qualified voters of the State, to whom the same shall be

election, to be appointed by the Commissioners appointed by the Sheriff of the county, each of whom shall be sworn faithfully and impartially to conduct said election according to law.

Sec. 2. That it shall be the duty of said judge of the polls, to count the ballots in the presence of many desire to be present, and make out a correct statement under their hands of the polls at their respective places of holding said election, which shall be scaled up and returned to the commissioners of their respective counties by 12 o'clock on Saturday after said day of election; Provided, the counties of Cartaret, Dare and Hyde shall be allowed until Tuesday after the election to make their respectives and said commissioners (or any two of them, in and said commissioners (or any two of them, in the presence of five or more of the citizens of said county) shall compare sail returns at the

nor more than one the months, at the discretion of the Court. Sec. 14. Any person who shall knowingly and

and under the same penalties, as are prescribed in the case of the returns of the vote for electors of President and Vice President, as now provided by law, immediately after said election.

Sec. 3. That it shall be the duty of the Government of the control of ernor, as soon as he shall have received said re- less than one hundred, nor more than five hunernor, as soon as he shall have received said re-turns, not later than the 24th day of March, A. dred dollars; and any registrar of voters who D. 1871, in the presence of the Secretary of State, Public Treasurer and Attorney General entry with intent to commit a fraud, shall be State, Public Treasurer and Attorney General entry with intent to commit a fraud, shall be of the State, to compare the number of votes for subject to indictment and liable to the same pen-

ty copies to the Board of commission of the copies to the copi

ИВ next session will begin on Monday, th 28d inst., and end on the 9th of June. Expense of Tuition and Board, with Lights

Primary Department 80.00 Washing will cost \$1.50 per month. Boards will furnish their own Sheets, Pillow Cases R. B. ANDERSON, J. H. HILL.

> Anited States Internal Achenne. COLLECTOR'S OFFICE, 6TH DIST., N. C. Salisbury, Jan'y 1st, 1871.

The Property mentioned below having been ized for forfeitures, for violations of the Reveue Laws of the United States, and due notice said seizure requiring the owners to make their claim to the property within the time pre-scribed by law, having been published, and the property not having been claimed, will be sold at the times and places mentioned in the following Table :

Description f property	Ostensible Owner	Where to be sold	When to Sold.
Still and Fixtures, Still and	J. R. Jor-	Salisbu- ry.	Jan'y. 21, 1871.
Fixtures.	Uknownn.	do.	do. do.
Brandy.	do.	Charlotte	do. do.

SALE OF Judgements and Notes,

THE nodersigned as Assignee of McNeely & Young will sell at the Court House in Salisbury on the 26th inst, several Judgments, Notes and Accounts belonging to the estate of said Bankrupts, The said sale made by virtue of an order of the Register in Bankruptey of the 6th sional District.

—St. ANDREW MURPMY.

TEAS-Fresh and very Choice.

A FURTHER SUPPLY.

THE great satisfaction given to Connoiseurs, by these superior Teas, has compelled the subscriber to procure a large additional supply—which can be had at prices even BELOW those charged for the most indifferent article.

Call at SILL'S DRUG STORE. Jan 6:2t

N. C. R. R. COMPANY, SECRETARY'S OFFCE.

COMPANY SHOPS, N. C., Dec 6, 1870. The Board of Directors of the North Carolina Rail Road Company have, this day declared an annual dividend of six per cent. on the Capital Stock of said Company for the fiscal year, ending May 31st 1871. Three per cent payable on first day of July 1871.

The transfer books will be closed from of June to first day of July 1871, on second paymert.

CHARLES M. CRUMP. Secretary Pro Tem.

DOCT, WILSON'S SCHOOL.

MOCKSVILLE, N. C.

NEXT SESSION commences Monday, January 2d, 1871. For particulars address

PGOT, JOHN WILSON.