

THE GREAT ISSUES.

What are the great issues in the pending presidential campaign? This question is now being discussed by various Democratic and Conservative journals with considerable warmth and vehemence if not with great ability. We had concluded to take no part in these discussions and leave the whole matter to the wisdom of the Convention which assembles at New York on the 4th proximo. But since the discussion has reached our own State, and one of the leading Conservative papers of North Carolina has entered the arena in the earnest, if not dogmatic assertion of the constitutional power of the Federal Government to change established governments in ten of the Southern States we have in some measure changed our determination. We have so far changed it that we have concluded to make some inquiry into the matter with a view of arriving at a correct conclusion in the premises. In a spirit of frankness as well as kindness we propose to make such investigations as will aid in placing the question in its proper light, and in enabling our readers to see all the difficulties which surround it. In doing this we know that we are embarking in a field of free inquiry that promises no popularity, but we are impelled to it by a sense of duty. Our object is the elimination of error and the arrival at truth. For surely no party should, at the supreme crisis of the Country's fate, allow itself to be deceived as to what the real and Constitutional issues involved really are. Upon a false issue the battle may be fought and lost, while upon the only living issues it may be fought and won. Our State contemporary referred to above, the Raleigh Sentinel, says that this is a contest between the Constitutionalists on the one hand and the Revolutionists on the other, and we are determined as far as possible to be found on the side of the Constitution.

This discussion first sprang up in consequence of the expression of an opinion in the New York World that the question of suffrage in the Southern States would pass from the control of the Federal Government upon the admission of their Senators and Representatives to their seats in Congress, and under the new Constitutions just framed therein. The Conservative press of the South, and indeed of the whole nation, are anxiously looking forward to the time when the Democratic party shall obtain control of the government and relieve us of the very odious constitutions which have been established for us against our will, as seems to be its intention. Under such circumstances the expression of such an opinion, by a paper of such antecedents as the World, was well calculated to produce excitement. But reason and not declamation should be brought to bear against it, and by reason it should be overthrown, if possible, as we greatly fear it is not. If it cannot be overthrown by reason then the fact should be recognized, and acted upon, and we should make the most we can of the situation.

The doctrine maintained by the Conservatives is that Congress has no power under the Constitution to interfere with the question of suffrage in the States, and to this doctrine no one gives a heartier endorsement than we do. From these premises it unquestionably follows that the Reconstruction Acts of Congress, so-called, were unconstitutional. Of themselves the States were not bound to reorganize their governments under them, and under ordinary circumstances they would not have done so. But, in consequence of the defection from their race of a portion of the white population; they did re-organize under them, and in a short time the governments thus re-organized will be the only governments in the Southern States. Senators and Representatives recently elected under them will soon be admitted to their seats in Congress. Will not that fix these as the established governments in those States? This is an important question, for upon the answer to be given to it the whole question hinges. If the answer be an affirmative one it settles the question in favor of the World's views. If in the negative then the opponents of the World have triumphed in the discussion whether any thing practical ever results from it or not.

It is contended on the part of those who oppose the opinion advanced by the World that what has been done in pursuance of the Reconstruction Acts can be undone by Congress, even after the lapse of four years, for no one supposes the Democrats and Conservatives can obtain a majority in both Houses of Congress in a shorter time. Some of them seem to think that a repeal of those acts by a subsequent Congress, or a decision by the Supreme

Court that that part of them which creates negro suffrage is unconstitutional is all that is necessary to relieve us from that odious feature in our new State Constitutions. This is the ground taken by a paper of so much ability as the Richmond Whig. The Whig cites cases both from English and American history to sustain its views, but there does not seem to us to be the slightest analogy between the cases cited and the one before us. In fact the Whig does not seem to have comprehended any of the difficulties of the case growing out of our complex system of government. A Democratic Senate did, indeed, as the Whig says, expunge a resolution of censure upon Gen Jackson which had been passed by a Whig Senate. But what does that prove in reference to the present case? Did that resolution apply to or affect in the slightest degree the rights and powers of other sovereignties? Or did it affect only the government of the United States, and one of its chief officers? Had any thing been done under its assumed authority by the States which was undone or modified by its repeal? Any attempt to answer these questions will show the utter want of analogy between the two cases.

It is also true, as the Whig says, that upon the Restoration of Charles II there was almost a wholesale repeal of the Acts of Parliament passed in Cromwell's time, and a very thorough restoration of the old order of things. But does it follow that because such changes were made by the English Parliament in the exercise of its Constitutional functions the same thing can be done by the American Congress? Whence are the powers of the two bodies derived and in what do they differ? The powers of Congress are derived from, or conferred by, a written Constitution and those powers it cannot exceed. In our country the sovereignty resides with the people of the States who have limited the powers of Congress, but in England the whole sovereignty is vested in the King, Lords and Commons. They are not restricted in those powers by any written Constitution. They, indeed, are checks upon each other, but in every thing in which they may agree they are omnipotent. "They are a law unto themselves." Having agreed in the changes made their power could not be questioned, and was not questioned. Nor is the English government, like ours, but one body in a system that must work harmoniously or be destroyed, but it is a system complete and perfect within itself.

The Reconstruction Acts of Congress are universally admitted to have been unconstitutional, but is it not claimed that the Southern States re-organized their governments under them nevertheless? Was any forcible resistance offered to the execution of them by the governments in existence in those States at the time of their passage? Will not the governments thus claimed to have been organized soon be the only governments in existence in the Southern States? And even if they were not—if there were rival governments in existence who is to decide which is the legitimate government and which is not? This latter question has been answered by the Supreme Court in its opinion in the case of Luther vs Borden, and the Judges present concurring except Mr. Justice Taney, who delivered the opinion of the Court, says:

"No one, we believe, has ever doubted the proposition that, according to the institutions of this country, the sovereignty in every State resides in the people of the State, and that they may alter and change their form of government at their own pleasure. But whether they have changed it or not, by abolishing an old government, and establishing a new one in its place, is a question to be settled by the political power. And when that power has decided, the Courts are bound to take notice of its decision, and to follow it."

Have the people of the Southern States "changed their governments by establishing new ones in their places"? We do not believe that they have, but that is a question for the political power to decide, and it will soon decide it in the cases of seven of the States by the admission of their Senators and Representatives to their seats in Congress. And when they do so decide are not "the Courts bound to take notice of the decision and to follow it"? Who, in the face of the decision we have quoted, can answer this question in the negative? And when the political power has once decided the question can it at a subsequent period review its decision and reverse it, especially when such reversal will leave the States without any government at all? Can this question be answered in the affirmative? And if the Supreme Court should, after the reconstruction Acts have become *functus officio* by the admission of the Southern States, decide that they were unconstitutional what will such decision amount to? Will it amount to anything more than to say that the States were not bound to obey them? Will it amount to a decision that the people of the Southern States having, as is claimed, obeyed those

acts they are not bound by their own action until they may be able to change it in the exercise of the sovereign powers reserved to them in the Federal Constitution?

And if Congress should hereafter repeal so much of the Reconstruction acts as conferred the right to vote upon the negroes, as suggested by the Whig, would such repeal take that privilege from them? And would they not still be entitled to vote under the State Constitution? And can Congress repeal a State Constitution or any part of it? Are not the States as sovereign in the exercise of the powers reserved them as is the Federal Government in the exercise of the powers conferred upon it? And so long as the State governments are Republican in form can the Federal government interfere with them in any way? Has it not been the doctrine of the Democrats and Conservatives all the time that it can not? Have they not denounced the present Congress as a usurping body for the passage of the Reconstruction Acts? And can they should they ever come into power, interfere in any way with the republican governments which they may find in existence in the States without being guilty of the same usurpation which they have so vehemently denounced? And, if not, claiming to be "the Constitution party" will they attempt to do any such thing?

On this point the Sentinel expresses itself as follows.

But is it true, that there is no power of correction, in "the best government the world ever saw," of great evils and injustice inflicted upon a down-trodden minority of the States and people, by the enforcement of unconstitutional laws by the Legislative power of the government, simply because those laws have ceased to exist by limitation? Are the consequences of the unconstitutional action of a dominant power of Congress interminable, or beyond the correction of all the powers of the government itself? We know that all the laws, good and bad, passed by one Congress, may be rescinded by any subsequent Congress, and, of course such evils as exist by their remaining on the statute book may be cured by abolishing the law. But the doctrine assumed by the World that, how ever unjust, or wicked, or derogatory, or damning, the effects of the unconstitutional acts of Congress may be to a portion of the States and people of the Union, they are interminable, beyond the reach of the strong arm of the government itself,—that a new party, coming into power, although its predecessors did wrong, violated the Constitution and ought to have been ashamed of such conduct, yet has no remedy in its hands to correct the evil, since the acts which produced the evil are no longer in existence,—is monstrous. What an admission! The government is not only responsible for unconstitutional legislation, but for its consequences, so long as the evil consequences remain, and it does seem to us that the onus of removing those evil consequences cannot be shifted from the shoulders of the responsible and offending party upon the weaker party, whose efforts to remove them may incur still greater evils! If therefore, it be true that the consequences of the Reconstruction Acts upon the Southern States are beyond the reach of the Federal government, this government must be clearly and radically defective.

This all sounds very pretty as a piece of declamation, but is it any refutation of the World's position to say that its assumption "is monstrous"? Is it any answer to its argument to exclaim, "What an admission"? And does it necessarily follow from an admission of the World's position that "this government must be radically defective"? Congress may repeal the Acts complained of, or the Supreme Court may decide that they were unconstitutional, it is true, but what relief will either or both bring? Is it what Congress has done that we wish to rid ourselves of, or is what the States themselves have done in obedience to behests of Congress which they were not bound to obey, but which they did obey never the less though the defection of a portion of their white population? Are not the States sovereign within the limits of their reserved powers, and are they not bound by their own acts? And will not the political power decide that these are their acts, and is not such decision final, unless the people of States themselves chose to reverse it in the exercise of their sovereign powers? If there be any radical defect in our form of government, then, it is in the federal feature of it, which we suppose will not be adjudged by our contemporary.

These interrogatives have been propounded in a spirit of inquiry rather than of controversy. Further than they answer themselves, or are answered by judicial decisions we have not attempted to answer them. We would rejoice exceedingly to see them all answered in such a way as to show that we have a constitutional mode of escape from our present condition through the intervention of the Federal government, and we hope they can be so answered. But we confess that we find ourselves unable so to answer them, as we apprehend others will.

The above article was prepared some days since, but we hesitated to publish it until we were advised to do so by friends in whose conservatism, judgment and patriotism we have every confidence

THE RIGHT VIEW.—We most cordially endorse the following views of our excellent contemporary, the Charlotte Democrat.

We are in favor of relieving every man who has been elected to an office, and when the legislature meets it would be creditable to that body if it were to petition Congress to relieve those members who are proscribed. The Republican members ought to remember that one particular party cannot remain in power always, and if they are illiberal and vindictive now, they cannot complain if they are proscribed hereafter when a change takes place.

The administration of the State Government will be in the hands of the Republican party for four years, and it remains to be seen whether it will be conducted so as to promote peace harmony and prosperity among the people, or to produce strife, contention and oppression. It has been intimated that a State militia force would be organized and armed to take the place of the Federal troops who are to be removed. This would meet with almost universal dissatisfaction, and would impose a useless and heavy tax on our people who are already overburdened with taxes. We hope no such silly and uncalled for act will be committed by the Legislature, but that expenses and expenditures will be diminished rather than increased.

The California delegation to the National Convention have arrived in New York, and have put up at the Fifth Avenue Hotel.

SALISBURY MARKETS

Table of market prices for various goods including Bacon, Coffee, Corn, Coppers, Cotton, Eggs, Feathers, Flour, Fish, Fruit, Iron, Leather, Molasses, Onions, Potatoes, Sugar, Salt, Tobacco, etc.

NEW ADVERTISEMENTS.

DR. BASON, DENTIST. Office: Corner of Innis and Church strs. TEETH, extracted and nerves destroyed without pain.

THE CAROLINA FARMER. BELIEVING that the interests of the Farmers and Planters of this section demand the publication of a periodical to be devoted to the advancement of Agriculture in the two Carolinas, we have determined to establish such a periodical under the title of THE CAROLINA FARMER, and will issue the first number as soon as a sufficient number of subscribers are obtained to pay a reasonable share of the expense of publication.

THE FALL SESSION of this institution will commence on Tuesday, the 4th of August, and continue twenty weeks. BOARD: \$10 per month, and other charges proportionally low. SIXTY DOLLARS must be prepaid by each young lady on entering, and the balance at the close of the term. The Faculty is full and composed of able and experienced Teachers. The course is extensive, embracing all the solid and ornamental branches taught in other Female Colleges. The religious advantages are unsurpassed.

Thomasville Female College, THOMASVILLE, N. C.

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R. H. COWAN & CO., GENERAL COMMISSION AND SHIPPING MERCHANTS. Wholesale Grocers, Wilmington, N. C.

U. States Int'l. Revenue, COLLECTOR'S OFFICE, 6th Dist. North Carolina. SALISBURY, June 15, 1868.

THE property described in the following schedule, has been seized as being liable to forfeiture for violation of the Internal Revenue Laws of the United States. Any person or persons claiming any portion of the said property, are hereby required to appear and make such claim within thirty days from the date of this notice.

Table of seized property including various articles like spirits, wine, and other goods with their respective quantities and values.

Mrs. CORRELL, begs to inform the Ladies of Salisbury and vicinity that she has opened a new Millinery, nearly opposite the Drug Store of John H. Emms, where she will be able at all times to accommodate them with any thing in her line.

MRS. WILSON, and MRS. MARTHA SPEARS, Bat each on her individual responsibility and account. Salisbury, April 7, 1868.

LAND SALE. IN obedience to an order of the Court of Pleas and Quarter Sessions for Davidson county, at May Term, 1868, we will sell at public auction, on the premises, the 4th day of August next, at 12 o'clock, m., on a credit of six months, two

Valuable Tracts of Land belonging to the estate of Wm. Owen, dec'd. One tract of 800 acres, situated in the Jersey Settlement, celebrated for its rich soil. The other, lying on the Yadkin River, containing 220 acres—both tracts improved and well watered. Persons desiring valuable real estate should attend. At the same time and place a quantity of Grain.

The GRIFFITH Lands FOR SALE. BY virtue of a decree of the County Court of Rowan county, will be sold at the courthouse door in Salisbury, on Tuesday, the 4th day of August next, five hundred and twenty-five acres of land belonging to the estate of R. W. Griffith, dec'd.

State of North Carolina, SURRY COUNTY. Superior Court of Law, Spring Term, 1868. Jesse E. Graves vs. John J. Fraizare.

State of North Carolina, WATAUGA COUNTY. Court of Pleas and Quarter Sessions April Term 1868. Reuben Farthing vs. Thos D Foxworth.

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For Life Insurance Only. REAL ESTATE INSURANCE COMPANY OF VIRGINIA. AUTHORIZED CAPITAL ONE MILLION DOLLARS. OFFICERS: W. C. CARRINGTON, President. J. J. HOPKINS, Secretary. C. H. PERROW, M. D., Med. Advisor.

This liberal and solvent Southern Company pays to its policy holders annually 8 1/2 Per Cent. of its Profits.

It proposes to aid its patrons by taking notes for one half of the premiums. It allows its patrons to pay all cash if desired. It invites its patrons to attend its annual settlements and see their rights protected. It allows its patrons to change their policies from one place to another.

The undersigned, officers of the county of Nelson, and State of Virginia, take pleasure in recommending a solvent and reliable company. The Piedmont Real Estate Insurance Company, of this county; and besides the merit of its solvency, its rates and terms for Life Insurance are such as to commend it to public patronage.

The Company has capital and assets, equal to its liability that will compare favorably with any Life Insurance Company on the continent, which is the true test of responsibility.

Life Insurance Company OF VIRGINIA. A Virginia and Southern Institution. Its Funds are kept in the South.

Its fortunes are established beyond any contingency.

OFFICERS: JOHN E. EDWARDS, PRESIDENT. Wm. B. ISAACS, VICE PRESIDENT. D. J. HARRISON, SECRETARY.

CHARLES H. SMITH, M. D. LEGAL ADVISER. H. C. CABELL, JNO. H. CLAIBORNE, DIRECTORS.

LEWIS C. HANES, AGENT. Jan 17—tw&wf LEXINGTON, N. C.

Sparkling Catawba Springs, CATAWBA COUNTY, N. C.

This celebrated WATERING PLACE will be open for visitors from June 1st to December 1st.

The medicinal properties of the waters, both Sulphur and Chalybeate, unrivalled. Accommodations unsurpassed, and a healthier and more delightful place not to be found.

Sparkling Catawba Springs, Catawba county, N. C. June 1. w&wf3m

Vogler & Co., MANUFACTURERS OF Mens, Women, Boys & Misses SHOES, SALEM, N. C.

OUR Shoes are well made, and of the very best Materials. We invite merchants to examine our SHOES; they will speak for themselves, and will withink COMPAR FAVORABLE both as to QUALITY and PRICE, with any ever brought into the State.

Know and Believe THAT G. B. POULSON & CO'S. DRUG Store is the cheapest place to buy Drugs and Medicines in this section of North Carolina. Try them!—at WYATT'S OLD STAND May 7. Salisbury, N. C.