

# Gazette of the United States.

[No. LXXV.]

W E D N E S D A Y DECEMBER 30, 1789.

[Published on Wednesday and Saturday.]

## THE TABLET.

No. LXXV.

"No mortal is so miserable, from his own inborn spirit, as a covetous man."

THE love of wealth is a passion attended with so much utility, that no reasonable man will discourage the exercise of it. This passion, however, when it prevails inordinately, defeats its own purposes, and subjects its possessor to the most painful inquietudes. The predominating feature of a man of real covetousness is, a reluctance to put his money out of his immediate controul. By such a precaution, he accumulates less rapidly than he craves, and endures a perpetual conflict, between a desire to encrease and a fear to lose.

It is likewise a characteristic of this passion to be constant and unabating. An avaricious man has no relief from the anxieties of his craving disposition. If he meets with losses it fills him with agony: If he prospers in what he undertakes, it heightens his solicitude about the preservation and management of his property. Other passions may rage with more vehemence, but they act by intervals, and sometimes scarce operate at all.

Another property peculiar to avarice is, that it gains strength by age. When the fire of youth is abated; when the ambition of middle age has lost its ardor, the old man still has a source of gratification, securing, or in adding to his wealth. It is a happy circumstance that the love of money encreases in the decay of life. This propensity may be deemed a substitute for the loss of other amusements; and riches will support the influence of a man when talents and activity have fallen a sacrifice to the inroads of time. The lustre of opulence will supply the place of understanding, not only where it never existed, but where it has yielded to declining nature.

But the most extraordinary effect of avarice is, the solicitude it begets with respect to the appropriation of an estate, when a man bids adieu to earthly scenes. The pangs that a covetous man feels, in anticipating the profligate manners, in which his hoardings may probably be squandered, are greater than can be described. This anticipation is often attended with such pain, that the covetous man bequeaths his interest to some public institution, that it may be kept entire, and not fall into hands who will spend it by dissipation, or misapply it, by indiscretion. It has often been remarked, that very avaricious people discover a capricious kind of liberality in the distribution of their estate by legacies, to those who have no natural claim upon it. This is sometimes ascribed to vanity, but it more usually results from a fear of misapplication of the money, should it devolve upon the apparent heirs. A temper of misanthropy is too apt to be connected with that of avarice. It may therefore happen that a person of a covetous disposition may have so much hatred for those whom he knows, and to whom he is related, that he cannot bear the idea of promoting their welfare, by enjoying his property, when he is dead, any more than while he was alive. From this cause, he devotes it to public uses, or perhaps with an air of refined generosity, leaves it to strangers, whom he cannot hate, because he does not know them.

PHILADELPHIA, Dec. 24, 1789.

YESTERDAY morning the Committee of the Convention, appointed for the purpose, reported the following Declaration of Rights to be attached to the Form of Government already submitted to the consideration of that honorable body.

### ARTICLE IX.

THAT the great and essential principles of liberty and free government may be recognized, and unalterably established, we declare,

I. THAT all men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property and reputation, and of pursuing their own happiness.

II. That all power being originally vested in, is derived from the people, and all free governments originate from their will, are founded on their authority, and instituted for their common peace, safety and happiness; and for the advancement thereof, they have, at all times, an unalienable and indefeasible right to alter, reform or abolish their government, in such manner as they may think proper.

III. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences, and that no

man ought, or of right can be compelled to attend any religious worship, or to erect or support any place of worship, or to maintain any ministry against his free will and consent; and that no human authority can controul or interfere with the rights of conscience, in any case whatever, nor shall any preference ever be given, by law, to any religious establishments or modes of worship.

IV. That no person who acknowledges the being of a God, and a future state of rewards and punishments, shall, on account of his religious sentiments, be disqualified to hold any office or place of trust or profit under this Commonwealth.

V. That elections shall be free and equal.

VI. That trial by jury shall be as heretofore, and the right thereof shall remain inviolate.

VII. That the printing presses shall be free to every person who undertakes to examine the proceedings of the Legislature, or any branch of government, and no law shall ever be made restraining the right thereof. The free communication of thoughts and opinions is one of the most invaluable rights of man, and every citizen may freely speak, write, and print, being responsible for the abuse of that liberty.

VIII. That the people shall be secure in their persons, houses, papers and possessions, against unreasonable searches and seizures, and no warrant shall issue, to search any place, or to seize any persons or things, but on probable cause, supported by oath or affirmation, and describing them as nearly as may be.

IX. That in all criminal prosecutions, the accused hath a right to be heard by himself and his counsel; to demand the cause and nature of the accusation; to meet the witnesses, face to face; to have compulsory process for obtaining witnesses in his favor, and a speedy public trial by an impartial jury of the vicinage; nor can he be compelled to give evidence against himself; nor can any way be deprived of his life, liberty or property, but by the judgment of his peers, or the law of the land.

X. That no person shall be proceeded against by information for any indictable offence, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war, or public danger; nor shall any person for the same offence, be twice put in jeopardy of life or limb; nor shall any man's property be taken, or applied to public use, without the consent of his representatives, and on just compensation being made.

XI. That all courts shall be open, and every freeman, for an injury done him in his lands, goods person or reputation, shall have remedy by the due course of the law, and right and justice administered to him without sale, denial or delay.

XII. That no power of suspending laws, or the execution thereof, shall be exercised, unless by the Legislature, or by the authority thereof.

XIII. That excessive bail shall not be required, nor excessive fines imposed, or cruel punishments inflicted.

XIV. That all prisoners shall be bailable by sufficient sureties, unless for capital offences, when the proof is evident, or presumption great, and the privilege of the writ of Habeas Corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

XV. That the person of a debtor, where there is not a strong presumption of fraud, shall not be continued in prison after delivering up all his estate for the benefit of his creditors, in such manner as shall be prescribed by law.

XVI. That no *ex post facto* law, or law impairing contracts shall be made.

XVII. That no person shall be attainted of treason, or felony, by the legislature.

XVIII. That no attainder shall work corruption of blood, or forfeiture of real estate, except during the life of the offender.

XIX. That the right of the citizens to bear arms in defence of themselves, and the state, and to assemble peaceably together, and apply, in a decent manner, to those invested with the powers of government, for redress of grievances or other proper purposes, shall not be questioned.

XX. That those who conscientiously scruple to bear arms shall not be compellable to do so, but shall pay an equivalent for personal service.

XXI. That no standing army shall, in time of peace, be kept up, without the consent of the legislature, and the military shall, in all cases, and, at all times, be kept in strict subordination to the civil power.

XXII. That 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 to be prescribed by law.

XXIII. That the legislature shall, at no time, create any office, the appointment to which shall be for a longer term than during good behavior.

XXIV. That emigration from the state shall not be prohibited.

XXV. To guard against transgressions of the high powers which we have delegated, WE DECLARE, that every thing in this article expressed, is excepted out of the general powers of legislation, and shall forever remain inviolate.

RATIFICATION of the new CONSTITUTION by the State of NORTH CAROLINA.

With the AMENDMENTS proposed.

Extracts from the journal of the Convention of North Carolina, which met at Fayetteville, on the 16th day of November, 1789, for the purpose of deliberating farther upon the Constitution or form of government proposed for the government of the United States.

MONDAY, November 16.

ON motion of Mr. Stokes, his Excellency Samuel Johnston, Esq. was chosen President, and Charles Johnston, Esq. Vice-President; John Hunt and James Taylor, Esq's. were chosen Secretaries.

THURSDAY, November 19.

The order of the day being called for taking under consideration the form of government proposed for the government of the United States, the Convention resolved itself into a committee of the whole—Mr. Ash in the chair.

After some time spent, the President resumed the chair, and the committee reported progress. Adjourned.

FRIDAY, November 20.

A committee of the whole met according to adjournment. This day was spent in debate. The committee reported they had gone through with the business, and were ready to report. Ordered, that the report lie on the table. Adjourned.

SATURDAY, November 21.

The house met. On motion, Ordered, that the report of the committee be taken up—which was, that in behalf of the freemen and citizens of North Carolina, this Convention do adopt the Constitution proposed for the government of the United States; the main question was then put, Shall this Convention concur with the report of the committee? The yeas and nays being taken were as follow, viz.

Ayes, 193—Noes, 76—Majority 117.

STATE OF NORTH-CAROLINA.

In Convention, November 23, 1789.

MR. GALLAWAY, from the committee appointed to prepare and draw up amendments to be proposed to the Constitution or form of government, proposed for the future government of the United States, reported the following, viz.

Resolved, unanimously, that it be recommended and enjoined on the Representatives of this State in Congress assembled, to make application to Congress and endeavor to obtain the following amendments to the Constitution for the future government of the United States, agreeable to the second mode proposed by the fifth article of the said Constitution, which, when ratified agreeable to the said article, shall become a part of the Constitution; and that the Executive of this State be directed to transmit a copy of the said amendments to each of the United States.

### AMENDMENTS.

1st. That Congress shall not alter, modify, or interfere in the times, places, and manner of holding elections for senators and representatives or either of them, except when the legislature of any State shall neglect, refuse, or be disabled by invasion or rebellion to prescribe the same, or in case when the provision made by the state is so imperfect as that no consequent election is had.

2d. That Congress shall not directly or indirectly, either by themselves or through the judiciary, interfere with any one of the States, in the redemption of paper money already emitted, and now in circulation, or in liquidating and discharging the public securities of any one of the States; that each and every State shall have the exclusive right of making such laws and regulations for the above purposes as they shall think proper.

3. That the members of the Senate and House of Representatives shall be ineligible to and incapable of holding any civil office under the authority of the United States, during the time for which they shall respectively be elected.

4. That the journals of the proceedings of the senate and house of representatives, shall be published at least once in every year, except such parts thereof relating to treaties, alliances, or military operations as in their judgment require secrecy.

5. That a regular statement of the receipts and expenditures of all public monies shall be published at least once every year.