

WILMINGTON POST.

TERMS OF SUBSCRIPTION INVARIABLY IN ADVANCE... \$6.00 per year...

THE WILMINGTON WEEKLY POST.

IS PUBLISHED EVERY MONDAY. Subscription: One year... \$3.00

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Constitutional Convention.

MONDAY, Feb. 10. The Convention assembled in the Commons Hall at 10 o'clock, President Cowles in the Chair. Prayer by Rev. Mr. Welker, of the Convention. The President presented a communication from the Va. and N. M. E. Conference in relation to education. Referred.

Resolutions by Mr. Durham. WHEREAS, it is a matter of common rumor that corrupting influences have been used to secure the passage of certain ordinances which have been passed by the Convention, and whereas, if these rumors are true it is the duty of this body to ascertain who are the guilty parties and expose said corruption; therefore be it.

Resolved, That a select committee of three members be appointed by the President whose duty it shall be to ascertain and report whether such corrupting influences have been used to secure the passage of any ordinance which has been passed by this Convention, and if so, the names of the guilty parties and all the facts connected therewith.

CALENDAR. A memorial of the citizens of Guilford County, praying a prohibition of the distillation of grain for five years. Referred to the committee of three.

On motion of Mr. Tourgee the committee was instructed to report the ordinance of Mr. W. back to the Convention for action. On motion of Mr. Sweet the ordinance in relation to liabilities of Banks was ordered to be printed.

On motion of Mr. Tourgee the resolution was tabled. The resolution of Mr. Rich in relation to the veto power was taken up. At the suggestion of Mr. Heaton the resolution was laid over to be called up, when the 1st article of the Constitution was reported from the committee on revision.

The resolution of Mr. Rodman in relation to contingent expenses was laid over. Resolution by Mr. Turner was read and passed over.

The preamble of the bill of rights was read, when Mr. Graham, of Orange, moved to strike out and insert "impugning the restoration of our political, religious and civil liberties."

Mr. French, of Chowan, moved the postponement of the suffrage question until Wednesday, next, 13 o'clock. This question he said had the precedence. The motion was put and carried.

Mr. Jones, of Washington, said if adopted the preamble would become a petition. In that event, a constitution would be adopted, headed by a petition praying for what the constitution already gave.

Mr. Graham, of Orange asked if in our present condition there existed much civil, political or religious liberty? Were not dungeons filled by those, whom habeas corpus could not reach? We may have some liberties left. For those he was thankful.

Mr. Hood said there were fewer men now in dungeons than ever before in this State. There was more liberty in North Carolina now than ever before. Seven hundred thousand men were once in bondage more dismal than the dungeon. God forbid the restoration of such political liberty as that was. He could not support the amendment.

Mr. Welker moved to strike out "general, great and," also "recognised and," also "and affirmed."

He said that the words cumbered the language of the caption, and that it would mean as much without, as with them. Mr. Heaton suggested that the thorough consideration of this subject by the committee, who had examined the constitutions of many States, and had agreed that the relation language was the most appropriate, should have its proper weight with the convention.

The motion to strike out was lost. On motion of Mr. Heaton, the balance of the report was postponed to Thursday at 11 o'clock.

MILITIA. The 1st section of the militia article of the constitution was read, when Mr. Graham, of Orange, moved to amend as follows: "But white and colored persons shall be organized into separate commands, and no white man shall ever be required to obey a negro officer."

Mr. Graham, of Orange, said that he thought it would be better for both races and be more in accord with the sentiments of both, that this amendment be adopted. It was the usage of the United States to separate both. A great deal had been said by gentlemen on this floor about social equality.

Mr. Graham, of Orange, a great deal. Mr. Hood said that he was opposed to the word "colored" in the constitution. If the convention desired to divide the militia in to races, they would find it a difficult job.

Mr. Jones, of Washington, said he thought this a matter for the Legislature. The convention should have nothing to do with this at all. Mr. Durham said this amendment was a test. Congress did not require this convention to say that the colored man was a social equal of the white.

Mr. Mann said the organization of the militia constituted to the Legislature. Mr. Welker said the third section of the article provided for the organization of the militia by the Legislature.

Mr. Durham said the reconstruction acts demanded certain things, but they did not demand that the white man should be made the social equal of the colored man. Would the convention now go beyond these acts, and say that white men should go under black officers? And any allegation that the Legislature had power over this matter, unless laid down in the fundamental law, was delusive. This is the question, shall white men be placed under black officers and both races mingled in the militia, or not?

Mr. Ashley said he recognized men and mahood only, and he was opposed to the innovation proposed by the delegate from Orange. It was an innovation, for the old Constitution to the Legislature did not contain the word white. If their fathers were content, and if the ancestors of those gentlemen, according to their argument, were on a social equality with the colored man, why should they not be the same way of feeling also. He was opposed to this innovation upon the time honored customs of North Carolina. Again, the party which he represented was the exponent of the principles of freedom. It was solemnly pledged to ignore and protest against distinctions of the character proposed. In the Declaration of Independence the word "white" was not found. From the United States Constitution it was also absent. Under these instruments, the rights of all men were regarded. So should the constitution of North Carolina protect all men, and he thought it befitting the work of this Convention to call upon it to make invidious distinctions between citizens. As to the atrocity of making white men serve with colored men, he would ask, if in the heat of battle, white officers were killed, and a colored officer should lead to victory, would white men be disgraced if they should follow him?

As was also reminded that so late as 1832, Governor Graham had mustered free colored men and ordered them to fall in line. So recently as that it seems, even he, the illustrious leader of the opposition, had placed himself on a social, moral and political equality with the colored man.

Mr. Durham—I read this statement that Gov. Graham ever placed himself on social equality with the negro, as a falsehood. Mr. Ashley—I hold the delegate to his assertion. He says the black men, when mustered in the militia, are the social equals of the white men. That is the test he makes here. I hold him to it. And when in 1835, Gov. Graham mustered free colored men, he declares that they were social equals of the white men of North Carolina.

Mr. Durham—it is a falsehood, sir, a falsehood. Mr. Ashley—I hold the delegate to his statement. The Convention will bear me out if he did not make this statement. Look at it now. Gov. Graham is our authority for voting against this amendment. If Conservatives are now ashamed to follow his lead, it is well and good, I have no objection. I am willing to go on record, now and forever.

Mr. Harris, of Wake, said the old constitution of the State made no such distinction in the militia, as was to-day proposed. That constitution had no such word as "white"

in it. And under its provisions, it was well remembered by old citizens, that free men of color mustered on the same grounds, and in the same companies with white men. Down to 1835 these free men of color mustered in the North Carolina militia, and those who had served in the revolution or the war of 1812, drew pensions. In Rhode Island, during the war of the colonies for independence, colored men fought side by side with white men. If that was denied, he would refer to Bancroft's history, where it was set forth in full. These things were not new in North Carolina or out of North Carolina. Besides Rencher, Manly and Mangum had gone to school to a free man of color when they were boys. Some of the most distinguished men of North Carolina have had such tutors; and indeed a colored man named John Chavis, once had a flourishing school of that class in this city.

He detested such efforts as those made by the delegate from Cleveland to build up a party at the expense of a down-trodden race. Those Southerners who had fought and submitted, he could respect; but, for those who stayed away after having fomented the war, and now stir up further strife and kindle hellish prejudices against his race, with black hearts and darkened souls, for such men language failed to express his contempt. Now he could inform the learned orator from Cleveland that free men of color mustered and taught school and instructed white children in North Carolina. It was no new thing. And for one he would vote against any color, red, white, blue or black, which was moved to be inserted in this Constitution.

The question was taken on Mr. Graham's of Orange, amendment, and the vote stood as follows: Yeas 9. Nays 89.

The amendments being lost, the 1st, 2d and 3d sections were adopted, and the report on Militia passed to the committee on revision.

The report of the committee on corporations other than municipal was taken up. The 1st, 2d and 3d sections were read and adopted.

The 4th section was read, when Mr. Tourgee moved to strike out from the 4th to the 10th, inclusive, and insert the following: "No Bank of issue shall be established under the authority of this State."

Gen. Abbott then moved to amend by striking out the 4th, 5th, 6th, 7th, 8th, 9th and 10th sections. He said everything except the 11th section came within the province of the committee on finance, and inasmuch as everything in these sections may be reported by that committee, he had, therefore, made the motion that the subject matter contained in the sections might be referred to the committee on finance.

On motion the question was postponed to Thursday next. The Convention then adjourned.

GENERAL NEWS. A captain in the Prussiac service stationed at Posen who fell violently in love with a young actress of excellent character named Walmore, threatened to kill first her and then himself if she did not reciprocate his affection, and although she in terror wrote to the colonel of the regiment for protection, the captain shot her and broke her arm and then blew out his own brains.

A German has established the first cotton factory in Canada, at Berlin, Ontario. Two young women of Vienna lately walked on a wager until both fell exhausted on the floor, and both have since died of heart disease.

Loud complaints are made of the swarms of lobbyists who are watching their chances before the Ontario legislature now in session at Toronto.

There is a strong man in Chattanooga who picks up two barrels of flour and walks about with one under each arm. The almost incredible statement is made that 150,000 copies of Queen Victoria's book were printed and that nearly all are sold at a net profit of £10,000.

Mr. A. J. Hamilton is to be opposed, as a candidate for Congress from Texas, by his brother Mr. Morgan C. Hamilton.

GROCERIES. CHRISTMAS AND New Years. CAKES, CRACKERS, NUTS, CANDIES, CURRANTS, CITRONS, RAISINS, PRESERVES, &c., &c., &c.

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Government Wrecks. HAVING BEEN NOTIFIED BY THE SECRETARY of the Treasury that a contract has been made by him with GEO. Z. FRENCH and ROBERT STEVENSON, for saving property from wrecks of all vessels belonging to the Government, on and adjacent to this coast, and having been appointed by him as agent to superintend their operations, I hereby warn all persons from interfering with said wrecks or any other Government property on the coast. L. G. ESTES, Coll. Int. Rev. Wilmington, Aug. 5, 1867. Journal copy.

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