

**AMENDMENTS OF 1879****I. AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA IN RELATION TO THE SUPPORT OF THE DEAF MUTES, THE BLIND AND THE INSANE OF THE STATE.<sup>103</sup>**

*The General Assembly of North Carolina do enact (three-fifths of the whole representation in each house of the general assembly concurring):*

SECTION 1. That the constitution of this state be altered as follows, to-wit: Strike out all of section ten of article eleven of the constitution of the state and insert in lieu thereof the following: "The general assembly may provide that the indigent deaf mutes, blind and insane of the state shall be cared for at the charge of the state."

Ratified the 14th day of March, A. D. 1879.

*(Ratified by the people on November 2, 1880 by a vote of 87,163 to 70,459.)*

**II. AN ACT TO ALTER THE CONSTITUTION OF NORTH CAROLINA CONCERNING THE DEBT OF THE STATE.<sup>104</sup>**

*The General Assembly of North Carolina do enact (three-fifths of each house concurring):*

SECTION 1. That section six of article one of the constitution shall be amended by adding at the end thereof the following:

"Nor shall the general assembly assume or pay, or authorize the collection of any tax to pay, either directly or indirectly, expressed or implied, any debt or bond incurred, or issued, by authority of the convention of the year one thousand eight hundred and sixty-eight, nor shall any debt or bond incurred or issued by the legislature of the year one thousand eight hundred and sixty-eight, either at its special session of the year one thousand eight hundred and sixty-eight, or at its regular session of the years one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, and one thousand eight hundred and seventy, except the bonds issued to fund the interest on the old debts of the state unless the proposing to pay the same shall have first been submitted to the people and by them ratified by the vote of a majority of all the qualified voters of the state at a regular election held for that purpose."

SEC. 2. This amendment shall be submitted at the next general election to the qualified voters of the whole state, those voting in favor of the amendment to vote a written or printed ticket with the words "for amendment concerning public debt" on it, and those voting against it to vote the same kind of ticket with the words "against amendment concerning public debt" on it.

SEC. 3. The election shall be held and the votes returned, compared and counted and the result announced under the same rules and regulations as were in force when the amendments proposed by the constitutional convention of one thousand eight hundred and seventy-five were submitted to the people in November, one thousand eight hundred and seventy-six.

SEC. 4. This act shall be in force from its ratification.

Ratified the 14th day of March, A. D. 1879.

*(Ratified by the People on November 2, 1879 by a vote of 117,388 to 5,458.)*

## AMENDMENT OF 1887

AN ACT TO ALTER THE CONSTITUTION OF NORTH CAROLINA<sup>105</sup>

*The General Assembly of North Carolina do enact:*

SECTION 1. That article four of the constitution of the state be amended as follows: In section six strike out the word "two" and insert instead thereof the word "four."

SEC. 2. The said amendment to the constitution of this state shall be submitted to the people on the Tuesday next after the first Monday in November, one thousand eight hundred and eighty-eight.

SEC. 3. It shall be the duty of the sheriffs in each and every county in the state to open polls at the several election precincts in his county on the said Tuesday after the first Monday in November, eighteen hundred and eighty-eight, and the same shall be kept open for one day from the hour of seven o'clock in the morning until sunset of the afternoon, when all persons qualified to vote according to the constitution may vote for or against said amendment, those desiring such amendment to vote with a written or printed ticket "for amendment," those of a contrary opinion to vote with a written or printed, ticket "against amendment."

SEC. 4. The election provided for in the preceding section shall be conducted in the same manner and under the same rules and regulations except as herein otherwise prescribed, as is provided in the law regulating general elections in this state.

SEC. 5. The county commissioners, or upon their failure, the inspectors of election, shall provide for each election precinct in their respective counties a ballot box in which shall be deposited the ballots for or against said amendment. The ballots so cast shall be counted, returned and canvassed as is provided by law in cases of election for state officers and under like penalties in case of default upon the part of any returning officer, judge of election of county canvasser. Abstracts of the vote upon said amendment shall be filed and another abstract forwarded to the secretary of state at Raleigh in the same manner as is prescribed in regard to the vote for state officers, by the chairman of each board of county commissioners.

SEC. 6. The board of state canvassers shall open the abstracts transmitted to the secretary of state on the Thursday following the third Monday after the election and proceed to compare the votes for and against the amendment, and if it shall appear that a majority of the votes polled are in favor of said amendment, the governor shall forthwith issue his proclamation announcing the result and shall cause to be endorsed on said amendment as enrolled by the two houses of this general assembly or annexed thereto a certificate under his signature declaring that said amendment has been ratified by the people of North Carolina. The secretary of state shall countersign the said certificate and annex thereto the great seal of the state, and the said amendment so enrolled with the certificate aforesaid shall be forever kept among the archives of the state in the office of the secretary aforesaid.

SEC. 7. That for the purpose of filling the offices to be created by this act there shall be elected by the people of the state at the next regular election two associate justices of the

supreme court under the same rules and regulations as are now provided by law for the election of justices of the supreme court. And if such amendment as is provided for in section first of this act be adopted it shall be the duty of the governor to issue his commission to the persons so elected and they shall be justices of the supreme court and qualify as such; and if the said amendment be not adopted by the people then he shall not issue his commission to such persons so elected and they shall not so qualify.

SEC. 8. This act shall be in force from and after its ratification.

In the general assembly read three times, and ratified this the 7th day of March, A. D. 1887.

*(Ratified by the people on November 6, 1888 by a vote of 121,659 to 29,377.)*

## AMENDMENT OF 1891

AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA.<sup>106</sup>

*The General Assembly of North Carolina do enact:*

SECTION 1. That section twenty-third of article four of the constitution be amended by striking out in line two of said section the words "by the qualified voters thereof" and insert in lieu thereof the words "in the same manner," and by striking out "members of the general assembly" in the second and third lines of said section and insert in lieu thereof "judges of the superior court."

SEC. 2. That said amendment to the constitution of this state shall be submitted to the people for ratification on the Tuesday after the first Monday in November, one thousand eight hundred and ninety-two. It shall be the duty of the sheriffs in each and every county in the state to open the polls at the several election precincts in his county on the said Tuesday after the first Monday in November, one thousand eight hundred and ninety-two, and the same shall be kept open for one day from the hour of seven o'clock in the morning until sunset of the afternoon, when all persons qualified to vote according to the constitution may vote for or against said amendment, those desiring such amendment to vote with a written or printed ticket "For amendment," those of a contrary opinion to vote with a written or printed ticket "Against amendment."

SEC. 3. The election provided for in the preceding section shall be conducted in the same manner and under the same rules and regulations, except as herein otherwise prescribed, as provided in the law regulating general elections in this state.

SEC. 4. The county commissioners, or, upon their failure, the inspectors of election, shall provide for each election precinct in their respective counties a ballot-box, in which shall be deposited the ballots for or against said amendment. The ballots so cast shall be counted, returned and canvassed as is provided by law in cases of election for state officers and under like penalties in case of default upon the part of any returning officer, judge of election or county canvasser. Abstracts of the vote upon said amendment shall be filed and another abstract shall be forwarded to the secretary of state at Raleigh in the same manner as is prescribed in regard to the vote for state officers by the chairman of each board of county commissioners.

SEC. 5. The board of state canvassers shall open the abstracts transmitted to the secretary of state on the Thursday following the third Monday after the election and proceed to compare the votes for and against the amendment, and if it shall appear that a majority of the voters [votes] polled are in favor of the amendment the governor shall forthwith issue his proclamation announcing the result, and shall cause to be endorsed on said amendment as enrolled by the houses of this general assembly or annexed thereto a certificate under his signature declaring that said amendment has been ratified by the people of North Carolina. The secretary of state shall countersign said certificate and annex thereto the great seal of the state, and the said amendment so enrolled with the certificate aforesaid shall be forever kept among the archives of the state in the office of the secretary aforesaid.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified the 7th day of March, A. D. 1891.

*(Ratified by the people on November 8, 1892 by a vote of 135,966 to 120,476.)*

**AMENDMENTS OF 1899 AND 1900****An act to amend the constitution of North Carolina.<sup>107</sup>**

*The General Assembly of North Carolina do enact:*

SECTION 1. That article six of the constitution of North Carolina be and the same is hereby abrogated, and in lieu thereof shall be substitute the following article of said constitution.

**ARTICLE VI.***Suffrage and Eligibility to Office—Qualifications of an Elector.*

(SECTION 1.) Every male person born in the United States and every male person who has been naturalized, twenty-one years of age and possessing the qualifications set out in this article, shall be entitled to vote at any election by the people in the state except as herein otherwise provided.

(SEC. 2.) He shall have resided in the state of North Carolina for two years, in the county six months and in the precinct, ward or other election district in which he offers to vote four months next preceding the election: *Provided*, that removal from one precinct, ward or other election district to another in the same county shall not operate to deprive any person of the right to vote in the precinct, ward or other election district from which he has removed until four months after such removal. No person who has been convicted or who has confessed his guilt in open court upon indictment of any crime, the punishment of which now is or may hereafter be imprisonment in the State Prison, shall be permitted to vote unless the said person shall be first restored to citizenship in the manner prescribed by law.

(SEC. 3.) Every person offering to vote shall be at the time a legally registered voter as herein prescribed and in the manner hereafter provided by law and the general assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this article.

(SEC. 4.) Every person presenting himself for registration shall be able to read and write any section of the constitution in the English language, and before he shall be entitled to vote he shall have paid on or before the first day of March of the year in which he proposes to vote his poll tax as prescribed by law for the previous year. Poll taxes shall be a lien only on assessed property and no process shall issue to enforce the collection of the same except against assessed property.

(SEC. 5.) No male person who was on January one, eighteen hundred and sixty-seven, or at any time prior thereto entitled to vote under the laws of any state in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this state by reason of his failure to possess the educational qualification prescribed in section four of this article: *Provided*, he shall have registered in accordance with the terms of this section prior to December one, nineteen hundred and eight. The general assembly shall provide for a permanent

record of all persons who register under this section on or before November first, nineteen hundred and eight: and all such persons shall be entitled to register and vote in all elections by the people in this state unless disqualified under section two of this article: *Provided*, such persons shall have paid their poll tax as required by law.

(SEC. 6.) All elections by the people shall be by ballot and all elections by the general assembly shall be *viva voce*.

(SEC. 7.) Every voter in North Carolina except as in this article disqualified shall be eligible to office, but before entering upon the duties of the office he shall take and subscribe the following oath: "I,....., do solemnly swear (or affirm) that I will support and maintain the constitution and laws of the United States and the constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as ..... So help me, God."

(SEC. 8.) The following classes of persons shall be disqualified for office: First, all persons who shall deny the being of Almighty God. Second, all persons who shall have been convicted or confessed their guilt on indictment pending and whether sentenced or not or under judgment suspended, of any treason or felony or of any other crime for which the punishment may be imprisonment in the penitentiary, since becoming citizens of the United States, or of corruption and malpractice in office, unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

SEC. 2. That all of the provisions of the constitution relating to suffrage, registration and elections as contained in this act amending the constitution shall go into effect on the first day of July, nineteen hundred and two, if a majority of the qualified voters of the state so declare at the next general election.

SEC. 3. This amendment shall be submitted at the next general election to the qualified voters of the state in the same manner and under the same rules and regulations as is provided in the law regulating general elections in this state and in force May first, eighteen hundred and ninety-nine, and at said election those persons desiring to vote for such amendment shall cast a written or printed ballot with the words "For suffrage amendment" thereon; and those with a contrary opinion shall cast a written or printed ballot with the words "Against suffrage amendment" thereon.

SEC. 4. The said election shall be held and the votes returned, compared, counted and canvassed and the result announced under the same rules and regulations as are in force for returning, comparing, counting and canvassing the votes for members of the general assembly may first, eighteen hundred and ninety-nine and if a majority of the votes cast are in favor of the said amendment, it shall be the duty of the governor of the state to certify said amendment under the seal of the state to the secretary of state, who shall enroll the said amendment so certified among the permanent records of his office.

SEC. 5. This act shall be in force from and after its ratification.

Ratified the 21st day of February, A. D. 1899.

**AN ACT SUPPLEMENTAL TO AN ACT ENTITLED "AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA," RATIFIED FEBRUARY TWENTY-FIRST, EIGHTEEN HUNDRED AND NINETY-NINE, THE SAME BEING CHAPTER TWO HUNDRED AND EIGHTEEN OF THE PUBLIC LAWS OF EIGHTEEN HUNDRED AND NINETY-NINE.**<sup>108</sup>

*The General Assembly of North Carolina do enact:*

SECTION 1. That Chapter 218, Public Laws of 1899, entitled "An Act to Amend the Constitution of North Carolina," be amended so as to make said Act read as follows:

That Article six of the Constitution of North Carolina be and the same is hereby brogated, and in lieu thereof shall be substituted the following Article of said Constitution, as an entire and indivisible plan of suffrage.

#### 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 of age, and possessing the qualifications set out in this Article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

(SEC. 2.) He shall have resided in the State of North Carolina for two years, in the county six months, and in the precinct, ward or other election district in which he offers to vote, four months next preceding the election: *Provided*, that removal from one precinct, ward or other election district, to another in the same county, shall not operate to deprive any person of the right to vote in the precinct, ward or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open court upon indictment, of any crime, the punishment of which now is, or may hereafter be, imprisonment in the State's Prison, shall be permitted to vote, unless the said person shall be permitted to vote, unless the said person shall be first restored to citizenship in the manner prescribed by law.

(SEC. 3.) Every person offering to vote shall be at the time a legally registered voter as herein prescribed, and in the manner hereafter provided by law, and the General Assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this Article.

(SEC. 4.) Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote, he shall have paid on or before the first day of May, of the year in which he proposes to vote, his poll tax for the previous year, as prescribed by Article V, Section 1, of the Constitution. But no male person, who was, on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications herein prescribed: *Provided*, he shall have registered in accordance with the terms of this section prior to December 1, 1908.



The General Assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless disqualified under Section 2, of this Article: *Provided*, such person shall have paid his poll tax as above required.

(SEC. 5.) That this amendment to the Constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts, and to make them so dependent upon each other, that the whole shall stand or fall together.

(SEC. 6.) All elections by the people shall be by ballot, and all elections by the General Assembly shall be *viva voce*.

SEC. 7.) Every voter in North Carolina, except as in this Article disqualified, shall be eligible to office, but before entering upon the duties of the office, he shall take and subscribe the following oath:

"I, ....., do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of North Carolina, not inconsistent therewith and that I will faithfully discharge the duties of my office, as ..... So help me God."

(SEC. 8.) The following classes of persons shall be disqualified for office: *First*, all persons who shall have denied the being of Almighty God. *Second* all persons who shall have been convicted, or confessed their guilt on indictment pending, and whether sentenced or not, or under judgment suspended, of any treason or felony, or of any other crime, for which the punishment may be imprisonment in the penitentiary, since becoming citizens of the United States, or of corruption or mal-practice in office; unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

(SEC. 9.) That this amendment to the Constitution shall go into effect on the first day of July, Nineteen Hundred and Two, if a majority of votes cast at the next general election shall be cast in favor of this suffrage amendment.

SEC. 2. This amendment to the Constitution shall be submitted at the next general election to the qualified voters of the State, in the same manner and under the same rules and regulations as is provided in the law regulating general elections in this State, and at said elections those persons desiring to vote for such amendment shall cast a written or printed ballot with the words: "For Suffrage Amendment" thereon; and those with a contrary opinion shall cast a written or printed ballot with the words "Against Suffrage Amendment" thereon.

SEC. 3. The votes cast at said election shall be counted, compared, returned and canvassed and the result announced and declared under the same rules and regulations, and in the same manner as the vote for Governor, and if a majority of the votes cast are in favor of the said amendment, it shall be the duty of the Governor of the State, upon being notified of the result of said election, to certify said amendment under the seal of the State, to the Secretary of State, who shall enroll the said amendment, so certified, among the permanent records of his office.

SEC. 4. That this Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 13th day of June, 1900.

(Ratified by the people on August 2, 1900 by a vote of 182,217 to 128,285.)