

THE DAILY CONSTITUTION.

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The Daily Constitution.

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The people did not want the present so-called Constitutional Convention, as they plainly declared by their votes on the first Thursday of August last, when they cast a majority of more than ten thousand against it, and they will have nothing to do with the partisan conglomeration of patch work and botch work, which this fraudulent Convention has developed. They have done enough already to defeat their proposed amendments by, at least, twenty thousand majority in the State, and when they adopt another one of their favorite amendments, that is to require every man to show his poll tax receipt every year before he shall be allowed to vote, and two other amendments, which they desire to adopt, taking away from the people the right they now have under our present excellent Constitution to elect their own Judges and Justices of the Peace, the whole batch of amendments, consisting, as the "small monument" said, of one hundred or more, will certainly be voted down by the people. They are strongly condemning this bogus Convention, and they will reject whatever it may submit to them. They know their taxes will be taken to pay the expenses of this most useless and unnecessary body of men that ever assembled in North Carolina. These remarks are not made in disparagement of the intelligence and ability of the Convention, but because the people did not desire it, and they will not adopt this illegitimate offspring of fraud.

The "Big-Ivjun" in the chair, has evidently been placed in "leading strings." The caucus of the party of which he has recently attached himself, has evidently been "drilling" him. To-day, when the question of establishing inferior courts was brought up by "Old Specks," of Chatham, after he had "said his say," he called the previous question. [The effect of the bill, it is alleged, is to give the Legislature the power to restore the old county court system.] And, thereupon the roll was called. When Mr. Tourgee's name was called, he arose to explain his vote. The Speaker interfered, and as plainly as it was possible for him to state, under the circumstances, he informed the House he had been "instructed," by his party, and hereafter would insist upon members, in explaining their votes, to confine themselves especially to the vote, and should object to their discussing on matter relating to the subject to be voted upon.

It is said new converts are always zealous. Ransom out Herod's Herod. Every hair of his dyed moustache proclaims himself now a new-fledged Democrat, and he stands ready to do the bidding of old man Reid, or any other Democratic master whom a caucus may appoint.

Correction.

In our notice of Mr. Page, deleted from Chowan, on yesterday, we stated that his illness was occasioned by pneumonia. We should have said bilious fever.

If there ever was any doubt of the complete success of the Republican party in the National contest next year, it is dispelled in the fact, that the Democracy are totally unable to agree upon any uniform platform of principles. In the Northwest, for instance, the proposed inflation of the currency is their leading idea. In New York and other States of the North they proclaim for hard money. In other words the Democratic party proposes now, as they have always done, to be all things to all men.

We well remember the great hue and cry of "Northern men with Southern principles" with which they went forth to battle in days gone by. The people of this country have become rather suspicious of this double-dealing since that slang cry which brought all our evils upon us. The people of the country now demand national men with national ideas. Democracy with its double-dealings is somewhat played out.

Why Is It?

If the Democrats are so sanguine of an endorsement by the people, why is it that they have postponed submitting their action on Constitutional amendments over twelve months? Do they hope to blend their infamous propositions during this Convention with other hobbies, in the hope that the people will lose sight of them in the issues incidental to a Presidential campaign?

We have no doubt that this is a cherished idea, but we can assure the revolutionists that the people are not apt to lose sight of their nefarious designs, and whether submitted to them soon or late, they will receive that condemnation so merited.

Remarks of Mr. Smyth, of New Hanover, on a Question of Personal Privilege, October 1st, 1875.

Mr. President—I am forced to again rise to a question of privilege, especially in vindication of my race, North Carolina gentlemen and my party. Mr. Smyth read from the News.

Now, sir, I have taken occasion to acquaint myself with the fact, no negro or negroes came here with any purpose to interfere with the deliberations of this Convention, but like other good citizens to hear and see what was transacted by this august body.

I have also to deny that any Republicans on this floor have been in caucus or elsewhere, instructed to confuse the action of the House, or indecorously demean themselves, however much of tyranny is attempted to be exercised by the party in the ascendant.

Speaking for myself, I here assert on my honor as a gentleman, that I am guided and governed by my conception of what should be done in the premises and when right is infringed, whether that infringement comes from an individual or a party.

I protest against Stone, (white) of the News, whom the honorable gentleman from Orange (Mr. Turner) says held no higher position in the Confederate army than cook to Company B. 12th Virginia Regiment, and whom he further says is a carpet bag type-setter from Virginia, slandering my race and my party.

I further protest against this man whose record Mr. Turner makes, attempting to fix the social status of North Carolina gentlemen, as he did in his "Vital Error" article.

If I may be pardoned, sir, from the imputation of an egotist, I must say that Stone, (white) with unblushing effrontery, dares to continue his liberties with me and my name, and I have concluded to excuse him for his unfortunate zeal that tempts him to seek to be elevated to the plane of manhood and gentility, to which I was born rather than educated.

An explosion took place in Anchor Colliery, near Pottsville, Pa., killing two persons, fatally wounding one and several being badly hurt.

For the Constitution:

MR. EDITOR—I desire to bear testimony to the happy success of Mr. Smyth in his remarks this morning in the Convention, in reply to the gross attack of the News on himself and his people. I think gentlemen begin to see that if these people are to have any rights at all in this country, they must be protected from the coarse and vulgar assaults of Democratic scribblers. And seeing such pointed and polished shafts, as those shot by Mr. S. can't be long resisted.

A SPECTATOR.

Great credit is due to Major H. M. Miller for the manner in which he discharges the duties as keeper of the capitol. The Major attends to his friends without fear, favor or affection. He knows nothing beyond his duties, and that he attends to. If the civil service of the State was altogether composed of such men we could well be proud.

RELIGIOUS.—The Right Rev. J. T. Holly, Protestant Episcopal Bishop of Haiti, W. I., will preach in St. Augustine Chapel in this city next Sunday. He visits Raleigh for the purpose of placing his two sons and another Haitian youth in the St. Augustine Normal school.

The Detroit Free Press: "The doctors don't believe in advertising—It's unprofessional you know—but let one of 'em tie up a sore thumb for John Smith, and they'll climb seven pairs of stairs to have a reporter 'just mention it, you know.'"

STATE CONSTITUTIONAL CONVENTION.

TWENTY-THIRD DAY.

FRIDAY, Oct. 1, 1875.

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

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

The Journal of yesterday was read and approved.

Mr. Jones, of Yadkin, had his vote recorded in the affirmative on the passage of the school ordinance; and Mr. Hoffman had his recorded in the affirmative on the question of removing Gov. Holden's disabilities.

REPORTS FROM COMMITTEES.

Mr. Shober, from the Committee on Suffrage and Eligibility to office; Mr. Durham, from the Committee on Revenue, Taxation, &c.; and Mr. Shepherd, from the Committee on Municipal Corporations, reported. The latter report was against levying special tax to establish and repair public roads. Passed over informally.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS.

By Mr. Durham, Dem., ordinance to confer upon the General Assembly power to regulate charges for freights and travel on carrying companies in this State and to protect against monopolies. Referred.

By Mr. Bennett, Dem., resolution concerning the Cheraw and Salisbury Narrow Gauge Railroad.

By Mr. Badger, Rep., resolution asking whether the Convention has power to grant divorces from matrimony.

UNFINISHED BUSINESS.

Resolution in regard to Robeson county contested case, introduced by Mr. Albertson.

Mr. Albertson, Rep., said the Convention should remember the circumstances in which they are placed. There was a majority against Convention—the number of that majority, was immaterial to himself. It was, however, a thing to be respected; it was a respectable affair, this expression of the will of the people. When the majority of the Court was against him, he abided by it. Had the party with which he acts the majority on this floor, which an investigation would show, the Convention would adjourn. Instead of that, they were here, and how? by the votes of the very gentlemen whose seats are doubtful. He wished the question of their right to seats settled so that the Convention could adjourn, in obedience to the popular will. If the report of the majority committee be adopted as a precedent, a revolution would be worked in the election laws in North Carolina. The

principle therein held is that commissioners may exercise judicial powers. This question of granting certificates and exercising judicial powers should be settled. Without a settlement of it, the people would have the empty power of voting, but no power to enforce the return of the officer of their choice.

The rules were suspended and the resolution was adopted.

The Convention refused to excuse Mr. Withers, Dem., from serving longer on the Committee on Privileges and Elections.

THIRD READING.

Report of the Committee on the Executive Department. To amend art. 3, sec. 10. Governor to nominate and by and with consent of majority of the Senate shall appoint all officers established by this Constitution whose appointment is not otherwise provided for.

Mr. Barringer, Rep., thought that the Convention should say what officers are to be elected before passing this.

Mr. Badger, Rep., said that there was more in the remarks of Mr. Barringer than probably struck some. Certain courts had been authorized to be established by the Legislature, and it might be that the power to elect the officers of these inferior courts would be given to that body, who would put burdensome officials upon the people.

Mr. Tourgee, Rep., called attention to the fact that some days since an amendment had been offered, providing that officers of the inferior courts should be elected by the people. This had been voted down by a party vote. By this proposition power would be given the Legislature to create whatever officers they might choose and to fill them—to establish one or fifty courts in a county, prescribe terms and appoint the officers thereof.

The previous question was ordered. Mr. French, Rep., offered an amendment making confirmation by joint ballot of Legislature.

Mr. Faircloth, Rep., an amendment, that Legislature shall not elect judicial or executive officers.

Mr. Tourgee, Rep., complained of the hot haste in calling previous question. Mr. Smyth, Rep., rose to a question of personal privilege respecting an article in the Daily News of this date.

Mr. Turner, Dem., said he had instructed writers for the newspaper under his control to make no attacks upon delegates.

Mr. Justice, Rep., also rose to a question of privilege.

Mr. Boyd, Rep., had offered a resolution and one of the papers had given the credit thereof to Mr. Byrd.

Mr. Blocker, Rep., made an explanation to the Convention, as did Mr. Badger, Rep.

Mr. Tourgee, Rep., objected to the Sergeant-at-Arms exercising authority properly belonging to the Chair.

Mr. Turner, Dem., hoped that officer would continue in the exercise of such authority, and if necessary use a "billy."

Leave of absence was granted to Mr. Barringer.

SPECIAL ORDER.

Ordinance to amend art 9, sec 4.

Mr. Badger raised the point that the previous question having been ordered, nothing else could be considered just now.

A motion to adjourn was decided not in order.

Points of order were here discussed by Messrs. Dixon, Jarvis, Tourgee, Coleman, Manix and Badger.

Mr. French's amendment was lost—ayes 37, noes 65.

Mr. Faircloth's amendment was voted down—ayes 57, noes 54.

Mr. Menden, who had given notice, offered an amendment, that no executive or judicial officer shall be appointed or elected by the General Assembly. Lost—ayes 50, noes 51.

The question recurring on the passage of the ordinance on its third reading,

Mr. Barringer, Rep., opposed it as taking from the people the right to elect their officers. He took occasion to speak highly of the system of township government.

Mr. Bowman, Rep., regarded this as the entering wedge to a series of amendments, covert though they are, to deprive the people of their rights. He warned the majority against taking power from the people.

The ordinance passed third reading—ayes 55, noes 51.

Mr. Badger rose to a question of per-

sonal privilege in relation to a communication in a newspaper whose editor holds a seat in the Convention.

Mr. Stallings said the article was written by another than himself.

Mr. Badger then charged the correspondent with having done him injustice.

Leave of absence was granted to Messrs. Stallings, Dixon, Faircloth, Hixson, Crosby, Kirby and Principal Doorkeeper.

Mr. Tourgee moved to reconsider the vote by which the ordinance in relation to terms of officers passed third reading, and that that motion be postponed until Tuesday next, so as to make special order for 12 o'clock of that day. The motion to postpone prevailed.

SECOND SPECIAL ORDER.

Ordinance in relation to the permanent school fund, the question being to reconsider the vote by which it passed.

Mr. Avery withdrew his motion to reconsider.

On motion of Mr. Withers, the rules were suspended and the ordinance prohibiting vacating of terms of officers named in art 4 was taken up, and after being slightly amended, passed second reading.

The rules were suspended and the ordinance put upon its third reading.

There was objection to Mr. Chamberlain's speaking at this juncture.

Mr. Tourgee moved to adjourn, but before the completion of the roll-call, withdrew the motion.

Mr. McCabe having made the same motion, the point of order was raised that no business had intervened since the motion made by Mr. Tourgee.

This gave rise to long debate upon the point that Mr. Tourgee's motion having been withdrawn, the motion to adjourn could not be considered as having been made.

Mr. McCabe, before the completion of the roll-call, withdrew his motion.

Mr. Manning, of Chatham, renewed it, and the Convention by a vote of 91 to 7 refused to adjourn.

Mr. Tourgee had no desire to obstruct the passage of the ordinance, but he did object to seeing Mr. Chamberlain stopped in his remarks.

Points of order were discussed by several delegates.

Mr. Manning, of Chatham, demanded the previous question—ayes 74, noes 26. Passed third reading—ayes 96, noes 2.

At 3:25, on motion of Mr. Menden, the Convention adjourned until to-morrow morning 10 o'clock.

MISCELLANEOUS.

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SESSION 1875-'76.

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Sept. 2, 1875.

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