

A PROCLAMATION,  
BY HIS EXCELLENCY, THE GOVERNOR OF NORTH-CAROLINA.

**Executive Department of North-Carolina,**

*Raleigh, October 20th, 1869.*

Notwithstanding the existence of peace and good order in other portions of the State, I regard it as my duty to announce that in four Counties, to-wit: Lenoir, Jones, Orange and Chatham, there is, and has been for some months past, a feeling of insubordination and insurrection, insomuch that many good citizens are put in terror for their lives and property, and it is difficult, if not impossible, to secure a full and fair enforcement of the law. Information has reached, and continues to reach the Executive, that in the above Counties a state of feeling exists which is totally incompatible with the free exercise, by the friends of the Government, of that independent expression of opinion, and that freedom of action, which is the birth right of every American. In Lenoir and Jones various thefts and murders have been committed; jails have been forcibly opened and the prisoners taken thence have been murdered; an officer of the law has been waylaid and slain on the public highway, and another officer of the law has been slain in the open day while engaged in his ordinary avocations. Private dwellings have been entered and the occupants terrified, and some of them whipped or murdered; others have been shot or hanged or cruelly beaten; and the result is that thus far the civil law, though firmly asserted and maintained, has not been adequate to bring the insubordinate and the wicked to condign punishment. In Chatham the jail has been forcibly opened and a prisoner, confined under sentence of a Court of the United States, has been liberated and is now at large. In Orange the jail has been forcibly opened and two prisoners (colored men) taken out and shot, one of whom has died of his wounds. Three other colored men have been hanged until they were dead, one has been cruelly mutilated, and others have been whipped. White citizens have been injured, insulted and terrified. The University of the State, sacred to the cause of learning, has been repeatedly invaded by bands of armed men in disguise on horse-back, and acts of violence have been there perpetrated on unoffending citizens and officers of the law. Many of the colored people in these Counties, and no inconsiderable portion of the white people, though obedient to the law and good citizens, are living under constant apprehensions that they may fall victims at any moment to the malice of their enemies.

It is made my duty under the Constitution "to call out the militia to execute the law, suppress riots or insurrection and to repel invasion." I deeply regret that it seems necessary to resort to the military power to enforce the law and to protect the citizen. But the law must be maintained. I have waited in vain, hoping that a returning sense of reason and justice would arrest these violations of the law. But these evils, instead of diminishing have increased, and no course is left to me but to issue this proclamation of admonition and warning to all the people of the Counties mentioned, whether engaged in these flagrant violations of law, or whether indifferent or insensible to what is occurring in their midst. I now call upon every citizen in the Counties aforesaid to aid the civil power in a fearless enforcement of the laws. No set of men can take the law into their own hands. Every citizen, however

humble, or whatever his color, has a right to be at peace in his own house, and cannot be taken thence except by due process, and cannot be punished save by the law. If there be those who counsel resistance to established authority, such persons are traitors, and should be punished accordingly; if there be those who, disguised or masked, enter the dwellings of others by force and commit acts of violence, such persons are guilty of felony, and should be punished by hard labor in the penitentiary; if there be those who, without precept or order, hang, or shoot, or otherwise deprive any one of life, such persons are murderers, and should be punished accordingly.

I now give notice in the most solemn manner, that these violations of law and these outrages in the aforesaid Counties *must cease*; otherwise, I will proclaim those Counties in a state of insurrection, and will exert the whole power of the State to enforce the law, to protect those who are assailed or injured, and to bring criminals to justice. In a matter like this there should be no party feeling. It is my fixed purpose to protect every citizen without regard to his antecedents, his color or his political opinions; but to do this the law must be sacred, must be spread over all alike, and must be inflexibly maintained.

Done at our City of Raleigh, this the 20th day of October, in the year of our Lord, one thousand eight hundred and sixty-nine, and in the ninety-fourth year of our Independence.

W. W. HOLDEN, *Governor*.

By the Governor:

W. R. RICHARDSON, *Private Secretary*.

## CHAPTER COLXVII.

### *An Act Making the Act of Going Masked, Disguised or Painted, a Felony.*

SECTION 1. *The General Assembly of North Carolina do enact*, Any person who shall disguise himself by painting his face, or by wearing any mask or any other device for the concealment of the face, or person with intent to terrify or frighten any citizen or the community, or part thereof, shall be guilty of a misdemeanor, and be punished by fine or imprisonment in the County jail, at the discretion of the Court.

SEC. 2. Any person or persons, either singly or in association with each other, who, being disguised or masked, or otherwise concealed in the manner described in the preceding section, shall commit any trespass or act by force or violence, which is now a misdemeanor by any statute of this State, or at common law, shall be deemed guilty of felony, and shall be imprisoned at hard labor in the Penitentiary for a term of not less than one year, or more than ten years.

SEC. 3. This act shall go into effect on its ratification, and the Governor shall cause the same to be published immediately.

Ratified the 12th day of April, A. D. 1869.