## The Campaign.

CONSTITUTIONAL CONVENTION.

ELECTION-THURSDAY, AUGUST 5TH. REPUBLICAN NOMINATIONS.

WAKE COUNTY.

For Delegales: RICHARD C. BADGER, ALEXANDER L. DAVIS, MADISON C. HODGE,

RALEIGH TOWNSHIP.

JEREMIAH J. NOWELL.

For Justices of the Peace: M. B. BARBEE, WM. H. MARTIN, JOS. P. PRAIRIE, ALBERT MAGNIN.

For Constable: JOHN R. CASWELL. For Clerk:

JOHN E. WILLIAMS.

For School Committee: SHAFFER, | M. V'B. GILBERT, OSBORNE HUNTER, JR.

SPEAKING .- Hon, S. W. Watts will address the people of Chatham in Pittsboro, on Saturday, 10th inst. Turn out and hear him. He will speak at Concord, Saturday, July 17. Morganton, Tuesday, " Marion, Thursday, Charlotte, Saturday, "

POLITICAL SPEAKING.-Hon. W. A. Smith and others will speak at Bentonville, July 10, Beulah, July 13, 14. Wilder's, Clayton, 19, Ingram's, " 20. Elevation,

OUTSIDE CORPORATE LIMITS .- The voters of Raleigh Township outside the city limits, will find the registration books at the store of Mills H. Brown, on Fayetteville street. Those entiled to vote who have reached twenty-one years of age since August, 1874, or who have come into the territory named, since, will have to register in order to vote; others will call upon W. D. Haywood, Esq., at Mr. Brown's store, and see that their names are correctly entered in the new book.

REGISTER.-The Wards in the city having been changed by the act of the Legislature, it will be necessary for a new registration in order to vote in the next August election. The books are now open, and we call upon our friends to register right away. The following are the Registrars and the places of re-

M. B. Barbee, 1st Ward-Upchurch's coach shop, Hargett street. D. A. Wicker, 2d Ward-Basement of

old Cape Fear Bank. J. J. Lewis, 3d Ward-Courthouse, J. P. Prairie, 4th Ward-N. Dunston's R. W. Best, 5th Ward-Best's Store,

Hillsboro street. Republican Headquarters. The Rooms of the State Republican Executive Committee are se-

cured for the campaign at the National Hotel, Raleigh. Committee, will be found at his rors, post at the National during the

## State Republican Executive Committee.

campaign.

All communications for the State Republican Executive Committee should be addressed to Thomas B. Keogh, Chairman, care of F. M. Sorrell, Secretary, Raleigh, N. C.

Wake County Republican Executive Committee.

Chairman-W W White. Barton's Creek-R A Thompson. Buckhorn-David H. Gardner. Cary-J P H Adams. Cedar Fork-J L Moring. House's Creek -D R Chavis. Little River-Henry Pulley. Mark's Creek-M G Todd. Middle Creek-Robt Fugua. New Light-Jno O Harrison. Oak Grove-Roland Gooch. Panther Branch—T L Banks. Raleigh Township—A. Magnin. Raleigh—1st Ward, M B Barbee. 2d "-S Ellison.

"-A W Shaffer. "-Jas H Harris. 5th "-M V'B Gilbert Saint Marys-J G Andrews. Saint Matthews-Geo A Keith. Swift Creek-Jno Massey. Wake Forest—Hamilton Jones. White Oak-F G Moring.

LOST SHEEP .- A preacher of the Methodist Church was travelling in one of the back settlements, and stopped at a cabin where an old lady received him very kindly. After setting provisions before him, she began to question him in the following way:

"Stranger, where mought you be from."

"Madam, I reside in Shelby county, Ky."

what mought you be doing up here?"

lost sheep of the tribe of Israel." "John, John!" shouted the old woman, "come rite here this minute; here's a stranger all the way Private Laws. Surely the Legislature first has about 400 voters; the second Harrell, of Pencer county, N. C., are from Kentucky a hunting stock, and I'll just bet my life that tangle people of the State under such a govern- one vote in the first and second wards haired old black ram that's been in ment. If they can do that, then they counts as much as seven votes in the

RALEIGH, N. C., WEDNESDAY AFTERNOON, JULY 7, 1875.

LOCAL DEPARTMENT.

UNCONSTITUTIONAL LEGISLATION. We publish below, Judge READE's opinion in the case of Van Bokelen and others against Cannaday and others, involving the validity of the act, (3d February, 1875,) of the last General Assembly. We regret that our space did not permit the publication of the opinion of Jude RODMAN, who, concurring with the majority of the Court, arrives at the same conclusion, by reasoning differing from Justice READE's. Judge RODMAN's opinion will appear to-morrow, and with it, such comments as we hope will meet the objections of the legion of constitutional lawyers who will prove, (to the convincement of no one,) that five Judges of the Supreme Court know no law.

VAN BOCKLEN VS. CANADY.

Our government is founded on the will of the people. Their will is expressed by the ballot. The ballot embraces every citizen twenty-one years old, who has had a residence in the State for twelve months and in the county, where he offers to vote, for thirty days. There is no other qualification required. Property qualification for voters and office-holders, which our former Constitutions required, and which many thought important, have passed away, and are now regarded as antiquated. Not only is freedom to vote and hold office secured in our present Constitution, but it is so imbedded in the hearts of the people, that it was thought necessary to stipulate against any interference with it by a contemplated Conven-16, Pleas'nt G've, 17, tion to alter the Constitution. The act of the last General Assembly calling a Convention has a provision that the Convention "shall not require, or propose any educational or property qualification for office, or voting," and requires the delegates to take an oath to

> Whether that is wise or unwise, the Court can give no pinion. Our province is to expound the Constitution and laws as they are made, and not to make them.

male person twenty-one years old, resident in the State twelve months, and in of the right of the ballot; and not to dethe county thirty days, shall be an eleetor-Art, 6, sec. 1.

An elector for what? The Constitution does not say for what. Does it mean, elector for President, or for members of Congress, or for Governor, or for Judges, or for members of the General Assembly, or for county officers, or for township or town officers, or what else? There it stands by itself without explanation-that every such person shall be an elector-a voter. It and it prevents no man from voting, thereof. evidently means to designate those perever the polls are opened and elections | fications, then he can register and vote: held for anything connected with the unless it can be proved against him that general government, or the State or lo- he is not entitled. And in that case he cal governments. Just as a class of per-Thos. B. Keogh, Chairman of the sons are designated as qualified for ju-

> And so in Art. 7, sec. 1, it is provided that all county elections shall be by "the except to look back to the "class" designated above.

corporation shall contract any debt, &c., lots," &c. It will be noted that any

grouped together; and so are their them by the oaths of others, and these qualified voters. And except in this others must be known to the registrar, the jury; cause to go to Supreme Court, way there are no qualifications pre- and the registrar must be satisfied. scribed for voters in cities and towns. Now, how is it possible for persons who But cities and towns, like counties and move into Wilmington from other townships, are parts and parcels of the | counties in the State to get witnesses State, organized for the convenience of from a distance known to the registrars local self-government. And the quali- in Wilmington to prove their ages and fications of their voters are the same. It follows, that the General Assembly cannot in any way change the qualifications of voters in State, county, township, city or town elections.

And yet the act which we are considering requires a residence of ninety days instead of thirty. And if the ninety days may be required, a year, in the State government. A fundaor years, may be. And so, in many of our young and growing towns, a majority of the citizens may be excluded. and the government given to "the oldest be made a qualification, so it may be than small ones, so that not only every made a disqualification, and then the government may be given to the youngest inhabitants. And so, if these qualifications may be added, then any others may: just as we find that in one of the town charters granted by the every voter could vote for all of the "Wall, stranger, no offence, but last General Assembly it is provided, nine Aldermen, of course every man's that, in addition to the citizens of the "Madam, I am searching for the town, all persons who have lived in the divided into three wards, as nearly county twelve months "and who own equal as may be, and each ward elect D. R. Goodloe, Warrenton, N. C. taxable real estate in said town, who three of the Aldermen, then every vote Judges Thos. Settle, E. G. Reade and S. have paid all the taxes," &c., shall be allowed to vote. Acts 1874-'5, chap. 157, city is divided into three wards-the had no power to put any portion of the about 400; and the third 2,800. So that

ment of the land owners of New Hanover county.

For illustration: a man presents himself at a town election and says, I have voted in the State election, in the county election, in the township election, and now I want to vote in the town election, where I have lived thirty days. His vote is rejected, because he has not resided there ninety days. In vain we look in the Constitution for any such qualification. The General Assembly has disfranchised him, and that in a case which comes much nearer home to him than any other election; for the town government affects his business, trade, market, health, comfort, pleas-

We are of the opinion that the qualifications for a voter in a city or town are, citizenship, twenty-one years of age, twelve months' residence in the State, and thirty days in the city or

ure, taxes, property and person.

II. Again: The Act provides that before an election there shall be a registration of voters, and only those who register, can vote. The first ward is made a registration and election precinet; and so with the second. The bounds, into four precincts. Of course and in the precinct where he lives, and in no other, and must vote where he registers, the object being to prevent fraud by "repeating." But a large portion of the third ward on the west side of the river-was, by mistake probably, not included in any of the precincts. And of course they cannot register or C. Rep., is an express decision, that that makes the election void.

Indeed, it would seem that the regis? tration provision for such parts of the city as are embraced, are so impracticable as to amount to the disfranchisement of the voters.

The Constitution ordains that the General Assembly shall provide for the registration of voters, and that no one shall vote without registration. Art. 6, sec. 2. This means that the General Assombly shall provide the conveniences The Constitution provides that every | and necessaries, so that the voters can register. It is to facilitate the exercise feat it. It is true that this includes the power and the duty to throw such guards around, as will protect the ballot from fraud. And therefore our general election law provides, that when a voter offers to register, or vote, he may be challenged, and required to take an oath as to his qualifications. And so in our general law regulating town elections. (Battle's Revisal.)

There can be no objection to that, and puts him to no inconvenience. If sons as a class, to vote generally when- a man will swear that he has the qualican be rejected. But the act under consideration is framed upon the idea of making the ballot as difficult as possible. Indeed it makes it impracticable. It provides that "any elector may, and qualified voters thereof." But who are it shall be the duty of the registrar to, they? There is no way of determining | challenge the right of any person to register, known or suspected not to be lawfully entitled to register; and when And so the 5th section provides, that such challenge shall be made, it shall township elections shall be by the "qual- be the duty of the registrar to require fied voters thereof." And we have to such person to prove to the satlooked to the class to find out who they isfaction of the registrar the fact of his being of lawful age to vote, the fact And so Art. 7, sec. 7, provides, that no of his residence for twelve months in county, city, town, or other municipal the State, and for ninety days in the unless by a vote of a majority of the bystander may challenge the voter "qualified voters therein;" and we have | without proving anything against him, to look to the class to find who they are. and the voter is not allowed to swear to Here, counties, cities and towns are his qualifications; but he must prove their residences? It is impossible. It is a practical denial of the right to regis-

ter and vote. III. It has been already said that towns and cities are but parts and parcels of the State for the convenience of local self-government, and that the voters. and the rights of voters, are the same as mental principle in the State government is, that representation shall be apportioned to the popular vote as near as may be. Large counties and large inhabitants;" or, if long residence may districts shall have more representatives man may vote, but his vote shall count

in the representative body. The Act creates a representative legislative body-Board of nine Aldermen, for the city of Wilmington, Now, if vote would count. Or, it the city were would count. But instead of that the our lot all last week, is one of his!" can put Wilmington under the govern- third ward. That this is a plain viola- tennial.

tion of fundamental principles, the apportionment of representation, is too seems to be the general complaint, notplain for argument. That the Legisla- withstanding great improvements are ture never intended such a result, we being made within the city limits every are obliged to assume. Nor is there day. This is an evidence of prosperity anything stated in the case that can read and we can't see what more our people sonably account for it. To the sugges- want to convince them that they are tion that it was to protect property from not yet poverty-stricken. irresponsible voters, it is answered, that it is stated in the case, that the valnation of property in the third ward is about equal to the valuation in both the other wards put together. And to the suggestion that it was to separate the colored from the white vote, it is another wards put together. And to the swered, that while most of the colored voters are in the third ward, yet there are also more white voters in the third than in both the other wards together. And to the suggestion that it was to fayor the intelligent and educated and give them the control of the city government, it is answered, that by the same Legislature such a principle is expressly repudiated as existing in the present Constitution, and is expressly prohibited from being incorporated in any subsequent Constitution. The Convention "shall not require, nor propose any educational or property qualthird ward is divided by metes and ification for office or voting." And to the suggestion that it is a plan devised every voter must register in the ward by the city for its better government, it is answered, that not one voter in five

voted at the election. At any rate, without questioning the intent of the Legislature, we see that the effect of the act is to violate the fundamental principles of the Constitution. and their own cherished and declared purpose to maintain free manhood sufvote. And Perry vs. Whitaker 71 N. frage, and to eschew educational or property qualifications. And, as is said man, O. M. Roan, Esq. We are glad to in Jacobs vs. Smallwood, 63 N.C. Rep., it learn, however, that he is improving. is the effect of the act, and not the intention of the Legislature, which renders it void.

> It is usual in quo warranto to enquire first into the title of the defendant to the office; but we are precluded from that enquiry here, by the case sent us; as we are confined to the record, which is as follows:

> "Upon the foregoing facts it is submitted to the Honorable the Superior Court of New Hanever county to determine the following questions:

tiff are now entitled to the said office of Aldermon of said city. 2. If not entitled now, will they be

1. Whether the relators of the plain-

so entitled from and after the first Thursday in August, &c.?" And it is agreed that if the Court shall

be of opinion in the affirmative upon either one of said two questions, judgment shall be rendered, that the defendant be ousted from the said office, and that the relators be put in possession

> ROBERT STRANGE, GEORGE DAVIS, Attorneys for the Plaintiffs. DANIEL L. RUSSELL, EDWARD CANTWELL,

· Attorneys for Defendants. It was insisted upon the argument here, that if the title of the relators is bad the title of the defendants is bad also, and for the same reason. But it will be seen that the only point presented to us igas to the title of the relators.

There is error. Judgment reversed, and judgment here that the relators are

not entitled to the office. READE, J.

SUPERIOR COURT .- This tribunal is in session to-day, and the following cases have been before it;

State vs. Wm. O. Wolfe, assault and finger in question a handsome diabattery. Motion on affidavit to continue for want of witnesses. Motion allowed and case continued.

State vs. J. B. Bryant, betting on games of chance. Agreed verdict by This case carries 50 other cases of similar character, butter vianco otla

The grand jury came into court and returned true bill against R. & D. R. R. Co., A. S. Buford and W. H. Green. Indictment for changing gauge.

In case of State vs. Adam Williams, mentioned in yesterday's paper, the jury returned verdict guilty.

OUR LIVING AND OUR DEAD .- The July number of this magazine is before us, and is filled with the most choice reading. It is entirely devoted to North Carolina and her best interest, and is fraught with historic, scientific, artistic and literary matter, worth preserving, as well as reading, for future reference. Its editors and contributors are men and women whose graceful pens have introduced them to the true lovers of education, in whatever department of life, and it is destined to become the household property of every son and daughter of North Carolina,

PERSONAL .-- The following gentlemen are stopping at the Yarborough House; Hon, H. H. Marshall, Richmond; Hon. W. Watts.

National-Dr. Murphy and Sheriff the latest arrivals.

RATES OF ADVERTISING: One square, one insertion, - - \$ 1 00

Hard times and a scarcity of money

the said van Bokelyn and those

Who will present to us the first wa-

termelon of the season? We have been

presented and re-presented with cotton

but think the donor of such delicious

Our people are fast becoming conten-

handkerchiefs, cigars, &c. Centennial

Blackberry peddlers are now doing

thriving business. The crop seems

to be large and the demand great. This

wholesome fruit is the staff upon which

many poor persons lean during the

O. Hunter, Jr., has accepted an in-

vitation to deliver the anniversary ad-

dress before Clarendon Lodge, I. O. of

G. T., Fayetteville, N. C., on to-mor-

row, the 8th inst. We learn that he has

illness of our valued friend and towns-

ful in our market. The quality is good,

what there is of it, and there is plenty

The Scilly Isles.

The Scilly Isles, where the Schil-

of many similar catastrophes. In

of smaller vessels have been broken

to pieces and many lives lost. The

fog prevails to such an extent about

the group that it probably would

prove an advantage to have im-

mense bells rung at intervals, or to

On a street car the other day a

boy made a sudden grab among the

straw, caught something, and, he

straightened upand inquired, "who's

lost a fifty cent piece?" Seven men

held out their hands to him, and

four wanted to, but felt afraid. There

was a painful pause, and then the

boy unclasped his hand and exhib-

ited a pants button. Seven men

sank back to meditate, and the

How to make a lady stick out her

another ring of greater brilliancy.

Sucess must attend these repeated

The petition against conventual

institutions, raised in England, is

said to have borne 117,000 signatures.

and to measure three quarters of a

was towed down the Missouri river

the other day. It was fourteen

strings wide, sixteen cribs long,

and twenty inches deep, containing

adopted the singular device of

the public libraries to create a de-

The army worm in Alexandria, Ill., is destroying crops at a fearful

rate. One farm of 150 acres of corn

was destroyed in a few hours, al-

A GENTS WANTED! DIPLOMA AWARDED for Holman's new

PICTORIAL BIBLES

A. J. Holman & Co., 550 Arch street, Philadelphia.

though forty men fought them.

over one million feet.

mand among readers.

efforts, di carde li compari

others induged in winks.

islands during severe weather.

summer: the secretor and and

one thing and another.

taken his departure.

of it, such as it is.

fruit a "beace-maker."

One square, two insertions, . . 1 50 One square, one week, - - 3 00 Quarter column, six weeks, - - 10 00 Half column, six weeks, 17 50 Special Notices 10 cents per line. Lo-cal Notices, inserted in regular local columns, la cents per line.

NEW ADVERTISEMENTS

TOTICE OF ELECTION By virtue of an ordinance of the Board of Aldermen passed June 14th, there will be an election held on

JULY 15th, 1875.

to determine whether the Board of Aldermen shall have authority to issue

One Hundred Thousand Dollars of the city bonds. Those approving the said issue of bonds shall vote "Approved"; and those opposing, "Not Approved." The said bonds will not be sold or in any manner used to increase the city debt, but shall be used to fund the present indebtedness of the city. The polls will be opened at the polling places used in the late election.

The books of registration for all the wards will be found at the Mayor's ofnialized. The merchants of our city fice, and those not already registered have already on hand a large quantity can have an opportunity of registering. By order of of centennial goods, such as neckties,

THE BOARD OF ALBERMEN. Atte or han struct) (time ) lel

## ORDINANCE.

Be it ordained, That the question of issuing \$100,000 in bonds of the city of Raleigh, payable, one-half in twenty years and one-half in thirty years, bearing interest at the rate of six per cent. per annum, payable semi-annually, be submitted to a vote of the qualified electors of the city on the 15th of July next. Those approving the said issue of bonds shall deposit a ballot with the word "approved," and those opposing, a ballot with the words "not approved."

Be it further ordained, That the said bonds shall be of the denominations of

one hundred, five hundred and one thousand dollars, with coupons which shall be receivable in payment of taxes We regret to announce the continued and debts due to the city, they shall be signed by the Mayor and Clerk, and countersigned by the Treasurer and Auditor, and when perfected shall be deposited with the Treasurer. They shall not be sold or in any manner used to increase the debt of the city, but shall Green corn is becoming quite plentiful in our market. The quality is good,
what there is of it, and there is plenty
of it, such as it is.

be issued to the holders of such of the
past due bonds, coupons and city orders or scrip, as shall be approved by
the Board of Aldermen and the Auditor,
in lieu of the same; and the said bonds,
coupons and scrip shall be delivered to the Treasurer for cancellation.

Be it further ordained, That to carry into effect the provisions of this ordinance the polls be opened at the polling places used in the late municipal elec-tion, on the said 15th day of July, 1875, under the same restrictions as were ler was wrecked, has been the scene applicable to the late election for Alder-men; provided, that all returns of the result of the said election shall be made the year 1707 the British squadron under the gallant Sir Cloudesly Shovel, ran upon the rocks in a to the Mayor and Board of Aldermen, and that the Chief of Police shall prestorm, and the admiral and four serve order at the polls.

Be it further ordained, That George large frigates were lost. The Schil-

ler sank upon the same reefs. The Dublin steamer Thames was also wrecked on these islands, and scores Registrar to revise said Books and to receive the names of all persons entitled to registration in the city, not appear-

Be it further ordained, That notice of the election be published in one or more of the city papers and that notice be also given by posters; and that the Board of Aldermen publish an address to the electors of the city giving their keep up a fierce cannonading on the reasons for asking an approval of the issue of bonds.

> TLEAR THE TRACK! OPEN THE WAY! And let the rush continue on its way to J. M. ROSENBAUM'S

At Kline's Old Corner, Fayetteville and Hargett Streets, where it is a wellknown fact that there is to be found the largest stock of DRY GOODS,

PRINTS, DOMESTIC PLAIDS, BROWN AND BLEACHED DOMESTICS, HATS AND CAPS, MILLIN ERY GOODS, NO-TIONS, FAN-

CY GOODS, &c., &c., in the City.
We are daily receiving large additions
to the General Stock, which is always
kept fresh and complete in every branch
and department of the store. little finger. The best way of securing this effect is to put on the READY-MADE CLOTHING mond ring. The mere desire to dis-

play the diamond to the best advanis the specialty of my trade, and I am now prepared to offer every grade of Clothing at the very bottom prices. Call and see for yourselves. tage is sure to make the lady stick out her little finger in the most charming manner possible. When CROCKERY DEPARTMENT. the effect begins to fail, substitute

I have the only exclusive Crockery Store in the city, connected with and adjoining the main establishment. I offer every species of Crockery at wholesale, to the country trade, at Northern prices, as I buy direct in large quantities from first hands. Raleigh, October 1, 1874.

THE TIMES.—A FIRST-CLASS newspaper. Daily and weekly. Independent in everything! Neutral in mile in length. Forty thousand signatures were obtained in London alone.

The largest lumber reft on record. The largest lumber raft on record McClure, printed compactly from clear, new type, on a large folio sheet, containing all the news of the day, including the Associated Press Telegrams, Special Telegrams and Correspondence from all points of interest, and fearless editorial discussions of all current top-

An English publishing firm has dopted the singular device of thirty cents per line, according to postgiving copies of its new books to fion.

The Weekly Times, Will be issued on Saturday, March 20th, and weekly thereafter, containing all important news of the week, and complete market and financial reports.

Mailed, for one year, postage free, at the following rates:

Ten copies, such field all gold 9.00 Twenty copies,
Advertisements twenty-five cents per

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March 24th, 1875.
10—tf 1300 illustrations. Address for circulars