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STATE CONVENTION.

DEBATE on the Thirty-Second Article.

Mr. STORER said, he would not have subjected the Committee with any remarks on the subject, but for the kind manner in which gentlemen from Buncombe connected with the debate. While I am duly sensible of the personal compliment which he has bestowed on me, it is not the less, coming, as I have every reason to believe, through him, from the Commander-in-Chief of the Militia of North Carolina, so highly qualified to notice and appreciate any accomplishment. It were certain that the gentleman from Buncombe had made honorable mention of his orders, it would perhaps be unnecessary in the Convention to state the 32d Section—as the duties of State its rights, its liberties and religion should be sufficiently guarded. But this is uncertain, every thing being mixed and while the present Commander-in-Chief and the glorious hand in question passing from the stage of action, restrictions of the kind under consideration can do injury. The gentleman from Buncombe, however, in the compliment so kindly bestowed on myself and the Regiment I have honor to command, mixed with it some allusion to the humble Society of Friends of which I am an unworthy member, and very invidious, so far as actual religion is concerned. If I understood him correctly, the gentleman and myself may be considered as he acknowledges himself to be a member of a particular Church, and I am unworthy member of another. While I am flattered with the undeserved personal compliment of the gentleman, I, at the same time, tasted the acid conveyed in the golden pill. It would seem, that whilst the gentleman is willing to open the door to the great Catholic Church, he feels disposed to construe the restriction as applicable to a little Society to which he belongs, as well to some other unpretending denominations, under the latter clause of the section question, which excludes those who "hold religious principles incompatible with the freedom and safety of the State." If such be the case, I say exclude them—exclude all who hold such doctrines. It is a mistaken notion, however, if it is thought that this Society hold such principles; because it is an express part of their creed, that in whatever clime their lot is cast, they shall owe exclusive obedience and allegiance to the civil government under which they live and which secures them protection; and dwell in peace and harmony with other Religious persuasions. The Society in this country, gives their no where. Voluntary contributions are frequently yielded, not to maintain a splendid Religious Establishment, here or elsewhere, nor to maintain a head of the church or Clergyman in luxury and idleness, but to promote the Missionary cause. For this, in fact, their primary intention, and the very object for which they formed a Society, not to avail with other denominations, but abstract principles of Religion, and to be disinterested, but to preach Christ to the heathen nations. Upon this principle, it is, he Moravians (properly called united brethren) are united; and while you will find their Societies in Europe, Africa and America, yet as a whole, they form a small number indeed compared with other denominations. This you will find their flourishing Missionary Establishments amongst the Hottentots and Caffers in Africa, they are likewise to be found amongst the Indians in America, the Greenlanders and Eskimous, the Negroes in the West-Indies and South America, and the Cosack in Asia. To sustain these Establishments, heavy expenditures are yearly required; far exceeding ordinary contributions, to sustain the cause. It was foreseen, at the very formation of the Society, that more permanent means would have to be procured—and by voluntary contributions and requests, a fund was raised for that purpose which is continued to be kept up, but large sums of money were frequently borrowed in anticipation. When the Moravians established themselves in North Carolina, a large body of lands was purchased in this country, through the medium of sustaining the Missionary cause—subject and liable, in the first place, to discharge the debt contracted in its purchase, or such other debts to a large amount, contracted by the Society in Europe, where it was first established in the country. Most of the land has from time to time been sold at an advance price on the purchase money, and the proceeds applied in payment of those debts, except such part used for Missionary purposes as exigencies required. The whole amount of the debt, even at this time, is thought not to be discharged—the balance of the land remains as a fund for the purpose. It is true, the head of this Missionary Institution, is at this time established in Germany, as the most central point to the different branches, and the Missionary Establishments, now consisting of one hundred, or 8 or 10 persons, from time to time chosen by the Society who have the general management of the concern, with branches and agents in this country, and whilst occasionally, some of the proceeds of the fund are transmitted to Europe, to subserve the pious cause, much of it is applied in this country to sustain Missions among the Indians, to support superannuated clergymen, to educate their children, and to aid young men who have not the means, in their education, preparatory for the Ministry. It is a bright feature in this Society, and worthy of notice, that their Clergymen shall not labor for the purpose of laying up worldly riches. Whilst in service, they obtain a scanty salary, sufficient for a mere support, with the assurance, that they shall not want when old age overtakes them, and that their children shall be taken care of and educated. So much for the tribute, which it is

thought by some, the Moravians in this country are compelled to pay to a foreign country. Whilst a Spiritual and Missionary connexion is thus kept up, the whole machinery is, from time to time, regulated by a general Synod, which periodically convenes, consisting of Delegates chosen by the different Churches. The spiritual concerns of each Church is conducted by one or more Divines, & the immediate general concern is guided by a Committee of Laymen chosen by the members of such Church. The fruits of every member's labor is his own, whilst in many of the Establishments, certain branches of business are carried on upon what is called public funds, the profits of which are in the first place applied for Church and town purposes, and go in a great degree to defray responsibilities, which, but for such a fund, would have to be met exclusively by taxation, whilst the surplus, if any, are subject to the control of the Committee of each particular place, as far as the religious tenets of the Society are concerned, they are, I apprehend, generally understood, to be of Episcopalian order. Deriving their Episcopacy from the Greek Church, tracing their origin beyond Luther's time, and deriving their name from Moravia, a Province in Germany, where they had their first residence nearly annihilated by continual persecution from the Catholic Church, a colony emigrated from Moravia, and settled in Saxony, where their Church was revived in the beginning of the last century and has prospered to this time, while by emigration from this colony to England, America and elsewhere, the Society branched off. In point of doctrine, it is well known that the Society differs but little from the Lutheran and Methodist Episcopal Church, whilst they have their own particular Church government. While all Religious Societies have their peculiarities and prejudices, the Moravian Society has its share. Public opinion and the feeling of the rising generation have abolished some; others are in a state of abrogation; in such a state of things, it is feared by many of its members, that in removing what is thought mere peculiarities, essentials may suffer. Like the Quakers, this Society was exempt from military duty except in case of invasion, or insurrection. Whatever may have been the conscientious feeling of the Society in its earlier days, it is evident that such a sentiment exists no more, and that therefore, they enjoyed an exclusive privilege without a proper cause—a privilege which was certainly very correctly abolished, so far as the Moravian Society is concerned; and while I hope that the Society may continue to flourish, long after I shall have laid down my arms, and long after I and the present excellent commander in Chief of the Militia of North Carolina shall be no more, I am satisfied, they will always be found in rank, should occasion require, fighting for their country, its liberties and its laws.

Mr. President, so far as the subject under consideration is concerned, it appears to me that the 32d Section should be retained unaltered, or if altered at all, very slightly; and this I am satisfied is the opinion of a great majority of the county I have the honor in part to represent, whose feelings of very consideration binds me to respect. We may be termed fanatics, or may be called bigots, but such names will not change sentiments; and it does appear to me, that a country is in a better situation at least, with a grain of superstition, than with a deep tincture of infidelity. I am one of the last persons who would vote for an established Church and compel the people to support it; it has become a matter of history, that where a Church is established, be it of any denomination, its powers are soon abused, and Religion is prostituted to the most unworthy purposes. Of such abuses we have abundant evidence, as far as the Church of England is concerned, interwoven as it is with the Civil Constitution of that country. While therefore, I am entirely satisfied, that Church and State should be kept asunder, it appears to me, it has nothing to do with the question under consideration.—We are not called upon to adopt edicts of proscription—the mere question about qualification for office is under consideration. In a christian country like our own, where law and every rule of action, as it appears to me, is founded upon Religious principles, it really would seem, that those who are called upon to administer the laws, or to execute them, should believe in Divine precepts. What does the Section under consideration say? "That no person, who shall deny the being of God, or the truth of the Protestant Religion, or the divine authority either of the old or new Testament, or who holds religious principles incompatible with the freedom and safety of the State, shall be capable of holding any office or place of trust or profit in the Civil department within the State." That department within the State, that person who holds any principles incompatible with the freedom and safety of the State, should be entitled to office, is a position which has not yet been asserted in the progress of this debate, and is, as it appears to me, so

plain a principle, that it is to be apprehended no one will deny it. Why then, not test an applicant for office on this point? It seems clear therefore, that if the latter clause only was contained in the section alluded to, it would have remained undiscussed as an invaluable principle. But the word Protestant is the great stumbling block. As applicable here, it appears to me, it can have but one meaning, and embraces all those who believe in that memorable and venerated Instrument submitted by certain Princes of Germany to the Diet at Augsburg, as a Protest against the abuses of the Catholic Church. That abuses did exist at that time, accumulating for hundreds of years, of the most extraordinary kind—that it had become a mass of corruption, cannot be doubted by any one who reads the history of those times; but for one of the abuses, I need only advert to the shameful practice of selling Indulgences and granting Absolution.—That these abuses were not part of the Catholic faith, I will not pretend to say, but grant that they were powers merely assumed, and gradual encroachments upon correct principles. The Princes who preferred this Protest, were of the Catholic faith, and their aim was to correct abuses and purify their Church, and that it had a good effect, every enlightened Catholic in our days will not deny. A sincere Catholic therefore, may in conscience and truth say, that he believes in the truth of the Protestant Religion—because the principles on which it is founded, tended to raise and elevate his own Church to its true character. While we have seen that the Catholic Church in its progress, in ancient times, greatly abused religious rites, we know that the Pope, who is the head of that Church, in former days did frequently arrogate to himself superiority in temporal concerns, claiming obedience from the Civil Authorities, and as the pretended Vicegerent of Christ, receiving submission from Kings and Potentates, while even in those dark days, there were frequent struggles between the Pope and the Civil Authorities for supremacy. The assumption of power since the Reformation, became less and less active, but it was left to Bonaparte to give it the most fatal blow; yet that power may not be assumed again, when a fair opportunity offers, is by no means certain. Such, and always has been, power. Give it play, and it will trample upon right. This will not merely apply to the Pope, but give power to any other denomination, and it would, in all probability, be abused. Unhappily for the cause of religion perhaps, the Protestants, since the reformation, have become divided into so many denominations, and so diversified in their religious notions, that no danger is to be apprehended from them so far as our Civil Institutions are concerned. Not so with the Catholic Church—that appears to move along in solid Phalanx. That there are individuals in the Catholic Church as much fervid piety as perhaps in any other, is not denied; and that they are closely allied to our institutions, from which nothing would make them swerve. Such individuals, it appears to me, cannot hesitate in saying that there is truth in the Protestant religion. The section under consideration then, has done no harm. It has been a part of our Constitution for 50 years—it has stood as a beacon to aspirants for office, as an axiom that we prize Religion, and tells the world we are a Christian people. The people have a reverence for it—why then disturb it? I repeat, call it superstition if you please, yet it appears to me it is that kind of superstition which tends to strengthen our free Institutions. As at present advised, I shall vote for no amendment, believing it has not deprived the State of any talents in its officers, and excluded none conscientiously entitled heretofore to a participation, and that it will receive no other construction hereafter, but that it operates in fact only on such Denominations, as hold religious tenets incompatible with our free institutions, and whose superior allegiance to some foreign Power. Such, I think, should be excluded, whether it applies to the Society to which I belong, the Catholics or any other Denomination. Mr. RAYNER said—The only apology, Mr. Chairman, I shall offer for obtruding my views on the Committee, is, the very great importance of the subject now under consideration. Being one amongst the youngest members of this body, and surrounded as I am by the congregated wisdom of the State, I have hitherto forbore to take any part in the varied discussion which has been going on around me—and it is with extreme diffidence, that I now presume to offer a single remark on this important matter. But, sir, the duty which I owe myself, as well as that which I owe my constituents, requires that I should briefly state the reasons which govern me in the vote I am about to give. Mr. Chairman, I conceive, that in the issue which we are now about to try, is involved a principle of the

greatest magnitude that has ever agitated society, not only in the history of this country, but, sir, in the history of mankind. We are now about to try the issue, whether, in the regular ordeal of change and revolution, to which the God of Nature has subjected—not only the material world, but all the inventions and institutions of man, the principle of Religious liberty has attained its acme, and is now about to take a retrograde movement or whether, with all the lights of experience we have before us, we will make still greater improvement upon the free institutions which our fathers left us, and erect a still more lofty beacon light, for the guidance of posterity, for ages to come. Sir, the issue which we have to try, is, whether (in the language of the Bill of Rights,) "all men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience"—or whether, in dispensing those offices, which should ever be the just reward of merit, you require, that men should come up to the confessional, and there subscribe to a certain rule of faith. Dispute it as you may, sir, this is the real issue. Can this Committee hesitate for a moment which way to decide? Can we, I say, with the lights of nearly 6,000 years shining before us, with all the precepts of history to enlighten us, and with the example of that liberal system which is pervading the world before us—Can we hesitate, (in the elegant language used the other day by the distinguished gentleman from Buncombe) to "strip the bigot of his cowl, and strike the torch from the hand of persecution?" Sir, "if history be precept, teaching by example," what are the examples she furnishes, to prove that the progress of Religious liberty has not been commensurate with that of Civil liberty, and that Religious intolerance has ever been the handmaid of Despotism? A slight retrospect of the history of the world, will verify the truth of this. In the earliest ages of the world, the same causes which induced man to enter into civil society—the protection of the weak against the strong,—induced him to surrender to the monarch the depositary of power, all those inestimable rights and principles, which it has caused the world so much blood and treasure to regain. So that, coeval with the first organization of those splendid Governments which were reared on the banks of the Euphrates and the Nile, was the exercise of despotic power over the persons of men—while a crafty Priesthood claimed the controul of those relations which existed between man and his God. While in their persons they served but as instruments for the gratification of tyranny and ambition, in the temples of Isis and Osiris, were forged the fetters which enshackled their minds. If we come still further down the history of the world, and look at Greece—that "bright clime of battle and of song"—we see a new era in the history of man. Here he has burst asunder the letters of tyranny, and walks ever in the consciousness of freedom, though his mind is still enveloped in the clouds of bigotry and superstition. A fanciful mythology had peopled every grove and grotto with some presiding Deity, whose influence over the destinies of man, it was death to gainsay. A Harmodius could be found, who "rose refulgent from the stroke" of the tyrant's fate—but none could be found so far willing to brave the storm of superstition, or the anger of the offended gods, as to strike from Socrates his cumbersome chains, or snatch the poisoned chalice from his lips. Sir, that great man died like a philosopher indeed, an illustrious martyr for the freedom of conscience. If we look to that astonishing people, who from a small colony on the banks of the Tiber, extended their empire from the pillars of Hercules to the Euphrates in the East, we see that while, in consequence of their free institutions, they attained that unrivalled eminence in arts, science and arms, which have stamped their name with never-ending glory, an unwavering devotion was still required to that numberless host of Deities who were supposed to preside over the destinies of the "eternal city." Whilst her banners were floating in every breeze, and her eagles soaring in every sky, her victorious Generals were yet enjoined to convey to the temples of Jupiter, the *opima spolia* of every land. With the destruction of that fabric of Roman power, by those Northern barbarians who overrun that ill-fated country, civil as well as religious liberty seemed to have deserted the earth. When those ruthless invaders had established themselves in the conquered provinces, tyranny again resumed her empire, and called to her assistance the monster, superstition. All the learning extant, was engrossed by a wily Priesthood; the simple and peaceful maxims of the Gospel were perverted to the purposes of a most unrelenting persecution, and for ages, the only response to the groans of the oppressed was the hollow

echo of his own voice as it reverberated along the walls of his lonely dungeon. For near nine hundred years did the world thus writhe under the galling chain of despotism and her twin-sister religious intolerance. At length "The far came, the boon by Angels won, And heaven-born genius fired Genoa's son." A bare recital of the difficulties, misfortunes and persecutions of Columbus, are enough to wring the heart of every true American. He had to encounter not only the ignorance, but the bigotry and superstition of that country which profited the most by his genius. His scheme of discovery, which presupposed the rotundity of the earth, was denounced as visionary and heretical, by those agents of oppression which then did, as they do still, wield the destinies of Spain. At length, he surmounted every obstacle, and immortal glory crowned his efforts. For nearly one hundred and twenty years after the discovery of America, no permanent settlement had yet been established by that country, from whence our ancestors came. At length, a band of pilgrims, who had long been laboring under the rod of oppression—who were denied the privilege of "worshipping God according to the dictates of their own consciences,"—looking over the wide continent of Europe and discovering no country, where tyranny and superstition were not leagued together for the oppression of man, cast their eyes across the Atlantic, to the forests of the Western world. Sir, religious persecution (as the gentleman from Buncombe informed us the other day) gave the first impetus to the settlement of these free and happy States. Mr. Chairman, of all the events which have transpired from the beginning of the world down to the present time, there is not one which contains more moral grandeur, more sublimity, than that presented by the departure of the Pilgrims from those savage shores. Sir, behold them about to tear themselves from the land that gave them birth, about to sever all the tender ties of kindred and home, about to rend asunder all these sympathies and associations which bind man to his fellow-man, and to trust themselves on the bosom of an unknown ocean—to brave the fury of the elements, for the purpose of seeking a home—not presenting the same stimulus for perseverance, as did the promised land to the Hebrew Pilgrims of old—not "flowing with milk and honey" as that did—but tenanted by savages and beasts of prey. Sir, what must have been their joy, when, after a long and tedious voyage, they were enabled, on the Rock of Plymouth, to offer up to the Supreme dispenser of all good their grateful adorations, in that way which accorded "with the dictates of their own consciences?" But Sir, the history which that gentleman went on to give of that infant colony, affords an apt illustration of the weakness of poor human nature; and of the tardy progress which man has made in wresting his rights from the grasp of tyranny and superstition, and in cultivating and perfecting the principles of liberty. No sooner had that infant colony, under the happy auspices of religious freedom, established themselves on a firm footing, with the wounds of their own persecution hardly healed, than oppression again raised her Gorgon head, and intolerance resumed her sway. But the frowning wilderness afforded an asylum for the oppressed, and although countless dangers beset the path of exile, yet they thought it better to die by the tomahawk of the savage, or serve as food for beasts of prey, than to endure the scourge of persecution from their own kindred and fellow-man. Sir, it seems that man had not yet attained to that degree of intellectual or moral improvement, which enabled him to appreciate the blessings of religious freedom. All the groans, tears, the blood, which persecution had drawn for a thousand years, had not taught our forefathers, that to insure happiness, the mind must be left unfettered and free. But Sir, the principles of the Revolution, the seeds of which were thus early sown, gained apace, and the same sword which severed the bonds of our union with the mother country, cut the Gordian knot which had so long baffled the wisdom of the world—which had so long united the Church to the State. In the struggle for that freedom which we now enjoy, were found fighting, shoulder to shoulder, men of every persuasion and of every creed. The Presbyterian of New England, the Quaker of Pennsylvania, the Catholic of Maryland, the Baptist, the Episcopalian and the Methodist were all found engaged in a common cause, leagued together by the same sense of one common danger, and shedding their blood by one common love of liberty. Sir, the peculiar nature of that eventful struggle convinced the heroes and sages of that period, that to ensure to their posterity the full benefit of their labors, they must guarantee unto them freedom of con-

science as well as of person. So we see in that Constitution, which was adopted by the States of this Republic, and which so happily allayed all the angry elements of strife and faction which threatened to engulf in ruin that liberty, which had just been purchased at so dear a price—in that Constitution, is contained the principle, the glorious principle of religious toleration and freedom of opinion. In the 3d section of the 6th Article, of the Constitution of the United States, are these words—"No religious test shall ever be required as a qualification to any office or public trust under the United States." And by the amendment to the Constitution, without which North Carolina refused to enter into the compact, it is still further provided, that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." Sir, this covers the whole ground—this is the great *arcana* in the science of government which had so long been concealed from the world; and I insist that the recognition of this principle in our political charter, the adoption in our fundamental law of this right of religious liberty, constitutes a new epoch in the history of social government. That spell which so long had held the world in bondage, was now dissolved, bigotry was at length "stripped of her cowl," and superstition fled to the regions of night. In nearly all the State Constitutions which were adopted about the same period, we find the same right of conscience, the same freedom of opinion, guaranteed to man. But, sir, in our own excellent Constitution—yes, sir, excellent I say, for "with all its faults, I love it still"—in that venerable instrument, which reflects so much glory upon that band of patriots who framed it, we find a provision which experience has taught us, conflicts with the spirit of that liberty, which it was their purpose to secure to us—a provision which conflicts with the liberal spirit of the age. I am induced to believe with the distinguished gentleman from Buncombe, that it is a libel upon our fathers to say, that they intended to circumscribe the freedom of conscience—for the Bill of Rights, emphatically declares, that "all men have a natural and unalienable right to worship Almighty God according to the dictates of their own conscience." Sir, I know not how the provision contained in the 32d section got there—whether it was through a pique of retaliation between the Clergyman and the Deist, (as has been suggested)—or whether it was intended to be reserved as sleeping thunder (to use the figure of the gentleman from Orange) to be hurled at the heretics and schismatics of after times: I say, it is immaterial what may have been the cause of its first insertion there—it is sufficient for us to know that it is there; and one of the subjects which the people in their sovereign majesty have confided to the discretion of this Convention, is the propriety of amending that article. Sir, for one, I was opposed to touching that Constitution which our fathers framed at the hazard of their lives: I wished to cherish it, as a monument of Revolutionary patriotism, as a relic of revolutionary wisdom. I conceived that it was the work of men, whose minds were free from the narrow prejudices and sectional jealousies of modern times, and that, as such, it should be kept sacred and inviolable from the rude and reckless hand of innovation. Sir, that Constitution was as well calculated to secure the blessings of civil liberty, as any the ingenuity of the age could devise. With the gentleman from Carteret, I am ready to declare, that with me, the 32d section was the only objectionable feature in it, and even with that, obnoxious as it is, I should have preferred it to any we were likely to obtain, believing it better than any we could expect.