

New matter on every page.

Eligibility to Seats in the Convention.

Let it be borne in mind, that every man in North Carolina, who is entitled to vote, is eligible to a seat in the Convention. The fact that a man is an office holder does not disqualify him from being a candidate.

Remember, remember that this Convention is composed of LAWYERS who control the power which elects the members. As a general thing they get one-half of what they collect.

Are you a Farmer, Mechanic, or Laboring man? If you are, remember that the Legislature exempted only TWENTY-FIVE DOLLARS of YOUR property from taxation, and taxed your tools and implements, while it exempted FIFTEEN HUNDRED DOLLARS for the rich man.

When asked why such a discrimination should be made against the poor man in favor of the rich, Jas. T. Morehead, Senator from Guilford, said, that Twenty-five dollars exemption WAS ENOUGH FOR the "SCRUBS" and that he could prove it in three minutes.

The Democrats try to dodge the question of Convention or No Convention, by resorting to blackguardism, stale jokes and side issues. The them down to the question before the people—Convention or No Convention. Don't let them dodge.

REMEMBER THAT THE REPUBLICANS ARE PLEDGED TO IMMEDIATE adjournment—which means NO Convention. Judge Buxton, one of the purest and ablest men in North Carolina, says:

"I am no partisan candidate and am the nominee of no party Convention. Upon my honor as a gentleman and a Christian, the present Constitution is the best we have ever had, and if elected to the Convention, I will return it to the people untouched."

KEEP IT before the PEOPLE, THAT IF REPUBLICANS HAVE A MAJORITY IN THE CONVENTION THE BODY WILL IMMEDIATELY ADJOURN. EVERY VOTE FOR A REPUBLICAN DELEGATE, THEREFORE, IS A VOTE FOR NO CONVENTION.

KEEP IT before the PEOPLE, THAT THE DEMOCRATS HAVE TAXED THE POOR MAN ON EVERYTHING HE OWNS OVER THE VALUE OF TWENTY-FIVE DOLLARS, and EXEMPTED THE RICH MAN'S PROPERTY TO THE EXTENT OF FIFTEEN HUNDRED DOLLARS.

Let the people remember, that if Democrats have a majority in the Convention they will change the present mode of voting by ballot to that of voting viva voce, which means that every man's name will be registered in a book, and at the time he goes to vote, his name will be called out and he will be required to say in a tone loud enough to be heard by those standing around, which candidate or candidates he votes for. The object of this is to intimidate white and colored Republicans and prevent them from voting for men of their choice, or if they vote the Republican ticket, their employers will use it as an excuse to turn them out of employment.

Important!

CHAIRMEN OF COUNTY EXECUTIVE COMMITTEES SHOULD LOOK CLOSELY TO THE TOWNSHIP ORGANIZATIONS. HAVE WORKING MEN APPOINTED TO SUPERINTEND REGISTRATION AND WATCH THE FOLLS ON ELECTION DAY, WHERE BALLOTS ARE REJECTED, THE NAMES OF THE POLL-HOLDERS AND THE PROPERLY VOTED SHOULD BE CAREFULLY WRITTEN DOWN WITH THE CAUSE OF SUCH REJECTION. BEAR IN MIND THAT THE SUPREME COURT DECIDED IN THE CASE OF VAN BOKELLEN AGAINST CANADA, THAT WHERE A VOTER CAN SWEAR IN HIS VOTE, THE BALLOT MUST BE RECEIVED WITHOUT ANY OTHER EVIDENCE.

W. M. Robbins, the man who carried before the Legislature of North Carolina in 1868, for taking a bribe of twenty dollars and pleading guilty to the charge, but was let off from prison, is now stamping the State, trying to deprive poor men of the homes that shelter their wives and children. And yet the Democrats say they have all the wealth, intelligence and honesty.

On the 5th day of August next the good people of North Carolina will be called upon to vote at an election second in importance to none that has preceded it since the late civil war. Not-headed aristocrats, hungry lawyers and pot-house politicians have forced the call of a Convention upon the voters of the State without their consent and against what is believed to be their wish. For whose benefit has this call upon the citizens of our State to leave their farms and workshops and engage in the turmoil of a political campaign been made? Let the common people in each neighborhood consult together, and we venture the assertion it will be found that few, if any, feel aggrieved by any section of our Constitution to such an extent as to make them willing to risk incurring the great expense attendant upon a Convention called upon such flimsy pretenses as are set forth by the Democratic party.

There are only a few classes of men who are dissatisfied with the present Constitution. They are to be found mostly among the lawyers, disappointed office-seekers, and a few of the grumbling gentry who are living on their family connections, and who, like Wilkins Micawber, are always "waiting for something to turn up." Freemen of North Carolina! beware of these croakers and chronic grumblers. Pursue the even tenor of your way and leave such creatures to fret over their ill-spent lives. You have something better, nobler, to do, while they will soon pass from the stage of inactivity "unwept, unhonored and unsung."

Go then, fellow-citizens, to the polls and cast your votes against these malcontents who would urge you on to renewed strife, and who, for the purpose of again opening up some avenue to their own personal aggrandizement, would tear down the pillars of our present glorious and free Constitution. We warn the people that if Democracy shall control in the coming Convention their dearest interests and most cherished rights will be at the mercy of the men who now hang around as laggards and do nothing for the public good. Such creatures will prey upon the substance of the people and drag them finally to destruction. Voters of North Carolina, sustain the men who are the friends of the working thousands, rather than pander to the prejudices of a depraved and rotten aristocracy. Do this and the howlings of the revolutionists will cease, quiet will resume its sway and the good people of the old North State can again rest in security beneath their own vines and fig trees with none to molest or make them afraid.

Heed this, Western Men.

At a meeting of the Republican members of the Legislature, held in the Senate Chamber at Raleigh on the 12th day of February, 1874, the following resolutions were passed:

That it is to the best interest of the people of North Carolina, that her great works of internal improvement shall be pushed vigorously to completion, and to that end every available resource shall be applied.

That the truest economy dictates that the vast mineral and agricultural wealth of our trans-montane counties should be unlocked and poured into the markets of the world, by the speedy construction of both branches of the Western North Carolina railroad, both to Ducktown and Paint Rock, and the Republicans east of the mountains pledge themselves to co-operate with the people of the west in any and all plans which will accomplish this end.

Are you prepared, Western men, to abandon the party that thus looks to your interest? Let no miserable demagogue deter you from your plain duty in this your hour of trial. Vote only for such men as will defeat the sitting of a Convention, and save the half million of dollars which might go towards beautifying and improving your section.

Letters from the People.

A correspondent from Davidson says: "The canvass in old Davidson is progressing finely. No doubts of our success. The Democrats attempt to pervert the minds of the people by singing their old hobby of civil rights, but our candidates pin them to the issue and make the canvass upon Convention or No Convention."

A friend writes from Wilkes: "I have never seen such enthusiasm among the Republicans in Wilkes."

Another says: "We will carry Wilkes by a least four hundred majority."

The Democratic estimate of the cost of the Convention is an instance in which figures do lie.

A Mistake. No man is more ignorant than our party managers to make mistakes. The greatest, however, committed thus far in this canvass is well as the most amusing, was that of the Wake Conservatives when they obtained the aid and services of T. F. Lee to divide and disorganize the Republican party. He may possibly get 108 votes, which we are informed by those acquainted with the matter, is a liberal allowance, and out of that 108 at least 67 will be of the Conservative persuasion.

W. T. Dortch, the Democratic candidate for the Convention from Wayne county, voted in the Legislature of 1852 for the indefinite postponement of a Homestead bill, and when he failed to kill it in that way, he voted to lay on the table. When that failed to kill it, he then voted against the passage of the bill, which was defeated. Yeas 49; nays 50. See pages 443, 444, 445, 446, session 1852-3.

Cheering.

Our news from various portions of the State, North, South, East and West, is positively refreshing, even in this warm weather. And our friends may rely that on Thursday week the revolutionists will receive such a lesson at the hands of an indignant people that the bare mention of the Constitution will make them politically sick for years to come.

A. S. Merrimon, who so obsequiously begged for Republican votes to place him in the United States Senate, is stumping the State for the Convention cause, knowing, as he must, that such a course is aiding to oppress the people who honored him. What, is this but base ingratitude?

Every vote for Republican delegates is a vote for NO CONVENTION, and a vote for No Convention is a vote to save the people at least five hundred thousand dollars, and to preserve the present Constitution which has bestowed so many blessings upon all classes of our people.

The Convention of 1861 met May 20, 1861, and adjourned May 13, 1862, having remained in existence nearly one year. If you would avoid expense, vote for the adjournment candidates.

In the Legislature of 1854-'55, W. T. Dortch, the Democratic candidate for Convention from Wayne county, voted against a bill for laborers' and mechanics' lien law. Journals, page 221.

Wayne County.

We learn from gentlemen just from Wayne, that Faircloth and Grantham will certainly be elected, and that too by large majorities.

D. D. Ferebee, the Democratic candidate in Camden, voted in the Convention of 1865 against repealing the Ordinance of Secession of May 20, 1861. Don't trust him again.

In the Legislature of 1854-'55, W. T. Dortch, the Democratic candidate for the Convention from Wayne county, voted against a bill abolishing imprisonment for debt.

CORRESPONDENCE.

Edgecombe County. MR. EDITOR:—Somewhat to our surprise and much to our gratification, Gen. Willie D. Jones and Quent. Busbee, Esq., put in their appearance here on yesterday, prepared and anxious to meet any of the Democratic speakers who might be present.

There being also a meeting at Joyner's, some six miles west of here in Nash county, Gen. Jones was persuaded to go there. He did so, and very effectually used up Col. Saml. Williams, before a large crowd of Nash county voters. Our prospects in Nash are encouraging, and with a little more work we shall elect our ticket.

Mr. Busbee spoke here, addressing his arguments chiefly to the Democrats present. He was listened to attentively, and I think his remarks had a good effect. He was followed by McCabe, Mabson, Bunn, and Taylor, so there has been speaking going on here all day. The best spirit prevails in our ranks, while there is no enthusiasm in the Democratic fold.

We will preserve the Constitution. ROCKY MOUNT, July 24, 1874.

Go to see your neighbor, and tell him that the Convention is called already and the question now is whether or not he intends to stay away from the polls and let the Democrats elect a majority of delegates and take away your homestead. Glorious news from over the mountains. The Democratic opponents are catching on, and ever and anon over these office-seekers are followed up by Republican speakers they fly the track.

Opinions of Prominent Democrats on the Convention.

Read and Observe.

In response to calls we lay before our readers the following letter from Judge Fowle on the Convention question:

RALEIGH, Oct. 26, 1874. Maj. John W. Dunham:

Sir:—In reply to your letter asking my opinion in regard to the calling of a Convention by the next General Assembly for the purpose of amending the Constitution of North Carolina, I have to say:

That in my opinion a call of a Convention for the purpose indicated would be unwise, unproductive and unprofitable to the interests of the State.

The defect of the Conservative party in North Carolina in 1874 would be a public enemy. The Legislature would, in my opinion, be injured by the proposed action.

A very cursory examination of the Constitution and history of North Carolina will satisfy the enquirer, that of the two methods provided for amending the Constitution, the legislative and conventional, the intention was, that for ordinary times, and for the correction of ordinary evils, it was thought wise by our fathers that the legislative mode should be adopted, and that the mode of amendment by the Convention was only to be resorted to when the exigency of the occasion was extreme, and was a substitute in a democratic and republican form of government for revolution, and was not to be exercised unless the emergency was great.

We find accordingly that after the adoption of the Constitution of 1776, there was no Convention of the people of North Carolina until the year of 1835, except the conventions of 1788 and 1789 which were called for the purpose of ratifying the Federal Constitution, and that since that time there has been no Convention of the people for the purpose of amending the Constitution, and has actually done so until the year 1868.

The Convention which was called in 1861, was for the purpose of taking North Carolina out of the Union, and the Convention of 1865, for the purpose of Presidential Proclamation, and its conclusions being repudiated by the people, are not to be considered in this connection.

The policy of the State then being well settled not to call a Convention of the people, except upon extraordinary occasions, and in the most dire political condition of the State that will justify such an action at this time?

A very earnest and able advocate of the Convention movement, in reply to an interrogatory from me as to the necessity for a Convention, stated that he desired a convention in order that the Constitution should be amended in three particulars:

- 1. Requiring the Judges of the Superior Court to rotate.
2. Disqualifying a person who has been convicted of an infamous crime from voting.
3. Requiring the poll tax to be paid as a qualification of a voter.

In regard to the first and second of these amendments, after considerable inquiry I am satisfied that they will meet with but very little opposition from either of the great political parties. I have, at least twice, in the political condition of the State that will justify such an action at this time?

As to the third proposed amendment, it is believed by many persons that its effect would be to diminish the Republican vote in the State several thousand votes, thereby insuring a Conservative triumph.

The proposed amendment itself is in my opinion a very good one, because the increased taxation that would be thus derived would greatly benefit the common schools of the State. But I do not believe that the vote will be rationally diminished by its adoption, because in every well contested election, the funds will be provided to pay the poll-tax for such voters as cannot pay for themselves, and I will show before I get through that our elections in 1874 will necessarily be well contested by both of the great political parties.

But even if I should be mistaken in this, the success of our party in 1874 is not a good reason for deviating from the course of action in regard to constitutional amendments, which has been sanctioned by the wisdom of our forefathers, because it would be establishing a precedent for tampering with the Constitution whenever the exigency of a party required it, and Conventions in North Carolina, would become as frequent as revolutions in Mexico.

In a very able letter, signed by W. A. Wright and others, dated Oct. 22, 1874, the following expression is used:

"Suffice it to say then, that in almost every one of the many instances where the old Constitution of our fathers the distance has been productive of unimpaired and unimpaired, as we ought to contemplate any change in regard to the 'Homestead' Exemption, save such as will enlarge and render more secure that wise and beneficent provision. We deem it proper to say that the existing law, as it contemplates, as no one ought to contemplate any change in the Constitution tending to impair the rights of the colored people."

To this broad assertion we respectfully enter our dissent. There are several changes in the organic law, made by the Convention of 1868, other than the exceptions made by these gentlemen, which, in my opinion, the people of North Carolina will not willingly yield—as for instance: The election of the Judges by the people. The abolition of the County Courts and the election of County Commissioners by the people.

There may be a considerable portion of our people, particularly in the Eastern section of the State, who would be glad to see the power taken from the Eastern Negroes to elect Judges and County Commissioners. So far as the election of Judges is concerned, the remedy is easy by electing Judges on a general ticket, but so far as County Commissioners are concerned, I do not believe that the white people in the West are willing to delegate to the Legislature their right to elect magistrates, who shall elect County Commissioners, and that people generally are well satisfied with the present mode of electing and expending old County Courts.

In 1870, the people of North Carolina voted the Conservative ticket. Not a word was said about Convention during the canvass. The Legislature was Conservative by nearly two-thirds majority. Taking advantage of its majority, notwithstanding the warnings of many of our best leaders, it called a Convention to the people. It was defeated by more than 9,000 majority. But more than this, of the delegates elected, a majority, I have been informed by a well posted friend, were Republicans.

The people were angry with our party and shared in many localities that could not have carried the election in 1870 for that purpose had been avowed. It was regarded by many of them as a fraud upon the people. Many members of the Legislature of 1870, who voted for that bill, would never have been elected if their constituents had been aware that they would have done so.

In 1872, it insured the defeat of Judge Merrimon for Governor, and worse than this, the failure to carry North Carolina paralyzed the opposition to Grant, and his re-election was due more to the result in North Carolina in August, 1872, than to any other cause.

In 1874, there will be another great contest for the Presidency. Pennsylvania, by the change of its State election from October to November, is no longer the Keystone State. North Carolina has the doubtful honor of being the Keystone State in that respect. Every effort will be made by both parties to carry the State.

Require the poll tax to be paid in advance and it will be paid by many from beyond the limits of the State. Every voter that can be induced to go to the polls will be carried there. And if North Carolina falls, we will have four years more of Republican rule at Washington.

The advocates of the Convention insist that although it may be inexpedient as a party measure, it is right in itself. If inexpedient, it is because it is unpopular, unpopular, but greatly injure our party. Besides, there is no moral question of right or wrong involved, and if inexpedient, it is politically wrong.

My deliberate judgment is, that if this Convention scheme is passed, that the Republicans who voted with us in August last will return to the Republican party, and many Conservatives will, I fear, accompany them. Political daring is sometimes the best policy, but to renew an experiment which has already proved so disastrous, would be suicidal.

DANIEL G. FOWLE.

In a letter of date Nov. 4th, 1874, Hon. A. W. Venable in a letter to the Oxford Leader, says:

It is with deep concern that I observe the agitation of the Convention question in our State. There is, however, one wise provision in our present Constitution—the mode in which it can be amended—although in practice somewhat tedious, yet in either fixing or altering the fundamental law of a State great and patient deliberation should be required.

The present Legislature will have in it a sufficient majority to submit to the people all the amendments that are necessary to restore our State government to its former simplicity and efficiency, and thus we may get a double expression of the wishes of the people: first from their representatives and then from the people themselves.

The great question is: is now the proper time to raise new issues? This is more obvious when we reflect that a majority already elected to the Legislature have the power to submit to the people all the amendments which are necessary. The various amendments can be fully discussed in our legislative halls, the people will become familiar with them in all their bearings, and thus be prepared to give an intelligent vote upon each one.

The agitation will be confined to the Legislature, and their work submitted to the people, who, if they approve, will adopt; if they disapprove, will reject. It is also most desirable to avoid the expense attending a Convention. The people of North Carolina, worn down by taxation, poor and impoverished, can bear but few more burdens.

Besides all this we need peace and repose. History but repeats itself. No free people can prosper who are frequently altering their fundamental law. It renders everything uncertain, and in the end is ruinous. I knew North Carolina before the first Convention, a body of distinguished men presided over by Nathaniel Macon, and composed of men remarkable for both their sagacity and integrity, and the wisest of them informed me that the most that they had effected was to prevent great damage to the Constitution.

I voted against that Convention, and I look back with astonishment at the practical perfection of that Constitution thus subjected to amendments.

Mr. Macon told me that the old Constitution of North Carolina was the best that wit of man had ever devised. That Constitution had no provision for amendment, and aspiring politicians agitated the question until in an evil hour the people called a Convention. The result of this has been a painful history, illustrated by every Constitutional Convention called since, the present Constitution being the worst of them all.

Upon whatever subject the people think often and think long they ultimately think right. The fundamental law of no State should be tampered with hastily. Let us quietly reconstruct, and patiently consider the evils under which we suffer, and from time to time remove those evils in a manner which the Constitution dictates, and my hopes for the future will be greatly brightened.

These are the opinions of an old man, who has not been an inattentive observer of current events, and who, feeling a profound interest in the welfare of his State, takes the liberty of making these suggestions to his fellow-citizens.

On the 11th of November, 1874, Hon. Jesse J. Yeates, of Hertford, addressed a letter to Major J. W. Dunham on the Convention ques-

tion, from which we make the following extracts:

However so well distinguished gentlemen may write in favor of a call of a Convention, the people are unmistakably opposed to it. During the past summer, when our opponents were shaming upon us a course to get possession of the Legislature and call a Convention, I heard several of these new elected members of the Legislature pledge the people, on the stump that they would not support such a measure, and since the election I have heard them declare the same publicly and privately. They patterned and will not violate them. Nor will it do our party in the Legislature to undertake to caucus the question into success. It is not a party question, and was not so made when the candidates were before the people for election. The wishes and sentiments of the people at home must not be sacrificed to a party interest.

But I am opposed to a call of a Convention at this time for other important reasons. The advocates of a Convention assert that it would be promotive of the best interests of the State. This I do not believe. The people were opposed to a call of the Convention three years ago, and the result was in grave doubt and hesitating long, but finally gave way to certain persistent influences and passed the bill. The people voted it down by a majority of thousands, and if I am correctly advised, elected a majority of Republicans to the Convention.

There are good reasons why the people will not sanction a call of a Convention at this time. It has been but three years since they said to the Legislature in emphatic language, that they did not now desire a Convention. And does the Legislature propose to call it against the people's will? That would be a contempt for the voice of the people and not Democracy. At this time they are tired of revolution and strife; they want peace. They feel that they have been all the time losing; they are poor and tired of excitement, and are seeking rest. For these reasons, the present time is not suited to a Convention. The violence of party spirit is too great.

I am opposed to a call of a Convention without the people being previously consulted, and I now enter my protest to placing the great people's party in the attitude of forcing a Convention over the will of the people because we happen to have a two-thirds majority in the Legislature. It is a manifestation of contempt for the people. The people have not been consulted about this question since they spoke in thunder tones against it. It is incompatible with the spirit and genius of a free people and a liberty-giving Constitution, that the Legislature, because two-thirds may agree, shall be at liberty to overturn and revolutionize the government. Two-thirds have the right to call a Convention, but the spirit of our freedom would say not until the people had suggested it.

The following are extracts from a letter from Hon. Jos. J. Davis, dated Nov. 6th, 1874, addressed to Major John W. Dunham:

I regret that I cannot confer with those of our friends who think that the Legislature, soon to assemble, ought to call a Convention to revise and amend that instrument. The last expression of the public will upon the subject was in 1871, when the question was submitted to a direct vote of the people, and when it was voted down by a large majority, although we had had the preceding election in 1870, a victory almost equal to that of the present year. I know that it is said, and truly said, that many men voted against the Convention in 1871, because they did not approve the mode in which the question was submitted, but it will be remembered that at the same election at which the Convention was voted down there was an election for delegates to the Convention, in the event it should be called, and if I am correctly informed, we failed to elect a majority of Democrats and Conservatives, though we had, the year before, carried both branches of the Legislature by decided majorities.

We know the fact that the Republican party leaders in North Carolina control, with a few exceptions, the solid negro vote. I only state a fact—there is no division in that vote on any question. No question of reform, or of restoring the government, or of distribution of power between the different branches of government, or of elections of criminal laws, or of the restoration of the county courts, none of these questions divide them.

I have heard of no Republican who has not voted in favor of a Convention, and he is in a minority, avows himself in favor of it with the hope that it will annul the homestead provision.

"God forbid that we should be guilty of such folly as to call a Convention now. When the opportune hour arrives we will go as far as the farthest for reform."

That hour has not arrived. "I have written these my views at the request of my honest, hard working fellow-citizens, numbers of whom did me the honor to ask me to do so, being one of the people myself; never having asked for, or received an office. I am free to express what I believe to be a reflex of the sentiments of ninety-nine hundredths of the farmers, mechanics and artisans in North Carolina."

November 17, 1874.

AN ACT

To Enforce the Provisions of the Fourteenth Amendment to the Constitution of the United States, and for other Purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who, under the color of any law, statute, ordinance, regulation, custom or usage of any State, or cause to be subjected, any person within the jurisdiction of the United States to the deprivation of any rights, privileges or immunities secured by the Constitution of the United States, shall, any such law, statute, ordinance, regulation, custom or usage of the State to the contrary notwithstanding, be liable to the party injured in any action at law, suit in equity, or other proper proceeding for redress; such proceeding to be prosecuted in the several district or circuit courts of the United States, and subject to the same rights of appeal, review and error, as other remedies provided in like cases in such courts, under the provisions of the act of the ninth of April, eighteen hundred and sixty-six, entitled "An act to protect all persons in the United States in their civil rights, and to furnish the means of their vindication, and for other purposes," in the United States, which are in their nature applicable in such cases.