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—88—
SOLICITOR IN BANKRUPTCY,
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THE STATE DEMOCRATIC CONVENTION.

THE PLATFORM.

We the Delegates of the Democratic and Conservative people of North Carolina, in Convention assembled, do

Resolved, 1st. That we approve of the nomination by the National Democratic Convention of Horatio Seymour for President, and Frank P. Blair for Vice-President of the United States; that, in these men we recognize statesmen of experience and eminent ability, of sound political principles, of unsullied public and private character and unbounded patriotism, and as such we recommend them to the hearty support of the people of North Carolina.

2d. That we approve of the platform of principles adopted by the said Convention; it speaks in no doubtful sense, its language is explicit and meaning clear. The issues presented to the country are plainly and unmistakably defined, and with a free and fair election we confidently believe they will be endorsed by a large majority of the people; and with that endorsement must come such a change in the administration of the National Government as will restore the Constitution and give peace, harmony and prosperity to the country, and especially to the down-trodden States of the South.

3d. That it is our earnest desire and intention to bring about these wholesome and necessary changes by the peaceful means of the ballot box; and all efforts to produce a contrary belief, coming from what quarter they may, are but the tricks of interested partisans of a desperate political faction, bent upon perpetuating its power by any means and at all hazards. They are attempting to alarm the people of this State by the false cry of revolution and war, threatening them at the same time with military force; while in other States of the South, they have not hesitated to take from the people the election of Electors of President and Vice-President, and to confer it upon Legislatures, the members of which were elected under military rule, without freedom of choice and with no regard to the question of Presidency, in order to secure the electoral votes of such States for the Radical candidates in disregard and defiance of the just rights of the people of such States and of the whole country.

4th. That it is our frank purpose now, and has been, since the close of our late civil war, to accept and abide by, in good faith and without disturbance, the legitimate fruits and consequences of that war; to yield to the Government of the United States a cheerful submission and allegiance, and to perform all the obligations of good citizens to their rightful government. And we do proclaim that, in asking recognition on terms of equality in that grand copartnership of States which constitute our Federal Union, we do so with no hostile intent; on the contrary we wish to share its benefits and its duties, to rebuild our waste places under the protection of its flag; to re-establish the old era of good feeling in our common country, to thwart the designs of unpatriotic men every where who seek to perpetuate discord and division, and to participate in the blessings as well as the burdens of the government.

5th. That we have seen with indignation the complete overthrow of our late excellent system of State government and laws, and the adoption of others in their stead heretofore unknown to our people, unsuited to their condition and utterly adverse to their habits, their wishes and their interests; and with this change has come the election to high places of profit and trust of men in most instances without character or qualification, and not a few of whom are mere adventurers from abroad, having no interest in common with the people of the State, and no fitness whatever for the stations which they have reached by means most unworthy and disreputable.

6th. That the attempt by the Governor of this State, aided by his extreme partisans in and of the Legislature, to have himself clothed with authority to appoint, organize, equip and keep on foot a large standing force of not less than 6,000 men, to be selected and officered and commanded by him, with power to any member of the said force to arrest any citizen without authority or warrant from any civil officer or Magistrate, was a measure clearly violative of the Constitution of the United States as well as that of the State; dangerous to the liberties of the people and well calculated if not intended, to produce bloodshed in our midst; and as such it deserves to be reprobated by all well disposed citizens of the State.

7th. That the measure subsequently introduced and which is now pending, and will in all probability be adopted, however artfully disguised, is but the same measure under another name, with one or two of its objectionable features altered; but which yet clothes the Governor and his creatures and partisans with hitherto

unheard of powers, which are susceptible of great and dangerous abuse in the hands of men who have shown but too plainly a disposition to rule the people of this State by the bayonet, and as we believe to attempt the control of the next election by that means. We most earnestly recommend to the people of the State and especially to our political friends, to give no occasion or excuse for the use of military force; but nevertheless to yield none of their just rights.

8th. That the Governor of this State, having proclaimed it as the policy of the Radical party to suffer no one to hold any office, appointment or place in the State, however humble, who will not lend his aid and promise his support to that party, and which policy he and his political friends are now vigorously enforcing to effect the exercises of the elective franchise, it is the sense of this Convention that the people have the right to counteract such policy by all lawful means, if they think proper so to do. That any citizen of the State, therefore, has a manifest right, of which he cannot be lawfully deprived, to employ, or not to employ, or cease to employ, any person whatever when any existing contract terminates—and that any attempt on the part of the Legislature, by any pretended law to deprive any citizen of such right, or to impose any penalty or penalties for so doing, will be in violation of the Constitutional rights of the citizen.

9th. That to obtain success in the approaching Presidential election, every effort should be made by our friends to perfect their organization, and no legitimate means should be spared to bring every voter, favorable to our cause, to the polls. To that end we most earnestly recommend to our friends to organize at once Seymour and Blair Clubs in every county and every District, with active canvassers, whose duty among other things it shall be to see that all our friends entitled to vote are duly registered and brought to the polls, and that unqualified persons are not allowed to register or vote.

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July 8 1868

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[From the Wilmington Journal of the 25th.]

JUDGE PEARSON'S LETTER.

As the Conservative papers throughout the State have failed to publish Judge Pearson's letter, I did not receive a copy of the same until yesterday, when a friend handed me the *Standard* containing it.

I cannot recall another instance in the history of North Carolina, as a State, when her highest judicial dignitary so far forgot the propriety of his position as to descend into the political arena—a partisan champion, stripped and girded for the fight.

Judge Pearson attempts to excuse himself upon the plea that he is so far removed beyond the frailties of ordinary men, he can view dispassionately the subjects of the day, and, therefore, in the present crisis, his "silence would be criminal." Having, as he claims, the confidence of both parties, what he says "will be considered calmly, as the advice of a friend having no motive but the public good."

In the world's history, few indeed have been the men who have occupied such a position; it was perhaps yielded to Washington in his last days, but in our own time, there is no man in Europe or America to whom the public would concede it. The fact that Judge Pearson claims it for himself is the best evidence of the very high estimate placed upon him by the Sage of Mocksville, and cannot fail to evoke in his behalf the prayer of Burns for an over-concoited lady, unconscious of the insect upon her bonnet,

O wad some power the giftie gie us,
To see oursel's as others see us.

It is true that he was the nominee of both parties for the position of Chief Justice. He was nominated by the Conservatives in the hope that he would confine himself to his judicial duties, and give to the State the benefit of his law learning—the result is what many predicted, the betrayal of their confidence.

Those who had watched the course of Judge Pearson, from the surrender until his nomination, had lost confidence in his public integrity. The cases, *Hughes, ex parte*, so ably reviewed at the time by your correspondent *Vindex*, wherein he holds that the Convention of 1865 was legal and rightfully called; *Cooke vs. Cooke*, wherein he decides that a marriage solemnized after Schofield's order, and before the saving ordinance of the Convention, by a Justice of the Peace appointed in Confederate times, was void, and, of course, that the children sprung therefrom would be bastards, but for said ordinance; and *Hayly vs. Hayly*, wherein he declares a negro, formerly a slave, emancipated by the will of a party who died in 1864, entitled to take a legacy bequeathed to him in said will, contrary to the express provisions of a law of the State, passed before the war, in connection with the reasoning whereby his conclusions in said cases are sustained, satisfied the profession that he was ready to construe the code of public law, to meet the exigencies, and to sanction the usurpations, of the day, without any regard to established authority or express enactment. He is mistaken, then, in supposing that he has the confidence of both parties. The members of his own profession, who know him best, concede to him much legal learning, but deny to him any political integrity.

The gist of the letter in question seems to be: That by conceding to the freedmen political equality there will be an end of strife, and that this concession will be evaded by the election of Grant and Colfax. By denying political equality to the freedmen, we inaugurate civil war, a war of races, and that this denial will be evidenced by the election of Seymour and Blair, and, in that event, civil war will be inevitable.

The position of the Chief Justice proves that he has entirely misconceived the character of the issues joined in the present political contest. Whether the negro shall,

or shall not, be deprived of the franchise, does not enter into it at all.

The Conservative party seek to sustain the fundamental principles of the Constitution of the United States, whereby the executive, legislative and judicial departments of the government shall be at liberty to exercise the powers conferred upon them by the Constitution, and, as designed by the framers of that instrument, that each shall be preserved from encroachments by either of the others.

The Republican party on the other hand, are struggling to destroy the executive and judicial departments of the government, and to place all power in the legislative department. The former seek to sustain the Constitution as construed by the fathers of the Republic—the latter seek to destroy that Constitution, and to give us, in its place, a consolidated despotism—the worst despotism that can be conceived—the will of a majority of Congress. As to the negro, the point is not whether he shall be allowed to vote, but whether the States as States shall be allowed to pass upon that question for themselves. It does not follow that, by the election of Seymour and Blair, the negro will be deprived of the franchise. The election of those gentlemen would be a declaration merely by the people of the United States that the States, and the States alone, should have the right of regulating the question of franchise, and all other internal questions, without being coerced to observe the will of the Congress of the United States. These are the great issues before us—issues upon the decision of which the existence of civil liberty, and the destinies of this country, depend. He who, with Judge Pearson, ignores these great issues, and narrows them down to the mere question of "negro suffrage," so far from being followed as a monitor, should be regarded as a political neophyte, wholly ignorant of the most important questions of the day.

The Howard Amendment, so recently engrafted on the Constitution of the United States, concedes to the States the power of regulating the question of suffrage for themselves. Under that amendment North Carolina may qualify the suffrage as to both classes of her citizens, or she may exclude the negroes altogether from the right to vote. But the Radical party seek to destroy this power conferred by the Constitution, by a mere act of Congress, which the ablest members of that party declared would be inoperative and void, but which, nevertheless, will be enforced by the usurpation of the legislative department of the government, should Grant and Colfax be elected. Against this Conservatives protest, but they do not propose to effect anything by the sword—they propose to act by, through, and under, the Constitution of the United States, and according to its forms to that sacred instrument they appeal, and by that, as judicially construed, they mean to stand. Who, then are the nullifiers—who are the revolutionists? The answer is, that party who propose to inaugurate a war of races, in case the Southern States exercise certain Constitutional rights. In this event, Judge Pearson, who should be an impartial and a fearless expounder of the Constitution, who has sworn to obey its provisions, declares from his high place, in a voice that is heard all over the State, that civil war must come. What is this but inciting to it? And should it come, which God forbid, those who now encourage it by familiarizing the minds of the negroes to its contemplation, may well apply to themselves the words of the Almighty to the first murderer, "The voice of thy brother's blood crieth unto me from the ground."

The Chief Justice fails as egregiously in his references to history, as in his conception of the points at issue between the parties. He bases his predictions of civil war upon assertions, which are not only without foundation, but the exact reverse of which is true. This is unpardonable, especially so, in a man who assumes the leadership of his countrymen in a great political crisis. I quote from the letter:

"The idea of four millions of people, not slaves, existing in our midst, without some political right, was out of the question. Such a condition of things never has, within the memory of man, and never will, exist."

The Chief Justice not only undertakes to tell us that a certain state of things has not existed within the memory of man, but he assumes the role of a prophet, and declares that they never will exist. If his knowledge of the future is no more accurate than his knowledge of the past and present, his predictions are entitled to no credit. Every student of contemporary history knows that, at this day, there are millions of adult males in Great Britain, who are not entitled to exercise the right of suffrage, and who have no political rights whatever.

Judge Pearson admires greatly the English constitution; time and again has he declared before his students, that the English government is among the best and

freest, if not the very best and freest, on the face of the earth. All his learning, he has acquired by the study of the English Common Law. Now, Mr. Bright, whose name is famous on both sides of the Atlantic, declared in a public speech, made before the passage of the recent English Reform bill, that out of an adult male population in Great Britain of seven millions, not more than seven hundred thousand enjoyed the right to vote, thus leaving over six millions in the very state of political vassalage, which Judge Pearson declares has not existed within the memory of man, and never will exist.

And, this too, in a country whose constitution is regarded as the best, or at least the second best in the world.

I quote again from the letter:—has it ever been known that four millions of people, after enjoying political rights for years, could be reduced to vassalage without a civil war? If it were not known that the Chief Justice is a very inaccurate writer he might be accused of willfully misstating the point. The Conservative party do not propose to reduce to vassalage any class of men who have exercised political rights for years. As I have shown, the disfranchisement of the negro does not enter even into the contest, and if it were involved, the negro has not exercised political rights for years—he has not even had the right to vote for one year, and the right was thrust upon him to aid in effecting an unconditional purpose. Four millions, says the Chief Justice; now three millions of the four are women and children, who have not among the whites political privileges, in the sense in which he uses the words. There are, at this day, even after the passage of the Reform Bill, more adult males in Great Britain deprived of the right of suffrage than there are negroes in the Southern States, men, women and children all included. Besides, the history of England affords an instance, within the last forty years, of the disfranchisement of a large portion, if not the bulk, of the voting population of one portion of the Empire, not following any rebellion, and not followed by any civil war. Before Judge Pearson ventures again to base an argument upon general assertions let him study, with more care, the history of his own day—he may then avoid mistakes over which a school-boy might blush.

The Conservative party of the South are anxious to promote the elevation of the colored race, and cheerfully concede to that race more civil and political privileges than the mass of the people of England and Scotland now enjoy; and, moreover, desire to confer upon them such other political privileges as their happiness requires, and their intelligence justifies: Should they ever be wholly disfranchised it will be the result of the extreme measures of the Radical party, which is now using them for political purposes merely. In any event there will be no civil war—this is a "Raw-head and bloody bones" conjured up by interested political partisans, to coerce the timid and the weak. The same power that subdued, by its strength, ten States, will say to the agitators "Peace—be still," and those who are now threatening civil war will not dare to oppose the majesty of the nation.

I thought that we had reached the depths of humiliation, but my soul is moved to sadness over the degradation of the Judiciary of our once proud old State, when a newspaper, the name of which is the synonym of political profligacy, can claim every member of the Supreme and Circuit Court hence as among its partisans, and announces some of the highest as the official mount-banks of a contemptible negro mob.

Damages by the Confederate Invasion in Pennsylvania.
At the last session of the Pennsylvania Legislature an act was passed providing for the appointment of a commission to adjudicate and record the claims of citizens of the counties of Adams, Franklin, Fulton, Bedford, York, Perry and Cumberland for damages incurred by the Confederate invasion of 1864, either through the public enemy or the appropriation of property by the Union army. Thus far the commissioners have visited but three counties—Perry, Bedford and Fulton—in which the damage was much less than in the remaining four. In Perry county the losses will amount to but \$2,000. In Bedford county there are fifty claimants, whose damages amount to \$5,000. In Fulton county, which was most exposed, there are one hundred and thirty claimants, whose damages will reach at least \$40,000, exclusive of the loss by one party of one hundred and seventy-two fat cattle.

CIVIS.