THE WILMINGTON JOURNAL

WILMINGTON, N. C.,

SATURDAY, MARCH 28, 1868.

How It Works.

The infamous Convention had a tender regard, so-called, for the honor and the welfare of North Carolina; but while we are as much opposed to repudiation, as much opposed to tarnishing the bright escutcheon of the State as we can be, and while we desire to see by all honorable means the credit of the State upheld, we cannot help thinking the series of financial measures adopted by the Convention will operate harshly and oppressively and unjustly upon the people of North Carolina, and that it is open to the suspicion of having been adopted in the interest and for the benefit of Northern capitalists.

The State debt contracted in aid of the war was repudiated. This debt was due at home, due to our own people; was held and owned here. Its payment would have afforded immediate and tangible relief to thousands and thousands of distressed widows and orphans. The money thus paid out would have been put in circulation here at home—would have remained here at home, and thus would have relieved the whole community. But this debt was repudiated, and the poor people who had trusted to the honor and plighted faith of the State were made beggars. What was the result? The banks were all broken; the University was made bankrupt; the Common School fund was destroyed; the Common Schools were closed and the children of the State deprived of their only hope of education. Every interest in the State, whether Commercial, Agricultural, Educational, Social or Religious, felt and still feels, the shock of that blow.

But this was not the only debt due by North Carolina. The debt contracted before the war and since the war, the Convention have, with very virtuous zeal, declared shall be paid, and have ordered the Legislature to provide means for the payment of its *coupons* on the first of January, 1869, in part, and from thence onward as they fall due. Now it so happens that the bulk of this debt is due to Northern capitalists; that the bonds are owned and held there; that not a dollar paid thereon, except to the few bond-holders in the State, is put in circulation here or in any way benefits the people of North Carolina, except in the way of sustaining the credit of the State. The money goes abroad and stays abroad. This is peculiarly hard when it is considered that these very bonds were, many of them, probably the bulk of them, bought for fifty cents on the dollar, thus making the impoverished people of the State pay twelve per cent. interest on a large debt, simply on a point of honor, that had hitherto been hooted at. The blow, we say, is peculiarly hard on the people of North Carolina. In the one case both honor and interest demanded alike that the plighted faith of the State should be maintained, but the call of honor and the cry of an oppressed people were alike disregarded. In the other case honor alone demanded the payment of the debt, and honor was satisfied. In the one case honor, backed by the demand of every material interest in the State—backed by the wails of the widows and orphans of North Carolina—was counted an unholy thing. In the other case honor, with a retinue of Northern capitalists at her back, was bowed down to and done homage to by these chivalrous Knights of the Infamous Convention.

But this is not all. This same Convention has provided, as far as in its power lay, for the repudiation of private debts by all the stay laws their wits could contrive, and singulary enough, the practical distinction between honor and Northern money, and honor and North Carolina poverty, prevails equally in regard to private debts as to State debts. Our own people can collect nothing—Northern creditors, however, meet with no obstruction, the Federal Courts being open to them. Such is our condition—we can collect nothing—we are at the mercy of Northern creditors in the Federal Courts. The State will not pay us that we lent her; but in the face of these facts, will soon make us part with what we have left in order to meet the demands of these insatiable Northern cormorants. Our only hope is in the rejection of the Constitution that attempts to force these things upon us. We are opposed to repudiation—we admit that our people need practical, substantial relief; but we deny that this is relief, and we are utterly opposed to making distinctions, in matters of equal obligation, in favor of Northern people at the expense of our own.

Radicalism in Brunswick.

In our Thursday's issue we published the nominations recently made for county officers by the Radicals in Brunswick. On this ticket the name of Mr. John H. Theese was placed as the candidate for County Treasurer. At the time we stated that Mr. Theese was a decided Conservative, and had no doubt the nomination was made without his consent. The following card from this gentleman, declining the nomination, will show how distasteful it is to him. Mr. Strieber, the nominee for the office of Superior Court Clerk, though not a naturalized citizen, is strongly Conservative in his principles, and we have reason to believe that he will decline the nomination. The aim of the Radicals in pursuing this course was to gain the votes of the German population of Brunswick, and possibly induce other Conservatives to vote their ticket.

The following is Mr. Theese's letter.

EDITORS JOURNAL:—I see that my name is announced as having been nominated by the Radicals of Brunswick for the office of County Treasurer. The nomination was made without my consent and without authority. I beg leave to state, through your columns, that I am not a candidate for the office, and to deny any affiliation with the party. JOHN H. THEESE.

March 26th, 1868.

Brunswick County.

There will be a Convention of the *White* people of Brunswick county, held at Smithville, on Saturday, the 4th day of April next, for the purpose of nominating candidates for the General Assembly, and county officers. See notice under Special head.

[COMMUNICATED.]

Col. Will. B. Rodman.

SIR:—I knew you, by reputation at least, before the war. I served with you in the glorious Army of Northern Virginia. Many things combine to induce me to regard you with esteem and respect. If I mistake not, you were an elector for the State at large on the Breckinridge and Lane ticket; if I mistake not, you admitted the right of secession, and favored its exercise in the contingency that happened. You joined the army and raised an artillery company, which you commanded at Newbern. You were afterwards Quartermaster to the Brigade of the lamented BRANCH. You were afterwards a Judge in General ANDERSON'S Corps Court, and thus, if not all the while in line of battle, yet all the while in the field. You staid with us to the last, until we were so reduced that you had to make your way on the memorable retreat from Petersburg on a mule. I cannot say you were at the surrender at Appomattox, for I did not see you there. You returned home and behaved as other Confederate officers did—attended to your own business, possessing the good will and esteem of all true Southern men, and the respect, at least, of all others. Just before the last election, you became a candidate for the Convention with one Stilley, an avowed Republican. Disposed to allow a wide latitude in conduct pertaining to matters since the war, to those men who had fought through the war, I withstood the opinions of those who thought you had joined the Radicals. My faith in your antecedants was such that I could not believe it. Especially was I comforted when I was informed that F. B. Satterthwaite, Esq., was opposed to you. Upon matters pertaining in any way to the war I could not think you were wrong and he was right.

Time rolled on—you and Stilley were elected. The Convention met and a Constitution was framed. You were no obscure member of that Convention. You are now and were then the candidate of the dominant party in it for a seat upon the Supreme Court bench. So far as I could gather from the published proceedings of that body, you identified yourself thoroughly with the Radicals. You voted for Cowles for President. In every instance almost, certainly in every main question, you went with the Radicals. You did indeed make a feeble opposition to the election of Judges by the people. In no account of the proceedings have I yet seen any mention made of any protest from you against any one of the many outrages attempted to be perpetrated by that Convention. You did not protest against the clause of the new Constitution allowing marriages between whites and negroes. You did not protest against the clause allowing whites and blacks to muster together, and allowing whites to be officered by blacks; nor against the one allowing white and black children to attend the same public schools; nor against that allowing white children to be bound to black masters; nor against that allowing negroes to be guardians for white wards. None of these outrages against your color and race were sufficient to excite to a harmless, peaceable protest even, the blood that made you take up arms against the United States, or that made you sit in judgment on the lives of those who deserted the Confederate States.

I have, however, just seen two communications from you in the *Standard*, in regard to these matters. I propose to examine them briefly, and to ask you a few questions relative thereto. They are both addressed to the people of North Carolina; the first being signed by yourself alone. In this you declare the assertion, "that the new Constitution has in it provisions tending to produce social equality between the white and colored races," is entirely unfounded;" "that the charges against the Republican party in the Convention on these subjects are palpably false." Why did you not deny the charge on behalf of the Republicans out of the Convention as well as on behalf of those in it? Your denial is based upon the fact, first, that the Constitution does not, in so many words, "*require*" (italics your own) white and black men to muster in the same company. You assert that now, as heretofore, the whole matter is in the hands of the Legislature. Do you intend by this to create the impression that your Constitution gives to the Legislature the same power, and no more, in this matter than was given by the Constitution of 1835? A Constitution that recognized negroes as slaves, and slaves as property; that in express terms excluded free negroes even from participation in a Government that recognized as citizens white men only!

You seem to lay much stress upon the word "*require*." Do you deny that your Constitution *allows* this thing? Do you assert that the Constitution of 1835 *allowed* it? 2d. That the Constitution does not "require" white and black children to go to school together. Do you deny that it allows it? Do you assert that the Constitution of 1835 allowed it? 3d. You deny that your Constitution *favors* marriages between whites and negroes. Do you deny that it allows it? Do you assert that the Constitution of 1835 allowed it? Have you not already favored such marriages by legalizing, in more than one case, marriage between white and black? Were there not amendments offered in Convention to this Constitution expressly prohibiting and rendering impossible the marriage of negroes and whites, the mingling of the two races in schools and the militia, and prohibiting, also, the binding of white children to negro masters? Did you vote for or against these amendments? You were a member of the Convention. You are now a candidate for our suffrage, and we have, therefore, a right to catechize you.—How did you vote on these amendments? You say all these matters are in the power of the Legislature. If a member of that body would you vote for or against separate schools? for or against intermarriages between the races? for or against mustering in the same company whites and negroes? for or against binding out white children to negro masters? Do you think the Legislature ought to pass laws prohibiting all these things? If you do think so, what will you do about the University?—You have ordained in your Constitution that "the University, with its lands, emoluments, &c., shall be held to an inseparable connection with the Free Public School system of the State." Will you open its doors to negroes? or will you tax the people of North Carolina to build and endow another University for negroes alone? You must do the one or the other—allow negroes to go to Chapel Hill or build a new College for them. If you build a new one, will you tax white people to build it? You are a lawyer, a distinguished one, especially learned in the law of Real Estate. You are a candidate, and therefore I have a right to question you. If elected Judge, how will you decide upon the constitutionality and validity of a law which appropriates the lands and franchises belonging to the University, to the education of negroes? Will or will not the lands granted by private individuals for the purpose of educating white boys revert back to the grantors and their heirs when they are no longer used for the purpose for which they were granted?—You are estopped from refusing to answer by saying a Judge ought not to decide a case until it comes before him in Court. You have made me an elector; you have asked me as one of the people to vote for you. I wish to perform my duty intelligently. I wish to know what will be the result of my vote if cast for you. I therefore ask the question, How will you decide?

Your Constitution provides a Commission to report a Code of Law of North Carolina. Hon. SAMUEL F. PHILLIPS and A. W. Tourgee were nominated for that Commission. Tourgee was elected. Did you vote for Tourgee or did you vote for Mr. PHILLIPS? Did you have it in your heart to vote for such a man as Tourgee in preference to such a man as S. F. PHILLIPS, to prepare a Code of Law of North Carolina, and that, too, when you were a candidate for a seat on the Supreme Court bench; you, who knew so well that, as Mr. HODNETT said, Tourgee is nothing but a boy, and a stranger boy at that?

Your other communication is signed by yourself and one Geo. W. Gahagan, and professes to be a brief statement of the most important provisions and changes in the Constitution. In excuse for creating the office of Lieutenant Governor you plead the precedent set by the proposed Constitution of 1865. Do you forget that the people rejected that Constitution? In the creation of the office of Superintendent of Public Works, you plead economy and the necessity of the case. Do you forget that your party has nominated C. L. Harris for that office? You do not mention the two new Judges of the Supreme Court. You boast that the Convention have not disfranchised any one. You boast that "after a bloody and devastating civil war in which wrongs and outrages were endured that can never be forgotten," a Constitution was framed "in which not a trace of animosity or vindictiveness can be found." Is it possible that you, Col. Rodman, late C. S. Army, can bring yourself to boast of not disfrancising men for trying to establish the independence of the Confederate States of America? Have you forgotten in which army you fought in that civil war? Have you forgotten the color of your uniform? Have you forgotten whether you fought with or against the perpetrators of those "wrongs and outrages never to be forgotten?" Have you forgotten that at the demand of the Union men of the Western part of the State your Convention repealed the Amnesty act passsd by the Legislature, thus placing Confederates at their mercy, no matter whether they acted with or without orders? Is there no vindictiveness, no animosity in that repealing ordinance? Did you either vote or protest against that repeal? You say your Constitution does not "require" (still harping upon that word require) whites and negroes to be mingled in musters and schools. That "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 future."

You still forget that the people rejected this proposed Constitution of 1865. I do not know Mr. Gahagan, your co-signer. Neither do I know his ancestors, or whether, indeed, he ever had any. Your ancestry, however, I do know somewhat. It is one to be proud of. Honest blood, adorned for generation after generation by honorable deeds and upright conduct, is indeed a priceless heritage. I would be as far as yourself from impeaching the wisdom of your ancestors. If, however, you had any ancestors in the Convention of 1865 I am not aware of it; indeed, it seems to me a strange form of expression for the men of 1868 (March) to speak of the men of 1865 (December) as their *ancestors!* Upon that same proposed Constitution, made by our ancestors in 1865 and rejected by ourselves at the same time, how did you vote? Did you vote for or against it; did you favor or oppose its rejection?

You say to us, "if you approve the general scope and object of the Constitution, vote to ratify it." I beg leave to ask whether *you* approve the general scope of this Constitution? Remember that it gives the negro the right to suffrage and the right to office; that it changes the whole theory of our government by making both Senate and House dependent on population alone, and thus deprives property of all representation and sweeps away all its safeguards; that it subverts the law of the land, and, at one blow, destroys all those accustomed legal forms which have been handed down from generation to generation, for centuries; that it gives us an elective, and therefore political, judiciary. If now, that you have had time for calm reflection, you can lay your hand upon your heart and, remembering all these enormities, say, upon the honor of a gentleman, that you approve them, I shall be very much surprised and disappointed.

ONE OF THE PEOPLE.

Dana is affected like many monomaniacs, imagining all the world but himself insane.

[COMMUNICATED.]

To Hon. Thos. Settle, Late Capt. C. S. A.

You belong to the best blood of the State. Like your brother officer, Col. Rodman, you were born an aristocrat. You are no common man, sprung from obscure parentage. High station and wealth and the Settle family are no strangers to each other. Your father, whose honored name you bear, adorned for years the Judiciary of our State. Time and again you have been honored by the confidence of the people. No matter how many may be wrecked around you, your bark always comes safely to shore. You are an educated gentleman. In English history you are doubtless proficient. It may be asserted, from the events of your life, that you have profited by the experience of the past, that to a gentleman of your turn of mind, the life of at least one English character has been a study. It is unnecessary to say that I refer to that eminent divine, the VICAR of BRAY. With equal confidence may it be asserted that your theological studies were mainly directed to the tenets of that sect who "held the best livings in England." Comparatively a young man, for fifteen years you have been more or less prominent before the people. You were by birth and education a Whig. You went to the University of the State. Your county of Rockingham was largely Democratic. You overcame your early prejudices as your naturally fine mind was enlarged and developed by the liberalizing course of studies at Chapel Hill. This was truly fortunate. The whole State was by this time thoroughly Democratic. It opportunely qualified you for the position of Private Secretary to your brother-in-law, that true man, Gov. DAVID S. REID. For a time Democracy was jubilant, and so was Thomas Settle, Jr. The future lay fair and beautiful before you; the sunshine lasted enough to make you Solicitor for your District. But fair weather could not last always. Portentous signs of a terrible storm overcast the whole political horizon. You attempted to so trim your sails as to break its force.—You followed the guidance of your family connection, Hon. STEPHEN A. DOUGLAS, still, however, claiming to be a Democrat. If DOUGLAS won, you were all right. If the Democrats won, you were still a Democrat. If the Opposition won, had you not aided them in breaking down the Democratic party? Verily, you took up a fine position. Neither Democrats, Douglas or the Opposition won. The winning party was not yet here. You wished to be Solicitor again. The Legislature met and the Democrats were in power. You sought the nomination. In the caucus of the party, held in the Commons Hall in the winter of 1860, you made a speech, recanting your errors and apologizing for your wanderings. I was present at that caucus. I have in my mind's eye now, your tall, graceful figure and commanding form, as you renewed your fealty to the Democratic party.

I well remember the classic and elegant manner in which you referred to your error. It was forcible, too. You said you were like the poor girl, who, when rebuked severely by her stern mother for an "indiscretion" (so-called, I presume, in these days) which resulted in an unauthorized grand-child for the old lady, and all you had to say was, that "if you had had a baby it was a mighty little one," and you hoped to be excused. You were excused and nominated, and received the vote of every Democrat in the Legislature, except that of the gallant and chivalrous FLEMING, of Rowan, who openly declared that no caucus could compel him to vote for you under such circumstances.

Poor FLEMING! The geatlest, the purest, the bravest, the most incorruptible of men, the most single-minded of patriots and the truest of friends! Fitted by every quality of head and heart to adorn the highest position in the gift of a people, it fell to your lot, my gallant comrade, to lay down your noble life for the land you loved so well!

You and myself, Capt. Settle, survive! The ways of Providence are, indeed, past finding out! Here, again, was your good fortune apparent. The Legislature did not meet until December, 1860, and then you had ample time to run off with Douglas and return again before the election of Solicitor came off. The storm whose mutterings had been heard burst upon the country. The President of the United States called for seventy-five thousand troops to suppress what he termed an "insurrection." Your response to this call was prompt and vigorous. You raised a company and took up arms as an insurgent. You defied the President and the Flag of the United States. You bore a Captain's commission in the opposing army.—You were elected, if I mistake not, in the Spring of 1862 a Colonel, and declined on the ground that you could not command men who were soldiers by compulsion. You must have a free troop. You therefore resigned and came home. Again fortune favored you; you swam with the current of popular feeling against the United States government. Just as that feeling received its first shock, the Confederate States Government made men soldiers by compulsion, and afforded to your tender sensibilities cause to step out of a current that was fast becoming cold and muddy.

Time rolled on. Mr. Lincoln at last succeeded in quelling his "insurrection." The current had by this time set in in an opposite direction, with such violence that it had become like a rushing, roaring, raging mountain torrent. The first thing seen on these tumultuous waters was the frail bark of Thomas Settle, gliding along so calmly and smoothly that even had that poor girl's unfortunate babe been in it its slumbers would have been undisturbed. The people who for four years had made war upon you, against whom you yourself had taken up arms, were now triumphant. The winning side had at last reached here, and you were again jubilant. A Convention, so-called, assembled; you were a prominent member of it. It met in that same Commons Hall where you told that chaste and pathetic story of that poor girl. In that same Hall it was again my fortune to be present when you made that celebrated speech *declaring yourself to have been a traitor to your flag and your country.* It is needless to say I was forcibly reminded of the time when I heard you recant your treason to the Democratic party.

I stood and listened to you that day, my face burning with shame to think that such words could be uttered in such a place, and no man dare make a reply! Yet so it was. *That speech will never be forgotten. The people of North Carolina do not love traitors.*

Twice have I heard you recant. After your second recantation you were elected Speaker of the Senate and also Solicitor for your District. Time rolled on. You became a Republican. In the fall of 1867 a Convention of your new brethren was held in Tucker's Hall and adopted such radical views that a division was made. For a short time there was some hope that a few would return to their senses. You were reported to be opposed to Radicalism; I verily thought I might hear your third recantation.

With the year 1868 came the necessity of selecting men to fill the places of honor and profit in the State. The division of last fall proved a failure. The Radicals are now dominant, and you are again jubilant, and a candidate for Judge of the Supreme Court of North Carolina. Verily, you have fulfilled the promise of your youth—not yet forty years old, and running for Judge of the Supreme Court! I do not mean to reflect upon your capacity for the place. No man can dispute your judgment and foresight in political matters. Why may it not be that you will as readily see the winning side of a case at law, as you can foresee the winning side in a political campaign. And then, too, Mr. Tourgee induced the late so-called Convention to do away with all that unnecessary legal lumber about pleading, and law and equity, of which the heads of GASTON, and HENDERSON, and BADGER used to be so full. The Supreme Court is now a political, and not a judicial, tribunal. In proof of which I cite the speeches you are now making all over the State in company with Gov. Holden. These are the evidences you offer of your fitness to be a Judge. You have been at the bar in the Old School too long not to know what is "the best evidence." You are no doubt qualified, under the new *regime*. Our brother officer, Col. Rodman, C. S. A., is qualified; also Tourgee, and possibly Daniel L. Russel, Jr. You will, if elected to the Supreme Court, occupy a lofty position. I think your past history proves that you are entitled to it. Heed not the intimations of those envious persons who may tell you and our brother Rodman that *weather-cocks generally occupy exalted places.* They say so from pure envy. I say to you, *my old fellow-soldiers*, go in and win. *It is your good judgment!*

ONE OF THE PEOPLE.

Who Can Vote for Members of the Legislature?

We cannot urge too earnestly upon our people the necessity of examining for themselves this new Constitution proposed for their adoption. We cannot caution them too frequently to believe no assertion made about its contents unsustained by the proof of the instrument itself. We are perfectly willing to abide this test ourselves, and we sincerely trust the people will at least hold negroes, foreigners and office-seekers to the same rule. We regard this Constitution as containing in itself the very strongest argument in favor of its own defeat.—It contains in itself so many seeds of corruption and decay, that every one who reads it must see how unfit it is to be made the organic law of any country. All we ask is, that the people will read and see for themselves.

We have been led to these remarks by the general acquiescence in the seemingly conceded opinion that at the coming elections no one can vote for members of the Legislature save those who at that time may be registered voters under the Reconstruction Acts. We do not concur in this construction of the Constitution, and are decidedly and clearly of opinion that every male person born in the United States, or who has been naturalized and is otherwise qualified by age and residence, is, under the new Constitution, entitled to vote for members of the Legislature, no matter whether disfranchised by the Reconstruction Acts or not. In proof of the correctness of this position, we cite the following sections of the Constitution in support of, and in addition to, the grounds assumed by us in a previous article upon the subject:

ARTICLE VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

Section 1. Every male person born in the United States and every male person who has been naturalized, twenty-one years old or upward, who shall have resided in this State twelve months next preceding the election, and thirty days in the county in which he offers to vote, shall be deemed an elector.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

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. 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 directed 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 votors of the State, and the General Assembly then elected, shall meet on the fifteenth day after the approval thereof 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 regular election.

We cite also the second section of "an ordinance for the submission of the Constitution to the people and the election of certain officers":

Sec. 2. An election shall be held at the same time and place as the ratification of the Constitution, for Senators and Representatives in the General Assembly, and for all State and County officers, who are to be elected by the people under this Constitution.

It is here prescribed in plain terms that the first election shall be held at the same time that a vote is taken for ratification of the Constitution; that the parties then elected shall hold over until 1870, and also who "shall be deemed an elector." It is out of our power to make the matter any plainer than the Constitution itself has made it. We admit that only registered voters under the Reconstruction Acts can vote upon the Constitution, for the reason that those Acts themselves so require. There is no restriction, however, in those Acts upon the power of the Convention to say who shall or who shall not vote under the new Constitution. The Convention have said that all persons shall vote without regard to the Reconstruction Acts, provided otherwise qualified. Such are our reasons for our construction of this matter. We do not, however, for a moment suppose such was the intention of the Convention. We think they were attempting to deceive and cheat the people of North Carolina, and were caught in their own trap. We predict, however, that in spite of these plain provisions of the Constitution, no person will be allowed to vote for members of the Legislature, save those registered in accordance with the Reconstruction Acts.

Colonel Hall.

We learn that the reception of Colonel HALL at Fayetteville on the 26th was very flattering. The people turned out in large numbers and escorted him to his lodgings. At all points at which he has addressed the people his reception has been most marked, and our candidate for Lieutenant Governor is doing noble service in this contest.

THE ELECTION ORDER.

HEADQUARTERS SECOND MILITARY DISTRICT, CHARLESTON, S. C., March 23, 1868.

GENERAL ORDERS, NO. 45.

The Constitutional Convention of the State of North Carolina, in conformity with the Act of Congress of March 23, 1867, supplementary to the Act of March 2, 1867, "to provide for the more efficient government of the rebel States," having framed a constitution and civil government according to the provisions of the aforesaid laws; and having by an ordinance adopted on the 17th day of March, 1868, provided that the said constitution shall be submitted "for ratification to the persons registered under the provisions of this Act [March 23, 1867, Section 4] at an election to be conducted by the officers appointed or to be appointed by the Commanding General as hereinbefore provided, and to be held after the expiration of thirty days after the notice thereof to be given by the said convention;" and having further provided, by the aforesaid ordinance, that at the same time an election shall be held for Senators and Representatives in the General Assembly and for all State and County officers who are to be elected by the people under this constitution, and further that in each Congressional District of the State an election shall be held for a member of the House of Representatives of the United States Congress, It is ordered:

First. That an election be held in the State of North Carolina, commencing on Tuesday, the 21st day of April, and ending on Thursday, the 23d day of April, 1868, at which all registered voters of said State may vote "For Constitution" or "Against Constitution," and also on the same ballot for the State and County officers and for members of the United States House of Representatives, as specified in the before cited ordinance.

Second. It shall be the duty of the Boards of Registration in North Carolina, commencing fourteen days prior to the election herein ordered, and giving reasonable public notice of the time and place thereof, to revise for a period of five days the registration lists; and upon being satisfied that any person not entitled thereto has been registered, to strike the name of such person from the lists, and such person shall not be entitled to vote. The Boards of Registration shall also, during the same period, add to such lists the names of all persons who at that time possess the qualifications required by said Acts, who have not already been registered.

Third. In deciding who are to be stricken from or added to the registration lists, the Boards will be guided by the law of March 2, 1867, and the laws supplementary thereto, and their attention is special directed to the supplementary Act of July 19, 1867.

Fourth. Any duly registered voter of this State who may have removed from the County in which he was registered, shall be entitled to vote in the County to which he has removed and has resided for the ten days next preceding this election, upon presentation of a certificate of registration from the County in which he was originally registered, or upon his affidavit or other satisfactory evidence that he was so registered, and that he has not voted at this election. It shall be the duty of the Registrars, upon the application of any duly registered voter who has removed or is about to remove from the precinct in which he was originally registered, to furnish him with a certificate that he was so registered, and to note the fact in the registration books of the precinct. In default of the certificate, the affidavit of the voter must set forth the County and precinct in which he was originally registered, and the length of time he has resided in the county in which he desires to vote. In doubtful cases, the Registrars or Inspectors of Election shall require such additional evidence as may be necessary to satisfy them that the applicant is legally entitled to vote. Blank forms for the certificates and for the affidavits herein required, will be furnished the Registrars and the Inspectors of election, and when used will be attacked to the ballots cast by such voters, and will be transmitted to District Headquarters with the returns required by law.

Fifth. The said election will be held in each County at such places as may hereafter be designated, under the superintendence of the Boards of Registration as provided by law, and in accordance with instructions hereafter to be given to said Boards in conformity with the Acts of Congress and as far as may be with the laws of North Carolina.

Sixth. The polls shall be opened at such voting places at six o'clock in the forenoon, and closed at six o'clock in the afternoon of each day, and shall be kept open during these hours without intermission or adjournment.

Seventh. All judges and clerks employed in conducting said election shall, before commencing to hold the same, be sworn to the faithful performance of their duties, and shall also take and subscribe the oath of office prescribed by law for officers of the United States.

Eighth. No member of the Board of Registration, who is a candidate for election to any office to be filled at this election, shall serve as a Judge or Inspector of Election in any precinct which he seeks to represent.

Ninth. The Sheriff and other peace officers of each County are required to be present during the whole time that the polls are kept open, and until the election is completed; and will be made responsible that there shall be no interference with Judges of Election, or other interruption of good order. If there should be more than one polling place in any County, the Sheriff of the County is empowered and directed to make such assignments of his deputies, and other peace officers, to the other polling places, as may in his judgment best subserve the purposes of quiet and order; and he is further required to report these arrangements in advance to the Commander of the Military Post in which his County is situated.

Tenth. Violence, or threats of violence, or of discharge from employment, or other oppressive means to prevent any person from registering or exercising his right of voting, is positively prohibited; and any such attempts will be reported by the Registrars or Judges of Elections to the Post Commander, and will cause the arrest and trial of the offenders by military authority. The exhibition or carrying of deadly weapons in violation of General Orders No. 10, of 1867, at or in the vicinity of any polling places during the election herein ordered, will be regarded and treated as an additional offence.

Eleventh. All bar rooms, saloons, and other places for the sale of liquors by retail, will be closed from six o'clock of the evening of the 20th of April, until six o'clock of the morning of the 24th of April, 1868, and during this time the sale of all intoxicating liquors at or near any polling place is prohibited. The police officers of cities and towns, and the Sheriffs and other peace officers of Counties will be held responsible for the strict enforcement of this prohibition, and will promptly arrest and hold for trial all persons who may trangress it.

Twelfth. Military interference with elections, "unless it shall be necessary to repel the armed enemies of the United States, or to keep the peace at the polls," is prohibited by the Act of Congress approved February 25, 1865, and no soldiers will be allowed to appear at any polling place, unless as citizens of the State they are qualified and are registered as voters, and then only for the purpose of voting; but the Commanders of Posts will keep their troops well in hand on the days of election, and will be prepared to act promptly if the civil authorities are unable to preserve the peace.

Thirteenth. The returns required by law to be made to the Commander of the District of the results of this election, will be rendered by the Boards of Registration of the several registration precincts through the Commanders of the Military Posts in which their precincts are situated, and in accordance with the detailed instructions hereafter to be given.

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By Command of Bvt. Major-General ED. R. S. CANBY:

LOUIS V. CAZIARC,
Aide-de-Camp,
Actg. Asst. Adjt. Genl.

Section fourteenth, fifteenth and sixteenth of this order, which we omit, are devoted to the designation of the officers to be elected, and the several Congressional, Judicial and Senatorial districts within the limits of the State.

THE PROVOST COURT.—For the information of the public, we publish the following order from District Headquarters relative to the establishment of a Provost Court in this city for the counties of New Hanover, Brunswick, Bladen and Columbus:

HEAD'QRS SECOND MILITARY DISTRICT, CHARLESTON, S. C., March 23, 1868.

SPECIAL ORDERS, No. 69.

[*Extract.*]

* * * *

VI. A Provost Court is hereby constituted at Wilmington, North Carolina, for the counties of New Hanover, Brunswick, Bladen and Columbus, North Carolina, with jurisdiction, as restricted by paragraph II, of General Orders No. 18, current series, from these Headquarters, of all civil cases arising within the limits of that post, in which the amount in controversy does not exceed three hundred (300) dollars; and of all offenses, not under the Articles of War, which may be referred to it by the Post Commander, except murder, manslaughter, assault with intent to kill, violation of the laws against duelling, perjury, rape and arson. Sentences and judgments will not be executed until approved by the Commanding General.

The court will ordinarily sit and be always open at Wilmington, North Carolina; but will when needful, repair to and temporarily sit at other points within said Counties, as the interest of justice may require.

The procedure of the court will be assimilated to that of magistrates under the laws of the State, and will conform to the regulations prescribed for like courts in General Orders.

The proceedings of the court will be forwarded through the Post Commander for review and final decision.

J. C. Mann, Esq., is hereby appointed sole Judge of said court, and his compensation as such fixed at one hundred (100) dollars per month.

The court may employ a clerk at a compensation not exceeding three (3) dollars a day, who shall keep the records of its proceedings. The fund accruing from fines and costs will be appropriated to defray the expenses of the court.

Simple rules and forms of procedure, and the fees and charges prescribed by the court, will be published by the court for general information.

The Sheriffs of the said Counties of New Hanover, Brunswick, Bladen and Columbus, their deputies and all constables therein, are required to execute the orders and decrees of the court.

At the end of each month a return of the cases tried, and of all receipts and expenditures, with vouchers, will be made by the court to the Post Commander, and by him forwarded to these Headquarters.

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By Command of Bvt. Major-General ED. R. S. CANBY:

LOUIS V. CAZIARC,
Aid-de-Camp.
Actg. Asst. Adjt. Genl.

The following restrictions in regard to the jurisdiction of this Court, contained in Paragraph II, General Orders No. 18, current series, we have previously published, but here append them as explanatory of the above order. In accordance with these restrictions the operations of our civil Courts will not be materially affected or interfered with:

No Provost Court will entertain jurisdiction of any case, nor will any Post Commander refer any case for trial to any such Court, unless it shall appear to the satisfaction of the Post Commander, and shall be certified by him, either—

First, That the case involves matters of difference between employer and employed respecting rights under the provisions of military orders; or

Second, That the proper State authorities have refused or unreasonably failed, or are unable to take action needful for the protection of persons or property; or

Third, That there is good ground for believing, upon facts shown, which must be preserved on record, that impartial justice cannot be secured in the State Courts by reason of prejudice on account of race, color or former condition.

MEETING OF THE CHAMBER OF COMMERCE—APPOINTMENT OF DELEGATES TO THE RAILROAD CONVENTION IN FAYETTEVILLE.—At a called meeting of the Chamber of Commerce of this city, held at the rooms of the Merchants' Exchange Thursday, the following resolution, offered by D. G. Worth, Esq., of the firm of Worth & Daniel, was adopted:

Resolved, That the President appoint a committee of five (5) members to represent the interests of the mercantile community in this city, in the Railroad Convention to be held in Fayetteville on the 2d of April next; and that this committee, in the meantime, call upon the citizens to ascertain as nearly as possible the amount they will subscribe for the extension of the Coalfield Railroad to the North Carolina Railroad at High Point, or West of that place.

This committee is comprised of the following named gentlemen: Messrs. D. G. Worth, J. W. Atkinson, P. Mallett, W. H. McRary and G. W. Williams.

For the Journal.

Duplin County.

KENANSVILLE, N. C., March 25, 1868.

Messrs. Engelhard & Price:—I have time only to give you a few words in relation to the doings of yesterday. The Conservative party nominated their County Ticket. The following are the names of the nominees:

For the House of Representatives—Isaac B. Kelly and Dr. Armstrong.

For Superior Court Clerk—John D. Southerland.

For County Court Clerk—Walter R. Bell.

For Sheriff—Bland Wallace.

For Register—Rev. James M. Sprunt.

The Court adjourned about 11 o'clock, to give an opportunity of holding the Convention and for the public speaking.

Col. Heaton, Radical candidate for Congress, and would-be *Judge* Russel, having been advertised for the occasion. We requested, and thought we had a right to share the stand with the Rads, but upon Col. Heaton's arrival, accompanied by one Gen. Littlefield, we were politely informed that the appointment for public speaking belonged exclusively to the Rads, and they would allow only one hour for us in reply to the General's opening speech, and then he and Col. Heaton would speak as long as they pleased. Our hour was filled in by a half hour's speech from Col. Kenan and the same from Col. McKoy, in most admirable style. I have not time for comment. Would-be Judge Russel did not appear.

Duplin will come up all right, notwithstanding all the efforts of the carpet-sackers and negro worshipers. Col. McKoy was particularly severe upon Wm. E. Hill. The crowd was large.

Col. Allen and Capt. F. Smith addressed a good crowd of the people at Barfield's in Albertson's District on last Saturday, the 21st. All right there, *certain*.

The counties of Duplin and Onslow confer at Gibson Sloan's, in this county, next Saturday, to nominate a Senator for the District. Yours respectfully.

For the Journal.

Killed by Lightning.

On last Friday morning, the 20th inst., James P. Townsend, aged eighteen years, two months and eighteen days, son of Mr. Alfred Townsend, of Robeson county, N. C., was struck and instantly killed by lightning. He was in the barn, which the lightning struck, and descending a post that James was resting his hand upon, striking him on the top of his head, breaking the skull and his neck, then descending by his right side tore off the toe of his shoe and passed through the barn floor. His dog that was near by, but outside of the barn, ran to the house and dropped down dead.

James was an excellent youth and leaves many relatives to mourn his sudden and early death. A BROTHER.

SHALL NEGRO GUARDIANS BE APPOINTED FOR WHITE WARDS?—*That is one of the issues.* The so-called Convention voted down a prohibition of this possible outrage!

SHALL WHITE CHILDREN BE COMPELLED to go to the same schools with NEGROES? That is one of the issues.