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REVIEW OF THE CONSTITUTION.

ADDRESS OF

#### MESSRS. RODMAN AND GAHAGAN

To the People of North-Carolina;

The Convention which met under the Reconstruction acts of Congress, to form a Constitu-tion "republican in form" for the State of North Carolina, preparatory to its re-adminission into the Union, have finished their labors, and now present the Constitution to the people of the State for their ratification. The undersigned have been appointed to prepare a brief statement of its most important provisions and of the principal changes which have been made in the former system of government.

THE BILL OF RIGHTS

states clearly "the general and essential principle of liberty and good government," and right of secession has been advocated, and secures forever the integrity of the Union and the peace and prosperity of the United States. To the Union-loving people of North-Carolina no defence need be made for the bold assertion of this great principle.

In the EXECUTIVE DEPARTMENT the changes Parlor, Dining Room, Chamber The names of some officers have been changed, and instead of being elected by the General Assembly as heretofore, the choice of these high agents of the people's will is given directly to the people. This is in conformity with the acknowledged principles of Republican government. But two officers have been created. 1st. Lieutenant Governor. The necessity for this officer to supply the place of the Governor, in case of a vacancy in his office, was so apparent that it was provided for in the proposed Constitution of 1865. No additional expense is in-curred, as he will receive no pay, except while acting as Governor or presiding over the Senate. 2nd. A Superintendent of Public Works. A proper care of the interests of the State in the great and expensive public works in which it is engaged renders such an officer manifestly necessary. It is a measure of economy. The State

money on internal improvements. Under the heads of the LEGISLATIVE DEPART MENT and SUFFRAGE AND ELIGIBILITY TO OFFICE, the changes which will challenge attention is the giving the right to vote and hold office to all the male inhabitants of the State, without regard to race, color or previous condition. This change was inevitable. Without it there can be no return to the Union, no escape from the tinuance in our present unnatural condition. defined and affirmed, we do declare: But apart from this convincing reason, reflecting men must see that a prudent regard for the welfare of both races and for the peace and har-Wood. Willow, and Com- mony of society required the extension of the great privilege of voting to the colored people, and just men must admit that all who are expected to bear their share of the manifold-burdens their lives for its defence in war, should be alrefuse this right to any class of the people would be to continue slavery in a modified form, a course too abhorrent to the spirit of the age to

> While giving suffrage to the colored people the Convention has not been so inconsistent with itself, and with the great principles of Rement to the wisdom, and fequity, and magnan- the United States. imity, of the Union people of North Carolina, and devastating civil war, in which wrongs and nored for the sake of the peace of the future, and whole power o the State. all who are now true to their country, are invi- Sec. 5. That every citizen of this State owes charge, which has been freely made against this force.
>
> Constitution, by those who have never seen it, Sec. 6. To maintain the bonor and good faith JNO. C. BAILEY direction. With the social intercourse of life, government has nothing to do; it must be left to the taste and choice of each individual.

Some person has been so bold or so ignorant as to allege, that white and colored people are required to be eurofled in the same miltia company, and white and colored children to attend the same schools, and that intermarriages between the races are encouraged. All these as-LSO Manufacturers of TURPENTINE sertions are false, as any reader of the constitu-A STIELS, and COPPER WORK in all its tion will see. All these matters are left now, as they were by the proposed Constitution of 1865 to be regulated by the representatives of the people in the General Assembly. Any one who denies the propriety of thus leaving them both impeaches the wisdom of our ancestors and distrusts the people of the fu-

The attempt to excite a false prejudice on these subjects, is made for partizan purposes it can only tend to excite ill-will between races that are destined to live on the same soil, and ought to down by every lover of the peace and prosperity

JUDICIAL DEPARTMENT. Experience will soon demonstrate that the charges made in this branch of the government taken altogether, are of great value. Some may doubt the propriety of electing judges by the people. If the people select wisely, no harm can possibly result. The abolishment of the County Courts, rendered necessary a small increase in the number of judges of the Superior Courts; and it may be charged that thereby the uew system will be more expensive than the old. We have considered this well, and we confidently assure the people of North Carolina, that if the General Assembly shall carry out in good faith the idea of the Convention, they will save hundreds of thousands of dollars every year, by the increased despatch, cheapness and certainty of the administration of justice. We confidently invite the approval of the people to this part of the constitution, it will stand the test of experience, and be more valued with every year of its exis-

COUNTY GOVERNMENT.

The Republican principle of local self-government, which has been so fertile a source of good effects in the North-Eastern and North-Western States, has been applied to the administration of the local affairs of counties and town-ships. These County Legislatures, composed of five Commissioners of each county; will be schools, where the lessons of statesmanship will be learned, which may be afterwards displayed in the government of the State. By these various bodies, almost every man is brought directly to participate in public affairs. It may seem a little awkward at first, but it has approved itself elsewhere, and will do so here.

EDUCATION. The Constitution framed by our ancestors in 1776, recognized the value of education. It provided for a University. This Constitution pro-vides for a University and for free public schools for all the children of the State. All may see the difference between the success in life of the educated and the uneducated man, yet as often as not, the uneducated man has been gifted with the greater degree of intellectual power; the cause of his ill success is that it has not been developed. We propose to "level upwards," to give to the child, as far as the State can, an opportunity to develope to the fullest extent, all his intellectual gifts. So noble an effort needs no vin-

dication. IMPRISONMENT FOR DEBT.

is abolished except in case of fraud. A liberal HOMESTEAD is reserved to the unfor-The barbarous Punishments of whipping, branding, and cropping, will be hereafter un-known. Crime is as often the result of an igno-

crime, and a school for teaching the useful arts to those who are more unfortunate than crimi-

People of North Carolina! such is the Constitution which we invite you to adopt. Read it carefully, consider it calmly; upon you and yours will the consequences of your decision fall. You may not approve every part of it. We cannot assert that it is perfect in every part. You must allow somewhat for the differences of opinion inevitable among thinking men, and each man must yield something of his own views for the sake of harmony. If you approve the general scope and object of the Constitution, vote to ratify it. Do not be misled by the unfounded denunciation of men heated by passion and reckless of consequences. If you adopt it, the gates of the Union will be opened for our entrance, we will once again enjoy the inestimable blessings of Constitutional Liberty, and may hope for a continuance of peace and for a return of our former prosperity. With a climate and soil unsurpassed, with a people highly giftedby nature with intelect and virtue, the State of Norh-Car. olina ought to be a great, rich and happy State. secures them by all the saleguards which experience can suggest. The great change introduced by this Bill of Rights is, that it removes every argument on which the doctrine of the prejudice, and leaving the past to bear its proper burden of sorrows and guilt, let us all note to make her what she ought to be. You have but to will it and by the blessing of God, it will be

WILL. B. RODMAN. GEO. W. GAHAGAN.

#### OFFICIAL.

## CONSTITUTION NORTH CAROLINA

PREAMBLE.

We the people of the State of North Carolina, grateful to Aimighty 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 on the people to-wit; a Senate and House of Rep- infamous crime, but shall have power to pass gen- the Senators elect, appoint all officers whose offihas lost hundreds of thousand of dollars hereto- the more certain security thereof, and for the for for want of the watchful attention which this better government of this State, ordain and esofficer will give to the expenditure of the public tablish 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 hopeless ruin which is inseparable from a con- state to the rest of the American people, may be 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 life, liberty, the enjoyment of the fruit of their own labor, and the

pursuit of happiness. Sec. 2. That all political power is vested in, of the government at all times, and to expose and derived from the people; all government of right originates from the people, is founded upon ! lowed a full participation in its direction. To 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 Coastitution and form of government, whenever it may be necessary to their safety and happiness; but every publican government, as to deny it to any por- such right should be exercised in pursuance of tion of the whites. It is an undeniable monu- law, and consistently with the Constitution of

Sec. 4. That this State thall ever remain a memthat in three years after the close of a bloody ber of the American Union, that the people thereof are part of the American nation; that there is outrages were endured that can never be forgot no right on the part of this State to secede, and Fourteenth District-Bladen and Columbus ten, they have framed a Constitution, in which that all attempts from whatever source or upon shall elect one Senator, not a trace of animosity or vindictiveness can be whatever pretext, to dissolve said Union, or to Fitteenth District—F found; in which the wrong of the past are ig- sever said nation, ought to be resisted with the senator.

ted to participate in its government. Such wise | paramount allegiance to the Constitution and forbearance is certain of its reward in the ap- Government of the United States, and that no proval of reflecting men now, and of all posterity law or ordinance of the State in contravention This may be the proper place to speak of a or subversion thereof, can have any binding

and have determined to defeat it, be it what of the State untarnished, the public debt, reguit may. The charge is, that it favors the social larly contracted before and since the rebellion, equality of the races. It is untrue, nothing can shall be regarded as inviolable and never be quesbe found in the constitution looking in that tioned; but the S ate 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 or separate emoluments or privileges from the community but in consideration of pub-

Sec. 8. The Legislative, Executive, and Su- shall elect two senators. preme judicial powers of the government ought to be forever separate and distinct from each Sec. 9 All power of suspending laws, or the

execution o' 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 accusalive together in peace, and it should be frowned tion 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, fail fees, or necessary witness fees of the defence, unless found guilty.

Sec. 12. No person shall be put to answer any criminal 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 Legislature may, however, provide other means of trial, for petty misdemeanors, with the right of

Sec. 14. Excessive bail should not be required, nor excessive fines imposed, nor cruel or unusual 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. 17. No person ought to be taken, impris-

privileges, or outlawed, or exiled, or in any manner deprived of his life, liberty, or property, but by the law of the land. Sec. 18. Every person restrained of his liberty. is entitled to a remedy to inquire into the law-

oned or disseized of his freehold, liberties or

fulness thereof, and to remove the same, if unlawful, and such remedy ought not to be denied 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, and ought to remain sacred and inviolable.

Sec. 20. The treedom 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 corpus shall not be suspended. Sec. 22. As political rights and privileges are not dependent upon, or modified by property,

therefore no property qualification ought to ettect the right to vote or hold office. Sec. 23. The people of this State ought not to be taxed, or made subject to the payment of any impost or duty, without the consent 'of themselves, or their representatives in General As-

sembly, freely given. Sec. 24. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be intringed; and, as standing armies, in time of signed to such counties; and is ascertaining the the members of both Houses of the General Ass to be kept up, and the military should be kept Indians not taxed, shall not be included. To of votes respectively, shall be declared duly elecunder strict subordination to, and governed by, the civil power.

rance of the means of getting an honest living, as | Sec. 25. The people have a right to assemble | representative; to each county containing twice | chosen by joint ballot of both Houses of the rance of the means of getting an honest living, as | Sec. 25. The people have a right to assemble | representative; to each county containing twice | chosen by joint ballot of both Houses of the of a criminal disposition. Hereafter a Penitenti- | together to consult for their common good, to | but not three times the said ratio, there shall be

Legislature for redress of grievances.

Sec. 26. All men have a natural and unalienable right to worship Almighty God according ing the largest fractions. to the dictates of their own consciences, and no Sec. 8. Until the Gene human authority should in any case whatever, made the apportionment as bereinbefore provi control or interfere with the rights of conscience. ded, the House of Representatives shall be com-Sec. 27. The people have a right to the privileges of education, and it is the duty of the State to guard and maintain that right.

Sec. 28. For redress of grievances and for amending and strengthening the laws, elections should be often held. Sec. 29. A frequent recurrence to fundamental principles, is absolutely necessary to preserve the blessings of liberty.

Sec. 30. No hereditary emoluments, privileges, or honors, ought to be granted or conferred in Sec. 31. Perpetuities and monopolies are con-

trary to the genius of a free State, and ought not Sec. 32. Retrespective 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 acts previously done, ought to be passed.

Sec. 33. Slavery and involuntary servitude,

shall have been duly convicted shall be, and are 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, ding his election. person, or reputation, shall have remedy by due

Sec. 36. No soldier shall, in time of peace be quartered in any house without the consent of the owner; nor in time of war, but in a manner Sec. 37. This enumeration of rights shall not be construed to impair or deay others, retained by the people; and all powers, not herein delegated, remain with the people.

without sale, denial, or celay.

ARTICLE-II. LEGISLATIVE DEPARTMENT.

resentatives. Sec. 2. The Senate and House of Representashall 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 elect-

od from Districts constituted as follows: First District-Perquimans, Chowan, Pasquotank, Currituck, Gates and Camden, shall elect Second District-Martin, Washington and Tyrrell shall elect one Senator. Third District-Beaufort and Hyde shall elect

Fourth District-Northampton small elect one Fifth District-Bertie and Hertford shall elect one Schator. Sixth District-Halifax shall elect one senator. Seventh District-Edgecombe shall elect one

Ninth District-Nash and Wilson shall elect-Tenth District-Craven and Carteret shall elect two senstors. Eleventh District-Jones and Lenoir shall elect

Eighth District—Pitt shall elect one senator.

one senator. Twelfth District-Duplin and Onslow shall elect one senator. Thirteenth District-Brunswick and New Hanover hall elect two senators.

Fitteenth District-Robeson shall elect one Sixteenth District-Cumberland, Harnett and Sampson shall elect two senators. Seventeenth District-Johnston shall elect one

Eighteenth District-Greene and Wayne shall elect one senator. Nineteenth District-Franklin and Wake shall elect two senators. Twentieth District-Warren shall elect one Twenty-first District -- Granville and Person or other place.

shall elect two senators. Twenty-third District Chatham shall elect one senutor

Twenty sixth District-Alamance and Guilford | fully discharge his duty as a member of the sen-

Twenty-seventa District-Randolph and Montgomery shall elect one senator. Twenty-eighth District-Moore and Richmond shall electione senator. Twenty-ninth District-Anson and Union shall elect one senator.

Thirty-first District-Cabarrus and Stanley shall elect one senator. Thirty-second District-Davie and Rowan shall elect one senator.

Thirty-third District-Davidson shall elect one senator. Thi ty-fourth District-Forsythe and Stokes shall elect one senator. Thirty-fith District-Surry and Yadkin shall elect one senator.

shall elect one senator. Thirey-seventh District-Catawba, Gaston Lincoln shall elect one senator. Thirty-eighth District-Cleaveland, Polk and Rutherford shall elect one senator.

Wilkes shall elect one senator. Fortieth District-Buncombe, Henderson and Transylvania shall elect one senator. Forty-first District-Burke, Caldwell and Watauga snall elect one senator. Forty-second District-Madison, Mitchell, Me-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 sist of contiguous territory; and no county shall two or more senators.

posed of one hundred and twenty Representatives, | and after the first day of January 1869. biennially chosen by ballot, to be elected by the counties respectively, according to their population, and each county shall have at least one Representative in the house of Representatives, although it may not contain the requisite ratio of | have been a resident or this State for two years representation; this apportionment shall be made | next before the election; nor shall the person by the General Assembly at the respective times 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.

tation shall be ascertained by dividing the amount of the population of the State, exclusive of that

shall be assigned severally to the counties hav-

Sec. 8. Until the General assembly shall have posed of members elected from the counties in the following manner, to wit:

The county of Wake shall elect four members; the counties of Craven, Granville, Halifax and New Hanover shall elect three members each; the counties of Caswell, Chatham, Cumberland, Davidson, Duplin, Edgecombe, Franklin, Guilford, Iredell, Johnston, Mecklenburg, Nortnampton, Orange, Pitt, Randolph. Robeson, Rocking-ham, Rowan, Warren and Way e shall elect two members each; the counties of Alamance, Alex- their consideration such measures as he shall ander, Alleghany, Anson, Ashe, Beaufort, Bertie, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba, Cherokee, Chowan, Clay, Cleveland, Columbus, Curntuck, Davie, Forsyth, Gaston, Gates Green, Harnet, Henderson, Haywood, Hertford, Hyde, Jackson, Jones, Lenoir, Lincoln, Macon, Madison Martin, McDowell, Mitchell, Montgomery, Moore, Nash, no ex post facto law ought to be made. No law Unslow, Pasquotank, Purquimans, Person, Polk, taxing retrospectively, sales, purchases, or other Richmond, Rutherford, Sampson, Stanley Stokes, Surry, Transylvania, Tyrrell, Union, Washington, Watauga, Wilkes, Wilson, Yadkin and Yancy otherwise than for crime whereof the part'es shall elect one member each.

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

Sec. 34. The li its and boundaries of the State resided in the State as a citizen two years, and shall have usually resided in the District for which he is chosen, one year immediately prececourse of law, and right and justice administered

Sec. 10. Each member of the House of Representatives shall be qualified elector of the State, and shall have resided in the county for which he is chosen for one year immediately preceding his election. Sec. 11. In the election of all officers, whose appointment shall be conferred upon the General

Assembly by the Constitution, the vote shall be

Sec. 12. The General assembly 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 Section 1. The Legislative authority shall be not born in lawful wedlock, or to restore to the vested in two distinct branches, both dependent | rights of citizenship any person convicted of an | and with the advice and consent of a majority of

eral laws regulating the same tives shall meet annually on the third Monday in any private law, unless it shall be made to appear. November and when assembled, shall be denom | that thirty days notice of application to pass inated the General Assembly. Neither House 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 indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, citpose shall have been read three several times in | in anywise become vacant, the powers, duties three several readings, which readings shall have been on three different days, and agreed to by shall cease, or a new Governor shall be elected each House respectively, and unless the yeas and and qualified. In every case in which the Lieunays on the second and third readings of the bill tenent Governor shall be anable to preside over shall have been entered on the Journal

Sec. 17. The General Assembly shall regulats entails in such manner as to prevent perpetuties. Sec. 18. Each house shall keep a journal or ite proceedings, which shall be printed and made public immediately after the adjournment of the General Assembly.

sent 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.

it may be equally divided. Sec. 22. The Senate shall choose its other officers, and also a speaker, (pro tempore,) in the ab- | tion, and Attorney General shall be prescribed by sence of the Lieutenant-Governor, or when he law. If the office of any of said officers shall be 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 to day,

prepare bills to be passed into laws, and the two houses may also jointly adjourn to any future day, Sec. 25. All bills and resolutions of a legisla-Twenty-second District-Orange shall elect one | tive 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 Assem-Twenty-fourth District-Caswell shall elect one bly, before taking his seat, shall take an oath or Twents-fifth District-Rockingham shall elect | and laws of the United States, and the constitution of the State of North-Carolina and will faith

ate 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 Thirtieth District-Mecklenburg shall elect first ensuing regular election.

Sec. 28. Upon motion made and seconded in either House, by one-fifth of the members presbe 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 in such manner as may be prescribed by law, on may change the time of holding the elections— Seal of the State," signed by the Governor and The first election shall be held when the vote countersigned by the Secretary of State. 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 Thirty-ninth District-Alleghany, Ashe and 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 General Assembly in the year one thousand the Supreme executive power of the State Ta eight hundred and seventy-five, and at the end of Lieutenant Governor, a Secretary of State, an every ten years thereafter; and the said Senate Auditor, a Treasurer, a Superintendent of Public Districts, shall be so altered, by the General As- Works, a Superintendent of Public instruction sembly, at the first session after the return of and an Attorney General, who shall be elected 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, Assembly are elected. Their term of office shall and shall remain unaltered until the return of commence on the first day of January next, after another enumeration, and shall at all times con- their election, and continue until their successors are elected, and qualified: provided, that the be divided in the formation of a Senate District, officers first elected shall assume the duties of unless such county shail be equitable entitled to their office ten days after the approval of this wo or more senators.

Sec. 6. House of Representatives shall be com- Stales, and shall hold their offices four years from

Sec. 2. No person shall be eligible as Governor or Lieutenant Governor, unless he shall have attained the age of thirty years, shall have been a citizen of the United States five years, and shall elected to either of these two office- be eligible to of eight years, unles the office shall have been Sec. 7. In making the apportionment in the cast upon him as Lieutenant Governor or Presd-

House of Representatives, the ratio of representent ent of the Senate. Sec. 3. The return of every election for officers of the Executive Department shall be scaled up comprehended within those counties which do and transmitted to the seat of Government by the not severally contain the one hundred and twen- returning officers, directed to the Speaker of the tie a part of the population of the State by the House of Representatives, who shall open and number of Representatives, less the number as publish the same in the presence of a majority of peace, are dangerous to liberty, they ought not | number of the population of the State, aliens and | embly. The persons having the highest number each county containing the said ratio and not | ted; but if two or more be equal and highest in twice the said ratio, there shall be assigned one votes for the same, then one of them shall be

ary will be at once a place for the repression of instruct their representatives, and to apply to the assigned two representatives, and so on progres- determined by a joint vote of both Houses of the sively, and then the remaining representatives General Assembly, in such manner as shall be

prescribed by law. Sec. 4 The Governor, before entering upon the duties of his office, shall, in the presence of the members of both branches of the General Assmbly, or before any Justice of the Supreme Court, take an oath or affirmation, that he will support the constitution and laws of the United States and of the State of North-Carolina, and that he will faithfully perform the duties appertaining to the office of Governor to which he has been

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 of the affairs of the State, and recommend to deem expedient.
Sec. 6. The Governor shall have power to

grant reprieves, commutations and pardons, after conviction, for all offences, (except in cases of impeachment,) upon such conditions as he may think proper, subject to suchiregulations 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 re-prieve, and the reasons therefor. Sec. 7. The officers of the Executive Depart-

ment 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, with his message, to the General Assembly; and the Governor may, at any time, require information in writing from the officers in the Executive 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-

they shall be called into the service of the United States. Sec. 9. The Governor shall have power, on extraordinary occasions, by and with the advice of the Council of State, to convene the General Assembly, in extra session by his proclamation. stating therein the purpose or purposes for which

chief of the militia of the State, except when

they are thus convened. Sec. 10. The Governor shall nominate, and, by Sec. 14. The General Assembly shall not pass | shall be created by law, and whose appointments are not otherwise provided 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 ies or towns to do so, unless the bill for the pur- his office, or in case the office of Governor shall each House of the General Assembly and passed | and emoluments of the office shall devolve upon 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 Sec. 19. Any member of either house may dis- as acting Governor until the disabilities be removed or a new Governor or Lieutenant Governor 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 of State shall convene the Senate, that they Sec. 21. The Lieutenant-Governor shall premay elect such President.

side in the Senate, but shall have no vote, unless Sec. 13. The respective duties of the Secretary of State, Auditor, Treasurer, Superintendent of Public Works, Superintendent of Public Instrucvacated by death, resignation, or otherwise, it shall be the duty of the Governor to appoint another until the disability be removed or his successor be elected and qualified. 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

Sec. 14. The Secretary of State, Auditor, Treasurer, Superintendent of Public Works, and Superintendent of Public Instruction shall con stitute ex officio the Council of State, who shall advise the Governor in the execution of his office, affirmation that he will support the constitution 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

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 ent, the yeas and nays upon any question shall | 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 now held, or may be dir cted hereafter to be held by him as occasion may require, and shall be in such manner as may be prescribed by law, on called "the Great Seal of the State of North-the first Thursday in August, in the year one thousand eight hundred and seventy, and every issued in the name and by the authority of the Thirty-sixth District-Alexander and Iredell two years thereafter. But the General Assembly State of North Carolina, sealed with "the Great

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.

Concluded in our next.

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