

THE DAILY CONSTITUTION.

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The Daily Constitution.

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Turtle Soup from 11 A. M. to 2 P. M., to-morrow, at Boshers.

The Democratic party can give no reasonable excuse for a decrease of the Supreme Court. Their action in this respect is liable to only one construction, and that is, a determination to strike down the present Court only because it has proven itself a friend of the people. No matter what other excuse may be rendered, the people will construe it thus. How stands the case? The Homestead clause of the present Constitution was of doubtful construction. It was not generally conceded, that under it, the people of the State were entitled to its benefit so far as debts contracted prior to its enactment were concerned.

The matter was presented to the present Court for adjudication, and the result was a decision in favor of the people. This action has endeared it to the citizens of North Carolina, and any proposition looking to its overthrow will be viewed as against them. The plea of economy will not do in this case. If retrenchment were the aim of the Democratic party, it could better have been accomplished by a speedy adjournment of the Convention, which would have saved to the people of the State much more than the salaries of the Judges for years to come. There can be but one interpretation to this curtailing of the People's Court, and that is a determination on the part of the Democracy to open the question of the retrospective operation of the Homestead clause.

If the voters of the State desire to preserve in its full force the liberal construction of the law upon this matter, as rendered by the present Court, they cannot do better than to denounce the proposed change in the most unmistakable terms.

Let meetings be held in every county, and let those who propose to lay the people's homes liable to execution for old debts, be denounced in the severest terms. This course cannot be pursued too quick. Let action be taken at once, and let the usurpers feel that they cannot brave the wrath of a free people with impunity.

Now that the chances are slim for another session of the Legislature, we may expect to hear of more wrangling between "Ishmaelite Jo" and his party. The recall of the late Legislature was a favorite measure with Jo. The fact is, that the question has narrowed down to this: Shall the *Sentinel* live? and it can only be answered favorably to Jo by another session and a few more "ems."

"When the Robins homeward fly" it is expected that he will address his constituency, explaining his recent arrest in this city.

The Robeson outlaws, Sinclair and McEachin, continue to vote upon propositions relating to the legality of their seats. Infamous to mix a word to characterize their conduct.

The Schoolmaster Abroad.

Our attention has been called to the resolutions of respect to the memory of Gov. Graham, passed by the Convention. They were introduced by Jo Turner. They are to be printed among the ordinances and resolutions adopted by the Convention. They will be read by those who may come after us. They will be among the papers of State filed away as a part of the history of North Carolina. As a specimen of composition they are ridiculous and absurd. But for the gravity of the subject, we would be disposed to characterize the manner in which they are drawn up, with a spirit of levity. A twelve year old boy of a piney-woods free school, whose only chance to go to school was after the "laying by" of a crop, would have done better. The first resolution reads as follows:

"Resolved That this Convention has learned with deep sensibility the announcement of the death of Hon William A Graham, a delegate from the county of Orange, and we deplore his death as a heavy and irreparable public misfortune; that as a mark of respect, unanimously entertained by this Convention, for the memory of the deceased and for his long valuable and distinguished services in the public councils of the State and nation, that the members and officers of this Convention, from a sincere desire of showing every mark of respect for the memory of the deceased, do go into mourning for him for one month."

These resolutions were evidently passed with haste, and without the consideration they deserve, so far as etymology and syntax is concerned. We hope the "Committee on Revision" may be allowed to render them readable and correct.

Perhaps "Little Davy" in departing from the plebian course which he marked out for himself nearly twenty-five years ago, thinks to so enlist the feelings of the aristocracy in his behalf as to obtain a seat in the United States Senate. It won't do, "Little Davy." The autocrats will never forgive you to that extent. You must remember that Vance, Ransom and other men with Young American ideas, to say nothing of first families, will be apt to monopolize such high honors. We think it would have been much better for "Little Davy" to have stood by his first love. He had the people's confidence and it was a bad trade to forfeit it for such flimsy chances as a seat in the Senate. It won't work.

Ransom is displeased. It is said that things don't work to suit him. Since the election of Patterson from Orange no new bids have been made. Ransom does not receive that deference which his defection demanded. We really think that he has made a bad bargain. It strikes us that he should have secured his emoluments in advance. This thing of trusting the Democratic party is a bad business.

In the debate on the Robeson matter, in the Convention on yesterday, the Democrats objected to the "appeal to their consciences," made by Judge Buxton. Shakespeare says—"conscience maketh cowards of us all,"—and their action on the question was cowardly enough, without an appeal to conscience.

It is said, but we cannot vouch for its authority, that the "reduced majority delegate" from Orange county carries concealed weapons about his person. It may be so, as his appearance would indicate that he is always on the verge of a precipice.

The "Big Injun" in the chair, has less polite-democratic attention paid him than before Patterson was admitted. They'll "shake him" yet.

For the Daily Constitution.

RALEIGH, Sept. 29th, 1875.

MR. EDITOR:—If anything more was necessary to show the desperate and unscrupulous character of Sinclair and McEachin, it will be only necessary to call the attention of the public to the VII. section of their answers to my notice, of contest.

The VII. section reads:

"And for a further answer respondent says, that at Burnt Swamp precinct there were cast thirty and more ballots more than there were names of electors borne upon the registration books of said precinct, and respondent insists and avers that the election held at that precinct was illegal, null and void."

Now that is an assertion made upon their honor and one would suppose that they would, at least, show some disposition to tell the truth, where they could be so easily verified.

Here is the certificate of the Register of Deeds, a Democrat of the strictest sort:

NORTH CAROLINA, ROBESON COUNTY, REGISTER'S OFFICE, August 25th, 1875.

I, S. E. Ward, Register of Deeds of said county, hereby certify that the Registrar's Books for Burnt Swamp Township, in said county, show that there are in said township three hundred and sixty-three duly registered voters. Of this number, twenty-three are marked as having left, and one dead.

In testimony whereof I have set my hand and seal, the day and date above.

{ Robeson county. } S. E. WARD, Register. { North Carolina. }

Now, that shows that there are fifty more duly registered voters in Burnt Swamp precinct, for the whole number of votes cast at that precinct was two hundred and ninety-one.

How is that for high?

PARLIAMENTARY ENQUIRY.

The Committee on Privileges and Elections acknowledge that according to the returns as certified to the Commissioners, Norment and McNeill received a majority of the votes cast. But contend that if they can have time they will be able to show enough of illegal votes cast for Norment and McNeill to elect Sinclair and McEachin. Now by what law or right do they retain those seats and vote until that is shown?

R. M. NORMENT.

STATE CONSTITUTIONAL CONVENTION.

TWENTY-FIRST DAY.

WEDNESDAY, Sept. 29, 1875.

Convention met at 10, A. M., Mr. President Ransom in the chair.

Prayer by Rev. Mr. Hassell, of the Convention.

The Journal of yesterday was read and approved.

Several delegates who were absent on Monday obtained permission to record their votes in the affirmative on the School Ordinance.

REPORT OF COMMITTEE.

Mr. Coleman, from the Committee on Punishments, Penal Institutions, &c., reported.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS.

By Mr. Bingham, Dem., ordinance to amend art 4, sec 17, of the Constitution.

By the same, ordinance to amend art 4, sec 35.

Mr. Bell, Rep., rose to a question of personal privilege in relation to an article in yesterday's issue of the *Daily News* respecting his vote on the school question. He said he promised his people to favor nothing looking to an alteration of the Constitution. And his vote in this connection was only keeping that pledge.

By Mr. Green, Dem., ordinance authorizing President of the Convention to designate the newspapers in which the proposed amendments are to be published. Relieves the Governor and Secretary of State of this duty.

By Mr. Durham, Dem., resolution for printing ordinances for use of members. Under a suspension of rules, passed.

By Mr. Wilcox, Rep., ordinance to strike out the amendment to the Constitution making sessions of General Assembly biennial and requiring it to meet once in four years.

Mr. Turner, Dem., moved that the rules be suspended and the ordinance to repudiate the special tax bonds made special order for 1 o'clock. The rules were not suspended.

SECOND READING.

Ordinance affecting sec. 10, art. 3. Amend so as to authorize Governor to nominate and the Senate to confirm all officers established by this Convention whose appointment is not otherwise provided for. Passed second reading.

Substitute of Committee for ordinance to abolish the office of Lieutenant Governor and reduce terms of executive officers to two years instead of four.

The substitute was received and a minority report was submitted.

On motion of Mr. Buxton, Rep., the report was considered by section.

Mr. Tourgee, Rep., offered an amendment, to strike out that part abolishing the office of Lieutenant Governor.

Discussion followed—participated in by Messrs. Tourgee, Reid, Badger and Bowman.

Mr. Bowman, Rep., was opposed to abridging the right of the people to elect their officers.

Mr. Tourgee, Rep., showed plainly that the change would save nothing to the State; besides, the people having become used to electing their officers would not tamely submit to this abridgement of the right to elect.

Mr. King, of Lenoir, Rep., said it conflicted somewhat with his notions of free suffrage, as set forth some twenty-five years since by the delegate from Rockingham, (Mr. Reid.)

Mr. Buxton, Rep., said he had the honor in 1865, of introducing the first ordinance looking to the establishment of this office. The Lieutenant Governor was selected from the people for his qualities. He regretted to see a disposition on the part of the majority to retrograde.

The amendment was adopted—ayes 57, noes 56. Mr. Cooper, Dem., voted aye; the noes were all Democrats.

An amendment offered by Mr. Reid, Dem., providing that the terms of executive officers shall commence on the first day of January, was adopted.

On motion of Mr. Cooper, Dem., the vote by which the amendment of Mr. Tourgee was adopted was reconsidered. Ayes 58, noes 55—all Democrats voting aye.

On motion of Mr. Vaughan, the whole matter was recommitted to the Committee on the Executive Department.

Mr. Chamberlain, Rep., moved to reconsider the vote by which the resolution recommitting the Robeson county contested election case was adopted, on yesterday.

Mr. Manning, of Chatham, moved to lay on the table.

Mr. Tourgee, Rep., objected to the interested delegates (Messrs. McEachin and Sinclair) voting, and asked a decision from the chair.

Pending the call for the ayes and noes and the decision asked for, the hour for the

SPECIAL ORDER

arrived, being ordinance to reduce the number of State Senators to twenty-five.

Mr. Barringer, Rep., offered a substitute, making the number twenty-four, elected for six years, one-third to go out every two years.

Mr. Clingman, Dem., opposed lessening the number.

Mr. Badger, Rep., called attention to the fact that early in the session the delegate from Burncombe proposed to pay legislators only \$3 per day. He showed that the Senate was no check upon hasty legislation, and that much of the casualty was helped through by that body on the last day of the session. He favored the veto power in the Governor. There ought to be a check upon legislation, but the Senate as now constituted did not answer the purpose. He moved that the ordinance be recommitted, with instructions to report a substitute abolishing the Senate and giving to the Governor a qualified veto—a bare majority to pass over this veto.

Mr. Clingman again spoke in opposition to the proposition.

Mr. Badger called attention to European States and countries having but one house, and in these there were liberty, protection to the poor and no corruption in legislation.

Mr. Vaughan, Dem., said he had introduced the first ordinance bearing upon this subject. He favored reduction if he could not get total wiping out of the Senate.

Mr. Turner, D., opposed change.

Mr. Barringer, Rep., favored his substitute.

Mr. Albertson, Rep., was not satisfied with the reasons given for opposing the ordinance, and proceeded to address the Convention in one of his ablest efforts. He desired to be placed among the economists when the roll should be called; and if economy could reduce the Supreme Court from five to three, he could see no reason why the Senate should not be reduced.

Mr. Manning, of Chatham, Dem., moved to lay the whole matter on the table.

Mr. Wheeler, Rep., called the ayes and noes. Ayes 52, noes 61. Mr. Badger withdrew his motion to recommit.

On motion of Mr. Price, at 12 o'clock, the Convention adjourned till to-morrow morning 10 o'clock.

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