

# Gazette of the United States.

A NATIONAL PAPER, PUBLISHED WEDNESDAYS AND SATURDAYS BY JOHN FENNO, No. 69, HIGH-STREET, PHILADELPHIA.

[No. 10, of Vol. IV.]

WEDNESDAY, JULY 4, 1792.

[Whole No. 332.]

### ADVERTISEMENT.

NOTICE is hereby given to the Creditors of EDWARD MANKIN, an insolvent debtor, confined in the goal of the county of Salem, in the state of New-Jersey, that the Judges of the Inferior Court of Common Pleas for said county, on application to them made, have appointed the twenty-eighth day of July next for the said Creditors to appear before any two or more of said Judges, at the town of Salem, to shew cause, if any they have, why an assignment of the said debtors estate should not be made, and he be discharged from confinement, pursuant to an Act of Assembly, passed the 24th of November last, for the relief of insolvent debtors then confined.

Salem, June 25, 1792. (\*3)

### WM. CLELAND, BOSTON,

Transacts business in the Funds of the United States; BANK STOCK, BILLS of EXCHANGE, &c.

Orders from New-York, Philadelphia, or any other part of the Union, will be attended to with DILIGENCE and PUNCTUALITY.

June 1. (epim 18 1aw2m)

### ADVERTISEMENT.

I DO hereby give notice to all persons, not to credit any person or persons whatever on my account, otherwise in my name, or on my credit, without special order from under my hand authorizing the same, as I am determined not to pay any debt or debts contracted without such order being produced.

THOMAS JONES.

Frederick-Town, June 5, 1792. (cp4w)

### JUST PUBLISHED,

AND TO BE SOLD (PRICE 10/)

By HAZARD and ADDOMS, At the corner of Third & Chestnut Streets,

### HISTORY

### New-Hampshire,

VOL. III.

Containing a geographical description of the State—with sketches of its natural history, productions, improvements, and present state of society and manners, laws and government.

By JEREMY BEEKNAP, A.M.

This volume compleats the history, and is peculiarly interesting.—Subscribers are desired to call for their books.

### Thirty Dollars Reward.

RUN AWAY from the subscriber in February last, a NEGRO LAD, named PHIL, about 20 years of age; had on when he went away, a round jacket, a pair of homepun breeches, and a tow shirt; the fellow has a yellowish complexion, his height about five feet six or seven inches, very square made; has a mark along side of his nose, and one of his inslesps has been burnt, which causes the sinews to draw.

Whoever takes up said Negro, and secures him in any jail, so that I may get him again, shall receive the above reward, and have all reasonable charges paid.

ROBERT PEARCE.

Head Sassafras, June 16, 1792. (epim)

### Run Away from the subscriber,

living in Kent County, and State of Maryland, on Sunday the 27th May last, a NEGRO MAN, named HARK; about 40 years of age, about five feet nine inches high, has a scar over one of his eye-brows, and when talking, hangs his head on one side, and looks up—had on and took with him the following cloaths, viz. a farnought coat, a black and white kersey coat, cut round, a white kersey jacket and breeches, two pair of yarn stockings, the one pair lately footed, and the other not, two oznaburgh shirts, each pieced on one side, two pair of tow-linen trowsers, one pair patched with new tow-linen down the fore-parts, and an old felt hat.

Whoever takes up said Negro, if out of this State, and secures him in goal, shall receive FOURTEEN DOLLARS reward—and if taken within this State, and secured as aforesaid, shall receive EIGHT DOLLARS reward; and if brought home, reasonable expences will be paid by PEREGRINE LETHBRURY.

Chester-Town, June 4, 1791. (ep 8w)

### GENERAL POST-OFFICE.

Philadelphia, June 6, 1792.

THE Printers of Newspapers in the United States are desired to take Notice, That Mr. Francis Bailey, Mr. Daniel Humphreys, and Messrs. Spotswood and Carey, of this City, have ceased to print Newspapers, and of course can receive none from the other Printers free of Postage. The Printers of Newspapers are therefore desired to discontinue sending their Papers to those Gentlemen, unless they should become Subscribers, on the footing of other Citizens.

As divers Printers in other Places may have discontinued their printing of Newspapers, the Postmasters in those places are desired to give Notice thereof in the Newspapers in which they usually Advertise; that the Newspapers sent to such former Printers may be discontinued, and the Public Mails be relieved from useless Burthens.

T. PICKERING.

Advertisements of one square, or less, will be published in this paper once for 50 Cents, and each subsequent insertion at 20 Cents.

### A CONSTITUTION OR FORM OF GOVERNMENT FOR THE STATE OF KENTUCKY.

(CONTINUED.)

SEC. 29. EVERY resolution, order or vote, to which the concurrence of both Houses may be necessary, except on a question of adjournment, shall be presented to the Governor, and before it shall take effect be approved by him; or, being disapproved, shall be re-passed by two thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

### ARTICLE II.

SEC. 1. The supreme executive power of this commonwealth shall be vested in a Governor.

SEC. 2. The Governor shall be chosen by the electors of the Senate at the same time, at the same place, and in the same manner that they are herein directed to elect Senators, and the said electors shall make return of their proceedings in the choice of a Governor, to the Secretary for the time being.

SEC. 3. The Governor shall hold his office during four years from the 1st day of June next ensuing his election.

SEC. 4. He shall be at least thirty years of age, and have been a citizen and inhabitant of this State at least two years next before his election, unless he shall have been absent on the public business of the United States or of this State.

SEC. 5. No member of Congress or person holding any office under the United States, or this State, shall exercise the office of a Governor.

SEC. 6. The Governor shall at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected.

SEC. 7. He shall be commander in chief of the Army and Navy of this Commonwealth, and of the militia except when they shall be called into the service of the United States.

SEC. 8. He shall nominate, and by and with the advice and consent of the Senate, appoint all officers, whose offices are established by law: and whose appointments are not here in otherwise provided for; but no person shall be appointed to an office within any county, who shall not have been a citizen and inhabitant therein one year next before his appointment, if the county shall have been so long erected; but if it shall not have been so long erected, then within the limits of the county or counties out of which it shall have been taken.

SEC. 9. The Governor shall have power to fill up all vacancies, that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

SEC. 10. He shall have power to remit fines and forfeitures, and granting reprieves and pardons, except in cases of impeachment; in cases of treason, he shall have power to grant reprieves until the end of the next session of the General Assembly, in whom the power of pardoning shall be vested.

SEC. 11. He may require information in writing from the officers in the executive department upon any subject relating to the duties of their respective offices.

SEC. 12. He shall from time to time give to the General Assembly information of the state of the commonwealth, and recommend to their consideration, such measures as he shall judge expedient.

SEC. 13. He may on extraordinary occasions convene the General Assembly, and in case of disagreement between the two Houses, with respect to the time of adjournment, adjourn them to such time as he shall think proper, not exceeding four months.

SEC. 14. He shall take care that the laws be faithfully executed.

SEC. 15. In case of the death or resignation of the Governor, or of his removal from office, the Speaker of the Senate shall exercise the office of Governor, until another shall be duly qualified.

SEC. 16. An Attorney General shall be appointed and commissioned during good behavior; he shall appear for the commonwealth in all criminal prosecutions, and in all civil cases, in which the commonwealth shall be interested, in any of the superior courts; shall give his opinion when called upon for that purpose, by either branch of the legislature, or by the executive, and shall perform such other duties as shall be enjoined him by law.

SEC. 17. A Secretary shall be appointed and commissioned during the Governor's continuance in office, if he shall so long behave himself well, he shall keep a fair register of, and attest all the official acts and proceedings of the Governor, and shall when required, lay the same and all papers, minutes, and vouchers relative thereto before either branch of the legislature, and shall perform such other duties as shall be enjoined by law.

### ARTICLE III.

SEC. 1. In elections by the citizens, all free male citizens of the age of twenty-one years, having resided in the State two years, or the county in which they offer to vote, one year next before the election, shall enjoy the rights of an elector, but no person shall be entitled to vote except in the county in which he shall actually reside at the time of the election.

SEC. 2. All elections shall be by ballot.

SEC. 3. Electors shall in all cases except treason, felony and breach of trust of the peace, be privileged from arrest during their attendance at elections, and in going to and returning from them.

### ARTICLE IV.

SEC. 1. The House of Representatives shall have the sole power of impeaching.

SEC. 2. All impeachments shall be tried by the

Senate; when sitting for that purpose, the Senators shall be upon oath or affirmation: No person shall be convicted without the concurrence of two-thirds of the members present.

SEC. 3. The governor and all other civil officers shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit, under this commonwealth; but the party convicted shall nevertheless be liable and subject to indictment, trial and punishment, according to law.

### ARTICLE V.

SEC. 1. The judicial power of this commonwealth, both as to matters of law and equity, shall be vested in one Supreme Court, which shall be styled the Court of Appeals, and in such inferior courts as the legislature may from time to time ordain and establish.

SEC. 2. The Judges both of the Supreme and Inferior Courts shall hold their offices during good behavior: but for any reasonable cause which shall not be sufficient ground of impeachment, the governor may remove any of them on the address of two-thirds of each branch of the Legislature. They shall at stated times receive for their services an adequate compensation to be fixed by law, which shall not be diminished during their continuance in office.

SEC. 3. The Supreme Court shall have original and final jurisdiction in all cases respecting the titles to land under the present land laws of Virginia, including those which may be depending in the present Supreme Court for the district of Kentucky, at the time of establishing the said Supreme Court; and in all cases concerning contracts for land, prior to the establishing of those titles. And the said court shall have power to hear and determine the same in a summary way, and to direct the mode of bringing the same to a hearing, so as to enable them to do right and justice to the parties, with as little delay and at as small an expence as the nature of the business will allow; but the said court shall, in all such cases, oblige the parties to state the material parts of their complaint and defence in writing; and shall on the conclusion of every cause, state on the records, the whole merits of the case, the question arising therefrom, the opinions of the court thereupon, and a summary of the reasons in support of those opinions.

SEC. 4. And it shall be the duty of each Judge of the Supreme Court, present at the hearing of any such cause, and differing from a majority of the court, to deliver his opinion in writing, to be entered as aforesaid; and each judge shall deliver his opinion in open court. And the said court shall have power on the determination of any such case, to award the legal costs against either party, or to divide the same among the different parties, as them shall seem just and right. And the said court shall have full power to take such steps as they may judge proper, to perpetuate testimony in all cases concerning such titles. Provided that a jury shall always be impaneled for the finding of such facts as are not agreed by the parties; unless the parties or their attorneys, shall waive their right of trial by jury, and refer the matter of fact to the decision of the court. Provided also, that the legislature may, whenever they may judge it expedient, pass an act or acts to regulate the mode of proceedings in such cases, or to take away entirely the original jurisdiction hereby given to the said court in such cases.

SEC. 5. In all other cases the Supreme Court shall have appellate jurisdiction only, with such exceptions and under such regulations as the Legislature shall make; and the Legislature may from time to time vest in the Supreme and Inferior Courts, or either of them, such powers both in law and equity, as they shall judge proper and necessary, for the due administration of justice.

SEC. 6. A competent number of justices of the peace shall be appointed in each county, they shall be commissioned during good behavior, but may be removed on conviction of misbehavior in office, or of any infamous crime, or on the address of both houses of the Legislature.

SEC. 7. The Judges shall by virtue of their office be conservators of the peace throughout the State. The style of all process shall be, "The Commonwealth of KENTUCKY," all prosecutions shall be carried on in the name and by the authority of the Commonwealth of Kentucky, and conclude against the peace and dignity of the same.

### ARTICLE VI.

SEC. 1. Sheriffs and Coronors, shall at the times and places of elections of Representatives, be chosen by the citizens of each county, qualified to vote for Representatives. They shall hold their offices for three years, if they shall so long behave themselves well, and until a successor be duly qualified: but no person shall be twice chosen or appointed Sheriff in any term of six years. Vacancies in either of the said offices, shall be filled by a new appointment to be made by the Governor, to continue until the next general election, and until a successor shall be chosen and qualified as aforesaid.

SEC. 2. The freemen of this Commonwealth shall be armed and disciplined for its defence. Those who conscientiously scruple to bear arms, shall not be compelled to do so; but shall pay an equivalent for personal service.

SEC. 3. The field and staff officers of the militia shall be appointed by the Governor except the battalion staff officers who shall be appointed by the field officers of each battalion respectively.

SEC. 4. The officers of companies shall be chosen by the persons enrolled in the list of each company, and the whole shall be commissioned during good behavior, and during their residence in the bounds of the battalion or company to which they shall be appointed.

SEC. 5. Each court shall appoint its own clerk,

who shall hold his office during good behavior; but no person shall be appointed clerk, only pro tempore, who shall not produce to the court appointing him, a certificate from a majority of the judges of the court of Appeals, that he hath been examined by their clerk in their presence, and under their direction, and that they judge him to be well qualified to execute the office of clerk to any court of the same dignity with that for which he offers himself. They shall be removable for breach of good behavior, by the court of appeals only, who shall be judges of the facts as well as of the law. Two thirds of the members present must concur in the sentence.

SEC. 6. All commissions shall be in the name and by the authority of the State of Kentucky, and be sealed with the State seal, and signed by the Governor.

SEC. 7. The State Treasurer shall be appointed annually by the joint ballot of both Houses.

### ARTICLE VII.

SEC. 1. Members of the general assembly, and all officers executive and judicial, before they enter upon the execution of their respective offices, shall take the following oath or affirmation. "I do solemnly swear (or affirm as the case may be) that I will be faithful and true to the commonwealth of Kentucky, so long as I continue a citizen thereof, and that I will faithfully execute to the best of my abilities the office of \_\_\_\_\_ according to law."

### ARTICLE VIII.

SEC. 1. Treason against the commonwealth, shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on his own confession in open court.

SEC. 2. Laws shall be made to exclude from office and from suffrage those who shall thereafter be convicted of bribery, perjury, forgery or other high crimes or misdemeanors. The privilege of free suffrage, shall be supported by laws regulating elections, and prohibiting under adequate penalties, all undue influence ther on from power, bribery, tumult or other improper practices.

SEC. 3. No money shall be drawn from the treasury, but in consequence of appropriations made by law, nor shall any appropriations of money for the support of an army, be made for a longer term than one year, and a regular statement and account of the receipts and expenditures of all public money, shall be published annually.

SEC. 4. The Legislature shall direct by law, in what manner and in what courts, suits may be brought against the commonwealth.

SEC. 5. The manner of administering the oath or affirmation, shall be such as is most consistent with the conscience of the deponent, and shall be esteemed by the legislature the most solemn appeal to God.

SEC. 6. All laws now in force in the state of Virginia, not inconsistent with this constitution, which are of a general nature, and not local to the eastern part of that state, shall be in force in this state, until they shall be altered or repealed by the legislature.

SEC. 7. The compact with the state of Virginia, subject to such alterations as may be made therein, agreeably to the mode prescribed by the said compact, shall be considered as a part of this constitution.

### ARTICLE IX.

SEC. 1. The Legislature shall have no power to pass laws for the emancipation of slaves without the consent of the owners, or without paying their owners, previous to such emancipation, a full equivalent in money, for the slaves so emancipated. They shall have no power to prevent emigrants to this state, from bringing with them such persons as are deemed slaves by the laws of any one of the United States, so long as any person of the same age or description, shall be continued in slavery by the laws of this state. That they shall pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a charge to the county in which they reside. They shall have full power to prevent slaves being brought into this state as merchandise. They shall have full power to prevent any slaves being brought into this state from a foreign country, and to prevent those from being brought into this state, who have been since the first day of January one thousand seven hundred and eighty-nine: or may hereafter be imported into any of the United States from a foreign country. And they shall have full power to pass such laws as may be necessary, to oblige the owners of slaves to treat them with humanity, to provide for them necessary clothing and provision, to abstain from all injuries to them extending to life or limb, and in case of their neglect, or refusal to comply with the directions of such laws, to have such slave or slaves sold for the benefit of their owner or owners.

### ARTICLE X.

SEC. 1. The place for the seat of government shall be fixed in the following manner.—The House of Representatives, shall, during their session, which shall be held in the year one thousand seven hundred and ninety-two, chuse by ballot, twenty-one persons, from whom the representation from Mercer and Fayette counties then present shall alternately strike out one, until the number shall be reduced to five, who, or any three of them concurring in opinion, shall have power to fix on the place for the seat of government, to receive grants from individuals therefor, and to make such conditions with the proprietor or proprietors of the land so pitched on by them, as to them shall seem right, and shall be agreed to by the said proprietor or proprietors; and lay off a town thereon in such manner as they shall judge most proper.

(TO BE CONTINUED.)