### THE WILMINGTON DAILY POST.

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ROAD SCALES. Have constantly on hand FERTILIZERS of all descriptions. And the Att of the

## OFFICIAL. CONSTITUTION NORTH CAROLIN

PREAMBLE.

We the people of the State of North Carolina, grateful to Almighty God, the Sovereign Ruler of Nations, for the preservation of the American Union, and the existence of our civil, political and religious liberties, and acknowledging our dependence upon Him, for the continuance of those blessings to us and our posterity, do, for the more certain security thereof, and for the better government of this State, ordain and cstablish this Constitution.

ARTICLE I

DECLARATION OF RIGHTS

That the great, general and essential principles of liberty and free government, may be recognized and established, and that the relations of this State to the Union and government of the United States, and those of the people of this State to the rest of the American people, may be defined and affirmed, we do declare :

Section 1. That we hold it to be self evident that all men are created equal; That they are endowed by their Creator with certain unalienable rights, that among these are Me, liberty, the enjoyment of the fruit of their own labor, and the pursuit of happiness.

Sec. 2. That all political power is vested in, and derived from the people, all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.

Sec. 3. That the people of this State have the inherent, sole, and exclusive right of regulating the internal government and police thereof, and of attering and abolishing their Constitution and form of government, whenever it may be necessary to their safety and happiness; but every such right should be exercised in pursuance of law, and consistently with the Constitution of the United States.

Sec. 4. That this State shall ever remain a mem-MERCHANT TAILOR. ber of the American Union, that the people thereof are part of the American nation; that there is over shall elect two senators. that all attempts from whatever source or upon | shall elect one Schator. North East Cor. Market & Second Sts., whatever pretext, to dissolve said Union, or to | Fifteenth District-Robeson shall elect one sever said nation ought to be resisted with the senator.

whole power of the State. Sec. 5. That every citizen of this State owes paramount allegiance to the Constitution and Government of the United States, and that no law or ordinance of the State in contravention or subversion thereof, can have any binding

Sec. 6. To maintain the honor and good faith of the State untarnished, the public debt, regularly contracted before and since the rebellion, shall be regarded as inviolable and never be questioned; but the State shell never assume or pay, or authorize the collection of, any debt or obligation, express or implied, incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of 'any

Sec. 7. No man or set of men are entitled to exclusive of separate emoluments or privileges from the community but in consideration of pub

Sec. 8. The Legislative, Executive, and Bueigme judicial powers of the government ought o be forever separate and distinct from each | gomery shall elect one senator.

Sec. 9 All power of suspending laws, or the execution of laws, by any authority, without the consent of the representatives of the people, is injurious to their rights, and ought not to be ex-

Sec. 10. All elections ought to be free. Sec. 11. In all criminal prosecutions, every man has the right to be informed of the accusation against him and to confront the accusers and witnesses with other testimony, and to have counsel for his defence, and not be compelled to give evidence against himself, or to pay costs, jail fees, or necessary witness fees of the defence,

unless found guilty. Bec. 12. No person shall be put to answer any riminal charge, except as hereinafter allowed, but by indictment, presentment, or impeach-

Sec. 13. No person shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court. The Legis-lature may, however, provide other means of

trial, for petty misdemeanors, with the right of Wilkes shall elect one senator. Sec. 14. Excessive bail should not be required, nor excessive fines imposed, nor cruel or unusua

punishments inflicted. Sec. 15. General warrants, whereby any officer or messenger may be commanded to search suspected places, without evidence of the act committed, or to seize any person or persons not named, whose offence is not particularly described and supported by evidence, are dangerous to liberty and ought not to be granted. Sec. 16. There shall be no imprisonment for debt in this State, except in cases of traud.

Sec. 18. Every person restrained of his liberty, is entitled to a remedy to inquire into the law-

or delayed. Sec. 19. In all controversies at law respecting property, the ancient mode of trial by jury is one

of the best securities of the rights of the people, | two or more senators. and ought to remain sacred and inviolable. Sec. 20. The freedom of the press is one of the great bulwarks of liberty, and therefore ought never to be restrained, but every individual shall be held responsible for the abuse of the same. Sec. 21. The privilege of the writ of habeas cor-

lect the right to vote or hold office.

sembly, freely given. sary to the security of a free State, the right of tieth part of the population of the State by the the people to keep and bear arms shall not be in-

Sec. 26. All men have a natural and unalien- shall be assigned severally to the counties havable right to worship Almighty God according ing the largest fractions.

to the dictates of their own consciences, and no Sec. 8. Until the General assembly shall have to the dictates of their own consciences, and no control or interfere with the rights of conscience.

to guard and maintain that right. Sec. 28. For redress of grievances and for the counties of Craven, Granville, Halifax and amending and strengthening the laws, elections New Hanover shall elect three members each; should be often held.

Sec. 29. A frequent recurrence to fundamental Davidson, Duplin, Edgecombe, Franklin, Guil-principles, is absolutely necessary to preserve the ford, Iredell, Johnston, Mecklenburg, Nortnamp-

or honors, ought to be granted or conferred in

Sec. 32. Retrospective laws, punishing acts committed before the existence of such laws, and by them only declared criminal, are oppressive, unjust and incompatible with liberty, wherefore, no ex post facto law ought to be made. No law taxing retrospectively, sales, purchases, or other

shall have been duly convicted shall be, and are

person, or reputation, shall have remedy by due course of law, and right and justice administered sessuratives shall be qualified elector of the State, and shall have resided in the county for which he quartered in any house without the consent of the over; nor in time of war, but in a manner sec. 11. In the election of all officers, whose prescribed by law. Sec. 57. This enumeration of rights shall not be construed to impair or deay others, retained by the people; and all powers, not hereis dele-gated, remain with the people.

ARTICLE II.

LEGISLATIVE DEPARTMENT

Section 1. The Legislative authority shall be vested in two distinct branches, both dependent on the people to-wit; a Senate and House of Representatives.

Sec. 2. The Senate and House of Representa-November and when assembled, shall be denominated the General Assembly. Neither House shall proceed upon public business, unless a majority of all the members are actually present.

Sec. 3. The Senate shall be composed of fifty Senators biennially chosen by ballot. Sec. 4. Until the first session of the General Assembly which shall be had after the year 1871, the Senate shall be composed of members elected from Districts constituted as follows:

First District-Perquimans, Chowan, Pasquo-lank, Currituck, Gates and Camden, shall elect wo Senators. Second District -- Martin, Washington and Tyrell shall elect one Senator.

ne Senator. Fourth District-Northampton small elect one Senater. Fifth District -Bertie and Hertford shall elect Sixth District-Halifax shall elect one senator.

Seventh District-Edgecombe shall elect one Eighth District-Pitt shall elect one senator. Ninth District-Nash and Wilson shall elect one senator. Tenth District - Craven and Carteret shall elect

no senators. Eleventh District -Jones and Lenoir shall elect one senator. Twelfth District-Duplin and Ouslow shall clect one senator. Thirteenth District-Brunswick and New Han-

no right on the part of this State to secede, and | Fourteenth District-Bladen and Columbus Sixteenth District-Cumberland, Harnett and

Sampson shall elect two senators.

Seventeenth District - Johnston shall elect one Elghteenth District-Greene and Wayne thall lect one senator. Nineteenth District- Franklin and Wake shall elect two senators. Twentieth District-Warren shall elect one

Twenty-first District - Granville and Person shail elect two senators. Twenty-second District-Orange shall elect one Twenty third District Chatham shall elect one enator. Twenty fourth District - Caswell shall elect one

Twents-fifth District-Rockingham shall elect one senator. Twenty sixth District - Alamance and Guilford shall elect two senators. Twenty-seventh District-Randolph and Mont-

Twenty-eighth District-Moore and Richmond shall elect one senator. Twenty-ninth District - Anson and Union shall elect one senator. Thirtieth District-Mecklenburg shall elect one senator. Thirty-first District-Cabarrus and Stanley shall

elect one senator. Thirty-second District- Davie and Rowan shall cleet one senator. Thirty third District-Davidson shall elect one Thirty fourth District Forsythe and Stokes hall elect one senator.

Thirty fifth District - Surry and Yadkin shall elect one senator. Thirty-sixth District-Alexander and Iredell shall elect one senator. Thirey-seventh District - Catawba, Gaston and Lincoln shall elect one senator. Thirty-eighth District-Cleaveland, Polk and

Rutherford shall elect one senator. Thirty-ninth District-Alleghany, Ashe and Fortieth District-Buncombe, Henderson and Transylvania shall elect one senator. Forty-first District-Burke, Caldwell and Wa-

tauga shall elect one senator. Forty-second District-Madison, Mitchell, Mc-Dowell and Yancy shall elect one senator. Forty third District - Clay, Cherokee, Hay-wood, Jackson and Macon shall elect one sen-

Sec. 5. An enumeration of the inhabitants o the State shall be taken under the direction of the General Assembly in the year one thousand eight hundred and seventy-five, and at the end of Sec. 17. No person ought to be taken, imprisoned or disseized of his freehold, liberties or Districts, shall be so altered, by the General Asprivileges, or outlawed, or exiled, or in any man-ner deprived of his life, liberty, or property, but every enumeration taken as aforesaid, or by order for a term of four years, by the qualified electors of Congress, that each Senate District shall con- of the State, at the same time and places, and in tain, as nearly as may be, an equal number of in- | the same manner as members of the General habitants, excluding aliens and Indians not taxed, fulness thereof, and to remove the same, if un- and shall remain unaltered until the return of commence on the first day of January next, after lawful, and such remedy ought not to be denied another enumeration, and shall at all times con- their election, and continue until their successors sist of contiguous territory; and no county shall are elected, and qualified: provided, that the be divided in the formation of a Senate District, unless such county shail be equitable entitled to

Sec. 6. House of Representatives shall be composed of one hundred and twenty Representatives, biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one Rep- attained the age of thirty years, shall have been a occurring in this Commission. resentative in the house of Representatives, although it may not contain the requisite ratio of Sec. 22. As political rights and privileges are representation; this apportionment shall be made not dependent upon, or modified by property, by the General Assembly at the respective times elected to either of these two offices be eligible to therefore no property qualification ought to etc. and periods when the Districts for the Senate are the same office more than four years in any term hereinbefore directed to be laid off.

Sec. 23. The people of this State ought not to | Sec. 7. In making the apportionment in the cast upon him as Lieutenant Governor or Presdbe taxed, or made subject to the payment of any impost or duty, without the consent of themselves, or their representatives in General As- of the population of the State, exclusive of that comprehended within those counties which do Sec. 24. A well regulated militia being neces- not severally contain the one hundred and twentringed; and, as standing armies, in time of signed to such counties; and is ascertaining the peace, are dangerous to liberty, they ought not to be kept up, and the military should be kept under strict subordination to, and governed by, each county containing the said ratio and not ted; but if two or more be equal and highest in Sec. 7. Sec. 25. The people have a right to assemble to consult for their common good, to instruct their representatives, and to apply to the legislature for redress of grievances.

Twice the said ratio, there shall be assigned one to chosen by joint ballot of both. Houses of the only in levying war against it, or adhering to its representative; to each county containing twice the said ratio, there shall be chosen by joint ballot of both. Houses of the only in levying war against it, or adhering to its representative; to each county containing twice the same twice the said ratio, there shall be chosen by joint ballot of both. Houses of the shall be enemies, giving them aid and comfort. No person determined by a joint vote of both Houses of the same overt set, or sively, and then the remaining representatives of General Assembly, in such manner as shall, be on confession in open court. No conviction of

human authority should in any case whatever, made the apportionment as hereinbefore provi ded, the House of Representatives shall be com- bly, or before any Justice of the Supreme Court, Sec. 27. The people have a right to the privi-leges of education, and it is the duty of the State the following manner, to wit:

the following manner, to wit.

The county of Wake shall elect four members: the counties of Craven, Granville, Halifax and will faithfully perform the duties appertaining to the office of Governor to which he has been the counties of Caswell, Chatham, Cumberland, elected. ton, Orange, Pitt, Randolph. Robeson, Rockingblessings of liberty.

Sec. 30. No hereditary emoluments, privileges, ham, Rowan, Warren and Wayne shall elect two of the affairs of the State, and recommend to members each; the counties of Alamance, Alexander, Alleghany, Ansou, Ashe, Beautort, Bertie, Sec. 31. Perpetuities and monopolies are contrary to the genius of a free State, and ought not Caldwell, Camden, Carteret, Catawba, Cherokee, Chowan, Clay, Cleveland, Columbus, Currituck, Davie, Forsyth, Gaston, Gates Green, Harnet, taxing retrospectively, sales, purchases, or other acts previously done, ought to be passed.

Sec. 33. Slavery and involuntary servitude, otherwise than for crime whereof the parties shall elect one member each.

Sec. 9. Each member of the Senate shall be hereby forever prohibited within this State.

Sec. 34. The limits and boundaries of the State shall be and remain as they now are.

Sec. 35. All courts shall be open, and every person for an injury done him in his lands, goods,

appointment shall be conferred upon the General Assembly by the Constitution, the vote shall be

the core.

The General escentily shall have power to pass general laws regulating divorce and alimony, but shall not have power to grant a divorce or secure alimony in any individual case.

Sec. 13. The General Assembly shall not have power to pass any private law to alter the name of any person, or to legitimate any person not born in lawful wedlock, or to restore to the rights of citizenship any person convicted of an infamous crime, but shall have power to pass general laws regulating the same.

Sec. 14. The General Assembly shall not pass any private law, unless it shall be used to appear, that thirty days notice of application to pass that thirty days notice of application to pass such law shall have been given, under such direction, and in such manner as shall be provided by

See. 15. If vacancies shall occur in the General Assembly by death, resignation or otherwise, writs of election shall be issued by the Govenor under such regulations as may be prescribed by

Sec. 16. No law shall be passed to raise money on the credit of the State, or to pledge the faith of the State directly or andirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cit-ies or towns to do so, unless the bill for the pur-Third District—Beaufort and Hyde shall elect pose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and agreed to by each House respectively, and unless the yeas and mays on the second and third readings of the bill

shall have been entered on the Journal. Sec. 17. The General Assembly shall regulate entails in such manner as to prevent perpetuties. Sec. 18. Each house shall keep a journal of its proceedings, which shall be printed and made public immediately after the adjournment of the

General Assembly. Sec. 19. Any member of either house may dissent from, and protest against, any act or resolve, which he may think injurious to the public or any individual, and have the reasons of his dissent entered upon the Journal. Sec. 20. The House of Representatives shall

choose their own Speaker and other officers. 21. The Lieutenant-Governor shall preside in the Senate, but shall have no vote, unless it may be equally divided. Sec. 22. The Senate shall choose its other officers, and also a speaker, (pro tempore,) in the ab-

sence of the Lieutenant-Governor, or when he shall exercise the office of Governor. Sec. 23. The style of the acts shall be-"The General Assembly of North Carolina do enact.' Sec. 24. Each house shall be judge of the qualifications and elections of its own members, shall sit upon its own adjournment from day do day,

prepare bills to be passed into laws, and the two houses may also jointly adjourn to any future day, or other place. PiSec. 25. All bills and resolutions of a legislative nature shall be read three times in each house before they pass into laws and shall be signed by the presiding officers of both houses.

Sec. 26. Each member of the General Assembly, before taking his scat, shall take an eath or affirmation that he will support the constitution and laws of the United States, and the constitution of the State of North-Carolina and will faith fully discharge his duty as a member of the senate or house of representatives.

Sec. 27. The terms of office for Senators and members of the House of Representatives shall commence at the time of their election; and the term of office of those elected at the first election held under this constitution shall terminate at the same time as if they had been elected at the first ensuing regular election.

Sec. 28. Upon motion made and seconded in either House, by one-fifth of the members pres-

ent, the yeas and nays upon any question shall be taken and entered upon the journals. Sec. 29. The election for members of the General Assembly shall be held for the respective districts, and counties, at the places where they are now held, or may be dir cted hereafter to be held in such manner as may be prescribed by law, on the first Thursday in August, in the year one thousand eight hundred and seventy, and every two years thereafter. But the General Assembly may change the time of holding the elections-The first election shall be held when the vote shall be taken on the ratification of this, constitution by the voters of the State, and the General Assembly then elected, shall meet on the fifteenth day after the approval thereot by the Congress of the United States, if it fall not on Sunday, but if it shall so fall, then on the next day thereafter, and the members then elected shall hold their Seats until their successors are elected at a regu-

#### ARTICLE III

EXECUTIVE DEPARTMENT Section 1. The Executive Department shall consist of a Governor (in whom shall be vested the Supreme executive power of the State) a Lieutenant Governor, a Secretary of State, an Auditor, a Treasurer, a Superintendent of Public Works, a Superintendent of Public instruction Assembly are elected. Their term of office shall officers first elected shall assume the duties of their office ten days after the approval of this Constitution by the Congress of the United

Stales, an dshall hold their offices four years from and after the first day of January 1869. Sec. 2. No person shall be eligible as Governor or Lieutenant Governor, unless he shall have citizen of the United States five years, and shall have been a resident of this State for two years next before the election; nor shall the person Supreme Court, Superior Courts, Courts of Justelected to either of these two offices be eligible to | ices of the Peace and Special Courts,

ent of the Senate. Sec. 3. The return of every election for officers of the Executive Department shall be sealed up and transmitted to the seat of Government by the returning officers, directed to the Speaker of the House of Representatives, who shall open and publish the same in the presence of a majority of the members of both Houses of the General Ass two-thirds of the Senators present. When the Governor is impeached the Chief Justice shall House of Representatives, who shall open and prescribed by law.

Scc. 4 The Governor, before entering upon the duties of his office, shall, in the presence of the members of both branches of the General Assmtake an oath or affirmation, that he will support the constitution and laws of the United States

Sec. 5. The Governor shall reside at the seat of government of this State, and he shall, from time to time, give the General Assembly information their consideration such measures as he shall

deem expedient. Sec. 6. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offences, (except in cases of conviction, for all offences, (except in cases of impeachment,) upon such conditions as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying for pardons. He shall anually communicate to the General Assembly each case of reprieve, commutation or pardon granted; stating the name of each convict, the crime for which he was convicted, the sentence and its date, the date of commutation, pardon, or reprieve, and the reasons therefor.

Sec. 7. The officers of the Executive Depart-

Department upon any subject relating to the duties of their respective effices, and shall take care that the laws be faithfully executed.

Sec. 8. The Governor shall be commander in chief of the militia of the State, except when they shall be called into the service of the United

Sec. 9. The Governor shall have power, on ex-traordinary occasions, by and with the advice of the Council of State, to convene the General As-sembly, in extra session by his preclamation, stating therein the purpose or purposes for which

they are thus convened.
Sec. 10. The Governor shall nominate, and, by and with the advice and consent of a majority of the Senators elect, appoint all officers whose offi-ces are established by this contitution, or which shall be created by law, and whose appointments are not otherwise previded for, and no such officer shall be appointed or elected by the General

Assembly. Sec. 11. The Lieutenant Governor shall be President of the Senate, but shall have no vote unless the Senate be equally divided. He shall whilst acting as President of the Senate, receive for his services the same pay which shall for the same period, be allowed to the speaker of the House of Representatives, and he shall receive no other compensation except when he is acting as Governor.

Sec. 12. In case of the impeachment of the Governor, his failure to qualify, his absence from the State, his inability to discharge the duties of his office, or in case the office of Governor shall in anywise become vacant, the powers, duties and emoluments of the office shall devolve upon the Lieutenant Governor, until the disabilities shall cease, or a new Governor shall be, elected and qualified. In every case in which the Lieutenent Governor shall be anable to preside over the Senate, the Senators shall elect one of their own number President of their body; and the powers, duties, and emoluments of the office of Governor shall devolve upon him whenever the Lieutenant Governor shall, for any reason, be prevented from discharging the duties of such office as above provided, and he shall continue as acting Governor until the disabilities be removed or a new Governor or Lieutenant Gover-nor shall be elected and qualified. Whenever, during the recess of the General Assembly, it shall become necessary for a President of the Senate to administer the Government, the Secretary and guardians, and of executors, administrators and guardians, and of tary of State shall convene the Senate, that they such other matters as shall be prescribed by law.

Sec. 13. The respective duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Works, Superintendent of Public Instruction, and Attorney General shall be prescribed by law. If the office of any of said officers shall be vacated by death, resignation, or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or bis successor be elected and quantilid. Every such vacancy shall be filled by election, at the first general election that occurs more than thirty days after the vacancy has taken place and the person chosen, shall hold the office for the remainder of the unexpired term fixed in the first section of

this Article. Sec. 14. The Secretary of State, Auditor, Treasurer, Superintendent of Public Works, and Superintendent of Public Instruction shall constitute er officio the Council of State, who shall advise the Governor in the execution of his office, and three of whom shall constitute a quorum; their advice and proceedings in this capacity shall be entered in a Journal to be kept for this purpose exclusively, and signed by the members present, from any part of which any member may enter his dissent; and such Journal shall be placed before the General Assembly when called for by either House. The Attorney General shall be ex officio: the legal adviser of the Executive Department.

Sec. 15. The officers mentioned in this Article shall, at stated periods, receive for their services a compensation to be established by law, which shall neither be increased nor diminished during the time for which they shall have been elected, and the said officers shall receive no other emolu-

ment or allowance whatever. Sec. 16. There shall be a seal of the State which shall be kept by the Governor, and used by him as occasion may require, and shall be called "the Great Seal of the State of North Carolina." All grants and commissions shall be issued in the name and by the authority of the State of North Carolina, sealed with "the Great Seal of the State," signed by the Governor and countersigned by the Secretary of State. Sec. 17. There shall be established in the office

#### of the Secretary of State, a Bureau of Statistics, Agriculture and Immigration, under such regula-tions as the General Assembly may provide.

JUDICIAL DEPARTMENT. Section 1. The distinction between actions at law and suits in equity, and the forms of all such actions and suits shall be abolished, and there shall be in this State but one form of action, for the enforcement or protection of private rights or the redress of private wrongs which shall be denominated a civil action; and every action prosecuted by the people of the State as a party, against a person charged with a public offence, for the punishment of the same, shall be termed a criminal action. Feigued issues shall also be abolished and the fact at issue be tried by order

ARTICLE IV.

of court before a jury. Sec. 2. Three Commissioners shall be appoint ed by this convention to report to the General Assembly at its first session after this Constitution shall be adopted by the people, rules of practice and procedure in accordance with the provisions of the foregoing section, and the convention shall provide for the Commissioners a reasonable compensation.

Sec. 3. The same commissioners shall also report to the General Assembly as soon as practicable, a code of law of North Carolina. The Governor shall have power to fill the vacancies

Sec. 5. The Court for the trial of impeachments of eight years, unles the office shall have been | shall be the Senate; a majority of the members shall be necessary to a quorum, and the judgment shall not extend beyond removal from, and disqualification to hold office in this State; but the party shall be liable to indietment and punish-

ment according to law.
Sec. 6. The House of Representatives solely, shall have the power of impeaching. No person

Sec. 7. Treason against the State shall consist treason or attainder shall work corruption of blood or forfeiture. Sec. 8. The Supreme Court shall consist of a

Chief Justice and four Associate Justices. Sec. 9. There shall be two terms of the Supreme Court held at the seat of Government of the State in each year, commencing on the first Monday in January, and first Monday in June, and continuing as long as the public interest may

Sec. 10. The Supreme Court shall have jurisdiction to review, upon appeal, any decision of the Courts below, upon any matter of law or legal inference; but no issue of fact shall be tried before this court; and the court shall have power to issue any remedial writs necessary, to give it a general supervision and control of the inferior

Sec. 11. The Supreme Court shall have original jurisdiction to hear claims against the State, but its decisions shall be merely recommendatory; no process in the nature of execution shall issue thereon; they shall be reported to the next ses-sion of the General Assembly for its action. Sec. 12. The State shall be divided into twelve judicial districts, for each of which a Judge shall be chosen, who shall hold a Superior Court in each county in said District, at least twice in each

which he was convicted, the sentence and its date, the date of commutation, pardon, or reprieve, and the reasons therefor.

Sec. 7. The officers of the Executive Department and of the Public Institutions of the State, shall at least five days previous to each regular session of the General Assembly severally report to the Governor, who shall trasmit such reports,

Second District.—Tyrrell, Hyde, Washington, Beaufort, Martin, Pitt, Edgecombe.

Third District .- Craven, Carteret, Jones, Onslow, Greene, Lenoir, Wayne, Wilson. Fourth District.—Brunswick, New Hanover, Duplin, Columbus. Bladen, Sampson, Robeson. Fifth District.—Cumberland, Harnet, Moore, Richmond, Anson, Montgomery, Stanley, Union. Sixth District.—Northampton, Warren, Hali-fax, Wake, Nash, Franklin, Johnston, Granville, Seventh District .- Person, Orang 4, Chatham, Randolph, Guilford, Alamance, Caswell, Rock-

Eighth District.-Stokes, Forsythe, Davidson-Rowan, Davie, Yadkin, Surry. Ninth District.—Catawba, Cabarrus, Mecklen, burg, Lincoln, Gaston, Cleveland, Rutherford, Polk.

Tenth District .- Iredell, Burke, Caldwell, Wilkes, Alexander, McDowell. Eleventh District.-Alleghany, Ashe, Watauga, Mitchell, Yaney, Madison, Buncombe.

Twelfth District.—Henderson, Transylvania, Haywood, Macon, Jackson, Ciay, Cherokee. Sec. 14. Every Judge of a Superior Court shall reside in his District while holding his office. The Judges may exchange districts with each other with the consent of the Governor, and the Governor for good reasons which he shall report to the Legislature at its current or next session, may require any judge to hold one or more specified terms of said courts in lieu of the Judge in whose district they are.

Sec. 15. The Superior Courts shall have exclusive original jurisdiction of all civil actions, whereof exclusive original jurisdiction is not given to some other Courts; and of all criminal actions, in which the punishment may exceed a fine of fifty dollars or imprisonment for one

Sec. 16. The Superior Courts shall have appel-late jurisdiction of all issues of law or fact, de-termined by a Probate Judge or a Justice of the Peace, where the matter in controversy exceeds twenty-five dollars, and of matters of law in all

Sec. 17. The clerks of the Superior Courts shall have jurisdiction of the probate of deeds, the granting of letters testamentary and of adminis-All issues of fact joined before them shall b transferred to the Superior Courts for trial, and appeals shall lie to the Superior Courts from

their judgments in all matters of law. Sec. 18. In all issues of fact, joined in any court the parties may waive the right to have the same determined by jury, in which case the finding of the judge upon the fact, shall have the force and effect of a verdict of a jury. Sec. 19. The General Assembly shall provide for the establishment of Special Courts, for the trial of misdemeanors, in cities and towns, where the same may be necessary.

Sec. 20. The Clerk of the Supreme Court shall be appointed by the Court, and shall hold his office for eight years.

Sec. 21. A Clerk of the Superior Court for each

County, shall be elected by the qualified voters thereof, at the time and in the manner prescribed by law for the election of members of the General Assembly. Sec. 22. Clerks of the Superior Courts shall hold their offices for four years. Sec. 23. The General Assembly shall prescribe and regulate the fees, salaries, and emoluments of all officers provided for in this article; but the

salaries of the Judges shall not be diminished during their continuance in office. Sec. 24. The laws of North Carolina, not repugnant to this Constitution, or to the Constitu tion and laws of the United States, shall be in force until lawfully altered. Sec. 25. Actions at law, and suits in equity, pending when this Constitution shall go into ef

fect, shall be transferred to the Courts having jurisdiction thereof, without prejudice by reason of the change, and all such actions and suits, commenced before, and pending at, the adoption by the General Assembly, of the rules and prac tice and procedure herein provided for, shall be heard and determined, according to the practice now in use, unless otherwise provided for by said Sec. 26. The Justices of the Supreme Court shall be elected by the qualified voters of the

State, as is provided for the election of members of the General Assembly. They shall hold their offices for eight years. The Judges of the Superior Courts shall be elected in like manner, and shall hold their offices for eight years; but the Judges of the Superior Courts elected at the first election under this Constitution, shall, after their election, under the superintendence of the Justices of the Supreme Court, be divided by lot into two equal classes, one of which shall hold office for four years, the other for eight years.
Sec. 27. The General Assembly may provide by law that the Judges of the Superior Courts, in-stead of being elected by the voters of the whole State, as is herein provided for, shall be elected

by the voters of their respective districts. Sec. 28. The Superior Courts shall be at all times, open for the transaction of all business within their jurisdiction, except the trial of is sues of fact requiring a jury.
Sec. 29. A solicitor shall be elected for each udicial district by the qualified voters thereof, as is prescribed for members of the General Assembly, who shall hold office for the term of four years, and prosecute on behalf of the State. in all criminal actions in the Superior Courts,

and advise the offices of justice in his district. Sec. 30. In each county a Sheriff and Coroner, shall be elected by the qualified voters thereof as is prescribed for members of the General Assembly, and shall hold their offices for two years. In each township there shall be a Constable, elected in like manner by the voters thereof, who shall hold his office for two years. When there is no Coroner in the county, the Clerk of the Superior Court for the county may appoint one for special cases. In case of a vacancy existing occurring in this Commission.

Sec. 4. The judicial power of the State shall be vested in a Court for the trial of Impeachments, a Sec. 31. All vacancies occurring in the offices provided for by this Article of this Constitution shall be filled by the appointment of the Governor, unless otherwise provided for, and the ap-pointees shalf hold their places until the next reg-

ular election. Sec. 32. The officers elected at the first election held under this Constitution, shall hold their offices for the terms prescribed for them respecttively, next ensuing after the next regular elec-tion for members of the General Assembly. But their terms shall begin upon the approval of this Constitution by the Congress of the United

Sec. 33. The several Justices of the Peace shall have exclusive original jurisdiction under such regulations as the General Assembly shall pre-scribe, of all civil actions, founded on contract, wherein the sum demanded shall not exceed two hundred dollars, and wherein the title to real estate shall not be in controversy; and of all criminal matters arising within their counties, where the punishment cannot exceed a fine of fifty dellars, or imprisonment for one month. When an issue of fact shall be joined before a Justice, on demand of either party thereto, he shall cause a jury of six men to be summoned. who shall try the same. The party against whom judgment shall be rendered in any civil action. may appeal to the Superior Court from the same, and, if the judgment shall exceed twenty-five dollars, there may be a new trial of the whole matter in the appellate court; but if the judgment shall be for twenty-five dollars or less, then the case shall be heard in the appellate court, only upon matters of law. In all cases of a criminal nature, the party against whom judgment is given may appeal to the Superior Court, where the matter shall be heard anew. In all cases brought before a Justice, he shall make a record of the proceedings, and file the same with the Clerk of the Superior Court for his county.
Sec. 34. When the office of Justice of the

Sec. 34. When the office of Justice of the Peace shall become vacant, otherwise than by expiration of the term, and in case of the failure by the voters of any district to elect, the clerk of the Superior Court for the county, shall appoint to fill the vacancy for the unexpired term.

Sec. 35. In case the office of clerk of a Superior Court for a county shall become vacant, otherwise than by the expiration of the term, and in case of a failure by the people to elect, the Judge of the Superior Court for the county shall appoint to fill the vacancy until an election can be regularly held.

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