

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE JOINT RESOLUTION 256

Sponsors: Senators Hunt; D. Berger and Blue.

Referred to: Rules and Operations of the Senate.

March 9, 2011

1 A JOINT RESOLUTION TO PARDON WILLIAM W. HOLDEN FROM THE JUDGMENT
2 IMPOSED UPON HIM BY THE SENATE ON MARCH 22, 1871, ON CONVICTION OF
3 ARTICLES OF IMPEACHMENT.

4 Whereas, Governor William W. Holden was first elected following the ratification
5 of the 1868 Constitution of North Carolina; and

6 Whereas, Governor William W. Holden supported political equality for newly
7 emancipated North Carolinians; and

8 Whereas, Governor William W. Holden dispatched the State militia to Alamance
9 and Caswell counties to stop the violence being caused by the Ku Klux Klan; and

10 Whereas, Governor William W. Holden's steadfast resistance to the Klan led to his
11 being impeached and removed from office; and

12 Whereas, the vote to impeach was along party lines to remove the Republican
13 governor from any other public service; and

14 Whereas, Governor William W. Holden was the first governor in the United States
15 to be removed from office; and

16 Whereas, the power of pardon is inherent in the State, and since the Constitution
17 does not delegate the power of pardon of an impeachment to the Governor, it remains available
18 for exercise by the General Assembly; and

19 Whereas, the power of impeachment by the House and conviction by the Senate is
20 not evidenced by passage of legislation but by assignment of this power to the legislative
21 branch, it is an inherent internal power of the legislative branch to reverse; Now, therefore,
22 Be it resolved by the Senate, the House of Representatives concurring:

23 **SECTION 1.** William W. Holden is pardoned from the judgment imposed upon
24 him March 22, 1871, by the Senate, sitting as a court of impeachment.

25 **SECTION 2.** This resolution is effective upon ratification.

