



## AND North-Carolina State Gazette.

Our are the plans of fair and peaceful peace,  
Unwarped by party rage, to live like brothers.

MONDAY, JULY 29, 1805.

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Transacted for the Mercantile Advertiser.

### CONSTITUTION OF HAYTI.

We H. Christophe, Clervaux, Ver-  
gès, Gabart, Pétion, Giffard, Toul-  
sant, Brave, Raynel, Romain, La-  
pierre, Capois, Daut, Conge,  
Mugloire, Ambrose, Yoyou, Jean  
Louis Francois, Gerin, Moreau,  
Feyou, Bazelaïs, Martial Besse;

As well in our own name as in that  
of the people of Hayti, who have  
legally constituted us faithful organs  
and interpreters of their will; in  
presence of the Supreme Being, be-  
fore whom all mankind are equal,  
and who has distributed so many  
graces of creatures on the surface  
of the earth, for the purpose of ma-  
nifesting his glory and his power by  
the diversity of his work: In the  
presence of all nature by whom we  
have been so long a time consider-  
ed as our cast children:

Do declare that the tenor of the  
present constitution is the spontane-  
ous and invariable expression of our  
hearts and the general will of our  
constituents; and we submit it to  
the sanction of H. M. the Emperor,  
Jacques Dessalines, our deliverer  
to receive its speedy and entire exe-  
cution.

#### Preliminary Declaration.

ART. 1. The people inhabiting  
the Island formerly called St. Do-  
mingo, hereby agree to form them-  
selves into a free State, sovereign  
and independent of any other power  
in the universe, under the name of  
Empire of Hayti.

2. Slavery is forever abolished.

3. The citizens of Hayti are bro-  
thers at home, equality in the  
eye of the law is incontestably  
acknowledged; and there cannot  
exist any titles, advantages or pri-  
vileges, other than those necessarily  
resulting from the consideration and  
reward of services rendered to liber-  
ty and independence.

4. The law is the same to all,  
whether it punishes, or whether it  
protects.

5. The law has no retroactive effect.

6. Property is sacred, its viola-  
tion shall be severely prosecuted.

7. The quality of citizen of Hayti  
is lost by emigration and naturaliza-  
tion in foreign countries, and by con-  
demnation to corporal or capital  
punishments. The first case carries  
with it the punishment of death and  
the forfeiture of property.

8. The quality of citizen is suspen-  
ded in consequence of bankruptcy  
and failure.

9. No person is worthy of being  
a Haytian who is not a good father,  
a good son, a good husband, and  
especially a good soldier.

10. Fathers and mothers are not  
permitted to disinherit their children.

11. Every Citizen must possess a  
mechanic art.

12. No white man, of whatsoever  
nation he may be, shall put his foot  
on this territory with the title of  
master or proprietor, neither shall  
he in future acquire any property  
therein.

13. The preceding article cannot  
in the smallest degree affect  
white women who have been natu-  
ralized Haytians by Government; nor  
does it extend to children already  
born or that may be born of the same  
women. The Germans and Polan-  
ders naturalized Haytians by Go-  
vernment are also comprized in the  
dispositions of the present article.

14. All exception of colouration,  
the children of one and the same  
family, of whom the chief magis-  
trate is the father, being necessarily  
to cease, the Haytians shall hence-  
forward be known only by the ge-  
neric appellation of Blacks.

#### Of the Empire.

15. The Empire of Hayti, is one  
and indivisible. Its territory is dis-  
tributed into six military divisions.

16. Each military division shall  
be commanded by a general of divi-  
sion.

17. These generals of division  
shall be independent of one another  
and shall correspond directly with  
the Emperor or with the general in  
chief appointed by his majesty.

18. The following Islands are in-  
tegral parts of the Empire: viz. St.  
Mons, La Tortue, La Grande Anse,  
Cassipou, La Cayenne, La Vierge,  
and the adjacent Islands.

#### Of the Government.

19. The Government of Hayti is  
entrusted to a first Magistrate, who  
assumes the title of Emperor and  
commander in chief of the army.

20. The people acknowledge for  
Emperor and Commander in Chief  
of the army, Jacques Dessalines, the  
avenger and deliverer of his fellow  
citizens. The title of Majesty is  
conferred upon him, as well as upon  
his august spouse the Empress.

21. The person of their majesties  
is sacred and inviolable.

22. The State will appropriate a  
fixed annual allowance to her Ma-  
jesty the Empress, which she will  
continue to enjoy even after the de-  
cease of the Emperor, as princess  
dowager.

23. The crown is elective, not  
hereditary.

24. There shall be assigned by the  
State an annual income to the chil-  
dren acknowledged by his Majesty  
the Emperor.

25. The male children acknow-  
ledged by the Emperor shall be obli-  
ged in the same manner as other ci-  
tizens, to pass successively from  
grade to grade, with this only dif-  
ference, that their entrance into ser-  
vice shall begin at the fourth demi-  
grade, from the period of their birth.

26. The Emperor, designates, in  
the manner he may judge expedient,  
the person who is to be his succes-  
sor either before or after his death.

27. A suitable provision shall be  
made by the state to that successor  
from the moment of his accession to  
the throne.

28. The Emperor, and his suc-  
cessors, shall, in no case and un-  
der no pretext whatsoever, have the  
right of attaching to their persons  
any particular or privileged body,  
whether as guards, of honour, or un-  
der any other denomination.

29. Every successor deviating from  
the dispositions of the preceding ar-  
ticle, or from the principles conse-  
crated in the present constitution,  
shall be considered and declared in  
a state of warfare against the so-  
ciety.

In such a case, the Counsellors of  
State will assemble in order to pro-  
nounce his removal, and to choose  
among themselves who shall be  
judged the most worthy of replacing  
him; and if it should happen that  
the said successor oppose the execu-  
tion of this measure authorised by  
law, the Generals, counsellors of  
State, shall appeal to the people and  
the army, who will immediately give  
their whole strength and assistance  
to maintain Liberty.

30. The Emperor makes, seals,  
and promulgates the laws; appoints  
and revokes at will, the Ministers,  
the General in Chief of the Army,  
the Counsellors of State, the Gene-  
rals and other agents of the Empire,  
the land and sea officers, the mem-  
bers of the local administrations, the  
Commissaries of Government near  
the tribunals, the judges, and other  
public functionaries.

31. The Emperor directs the re-  
ceipts and expenditures of the State,  
surveys the Mint, of which he alone  
orders the emission, and fixes the  
weight and the model.

32. To him alone is reserved the  
power of making peace or war, to  
maintain political intercourse, and  
to form treaties.

33. He provides for the interior  
safety and for the defence of the  
State; and distributes at pleasure the  
sea and land forces.

34. In case of conspiracies mani-  
festing themselves against the safety  
of the State, against the Constitution  
or against his person, the Emperor  
shall cause the authors or accomplices  
to be arrested and tried before a  
special Council.

35. His Majesty has alone the  
right to absolve a criminal or to  
commute his punishment.

36. The Emperor shall never form  
any enterprise with the view of mak-  
ing conquests, nor to disturb the  
peace and the interior administration  
of foreign colonies.

37. Every public act shall be made  
in these terms:

"The Emperor I. of Hayti, and  
Commander in Chief of the Army,  
by the grace of God and the Consti-  
tutional Law of the State."

#### Of the Council of State.

38. The Generals of Division and  
of Brigade, are of right members of  
the Council of State, and they com-  
pose it.

#### Of the Ministers.

39. There shall be in the empire  
two Ministers and a Secretary of  
State. The Minister of finance hav-  
ing the department of the interior,  
and the Minister of war having the  
marine department.

40. [Interior regulations re-  
specting the ministry.]

#### Of the Tribunals.

41. No one can interfere with the  
right which every individual has of  
being judged amicably by arbitrators  
of his own choosing, whose decisions  
shall be acknowledged legal.

42. There shall be a justice of  
peace in each commune. Any suit  
amounting to more than one hundred  
dollars shall not come within his  
cognizance. And when the parties  
cannot conciliate themselves at his  
tribunal, they may appeal to the tri-  
bunals of their respective districts.

43. There shall be six tribunals es-  
tablished in cities herein designated,  
viz. at St. Marc, the Cape, Port-au-  
Prince, Aux Cayes, Lianes-Veaux  
and Port-de-Paix. The Emperor  
determines their organization, their  
number, their competence and the  
territory forming the district of each.  
These tribunals take cognizance of  
all affairs purely civil.

44. Military crimes are submitted  
to special councils and to particular  
forms of judgment.

45. Particular laws shall be made  
for the national transactions, and  
respecting the civil officers of the  
state.

#### Of Worship.

46. The law admits of no predo-  
minant religion.

47. The freedom of worship is to-  
lerated.

48. The state does not provide for  
the maintenance of any religious  
institution, nor of any minister.

#### Of the Administration.

49. There shall be in each military  
division a principal administration,  
whose organization and inspection be-  
long essentially to the ministry of  
finance.

#### General Dispositions.

ART. 1. To the Emperor and  
Empress belong the choices, the sa-  
lary, and the maintenance of the  
persons composing their court.

2. After the decease of the reign-  
ing Emperor, when a revision of the  
constitution shall have been judged  
necessary, the council of state will  
assemble for that purpose, and shall  
be presided by the oldest member.

3. The crimes of high treason, the  
dilapidations of the ministers and  
generals, shall be judged by a spe-  
cial council, called and presided by  
the Emperor.

4. The armed force is essentially  
obedient, no armed body can delibe-  
rate.

5. No person shall be judged  
without having been legally heard in  
his defence.

6. The house of every citizen is  
an inviolable asylum.

7. It cannot be entered but in case  
of conflagration, inundation, reclama-  
tion from the interior, or by virtue  
of an order from the Emperor or  
from any other authority legally  
constituted.

8. He deserves death who gives in  
to his fellow.

9. Every judgment to which the  
pain of death or corporal punishment  
is annexed, shall not be carried into  
execution until it has been confirmed  
by the Emperor.

10. Theft shall be punished ac-  
cording to the circumstances which  
may have preceded, accompanied, or  
followed it.

11. Every stranger inhabiting the  
territory of Hayti shall be, equally  
with Haytians, subject to the correc-  
tional and criminal laws of the coun-  
try.

12. All property which formerly  
belonged to any white Frenchman  
is contestably and of right confiscated  
to the use of the state.

13. Every Haytian, who, having  
purchased property from a white  
Frenchman, may have paid part of  
the purchase money stipulated in the

act of sale, shall be responsible to  
the domains of the state for the re-  
mainder of the sum due.

14. Marriage is an act purely ci-  
vil, and authorised by the Govern-  
ment.

15. The law authorises divorce in  
all cases which shall have been pre-  
viously provided for and determined.

16. A particular law shall be issued  
concerning children born out of wed-  
lock.

17. Respect for the chiefs, subor-  
dination and discipline are rigorously  
necessary.

18. A penal code shall be pub-  
lished and severely observed.

19. Within each military division  
a public school shall be established  
for the instruction of youth.

20. The national colours shall be  
black and red.

21. Agriculture, as it is the first  
and the most noble, and the most  
useful of all the arts, shall be hono-  
red and protected.

22. Commerce, the second source  
of prosperity of states, will not admit  
of any impediment: it ought to be  
favoured and specially protected.

23. In each military division a  
tribunal of commerce shall be formed  
whose members shall be chosen by  
the Emperor from the class of mer-  
chants.

24. Good faith and integrity in  
commercial operations, shall be re-  
ligiously maintained.

25. The government assures safe-  
ty and protection to neutral nations  
and friends who may be desirous of  
establishing a commercial inter-  
course with this island, they con-  
forming to the regulations and cus-  
toms of the country.

26. The counting houses and the  
merchandise of foreigners shall be  
under the safeguard and guarantee  
of the state.

27. There shall be national festi-  
vals for celebrating Independence,  
the birth-day of the Emperor and his  
august spouse, that of Agriculture  
and of the Constitution.

28. At the first firing of the alarm-  
gun the cities will disappear, and  
the nation rise.

We the undersigned, place under  
the safeguard of the magistrates, fa-  
thers and mothers of families, the  
citizens, and the army, this explicit  
and solemn covenant of the sacred  
rights of man and the duties of the  
citizen.

We recommend it to our succes-  
sors, and present it to the friends of  
liberty, to philanthropists of all  
countries, as a signal pledge of the  
Divine Bounty, who, in the course  
of his immortal decrees, has given  
us an opportunity of breaking our  
fetters, and of constituting ourselves  
a people free, civilized, and inde-  
pendent.

Signed,  
H. CHRISTOPHE, &c. (as before.)

Having seen the present Constitu-  
tion.

We, Jacques Dessalines, Empe-  
ror I. of Hayti, and Commander in  
Chief of the army, by the grace of  
God and the constitutional law of the  
state.

Accept it wholly, and sanction it,  
that it may receive, with the least  
possible delay, its full and entire  
execution throughout the whole of  
our empire. And we swear to main-  
tain it, and to cause it to be obser-  
ved in its integrity, to the last breath  
of our life.

At the Imperial Palace of Dessal-  
ines the 20th May, 1805, second  
year of the Independence  
of Hayti, and of our reign the  
first.

DESSALINES.

By the Emperor,

JUSTE CHANLATTE,

Secretary General

### THE GRAND LODGE

OF

North-Carolina and Tennessee.

Will convene in the Lodge Room  
in this City, on the Evening of Wed-  
nesday, the 11th day of December next.  
At which time and place the Officers, Mem-  
bers and Representatives from the subordi-  
nate Lodges are required to attend.

By order of the most Worshipful the  
Honourable JAMES LOUIS TAYLOR,  
Grand Master.

ROBERT WILLIAMS,

Grand Secretary.

Raleigh, June 24th, A. D. 1805.

### VALUABLE PROPERTY.

A Greably to the last Will and Tes-  
tament of Peter Mallet, Esq. late of  
Fayetteville, the Subscribers offer for Sale  
on a Liberal Credit, the following Property  
lying in different parts of North-Carolina:  
Cumberland County and Town of Fayetteville:  
A Tract of Land adjoining Lands of Mrs  
Smith and Isaac Williams, Esq. near Ave-  
rborough, on the south-west Side of Cape  
Fear River, about 20 miles above Fayette-  
ville.

A Tract of Land containing about 320  
Acres, known by the name of Council Hall  
Tract, adjoining the town of Fayetteville,  
From the Fertility of the Soil and its Vicini-  
ty to the Town, this Land is considered  
as very valuable, and will be laid off in Lots  
to suit the Purchasers.

A Lot and House on the west Side of  
Gillespie Street, in Fayetteville, where the  
deceased formerly resided. The building  
is in good Repair, and the whole well cal-  
culated to accommodate a genteel Family.

Three unimproved Lots on the west side  
of Gillespie Street, between Franklin and  
Mumford Streets, adjoining the Lots on  
which the Dwelling House stands.

Ten or fifteen unimproved Lots on the  
west Side of Gillespie Street, between Mum-  
ford Street and Mallet's Mill.

A large Warehouse at present occupied  
by Messrs Nesbitt and Campbell, on Gil-  
lespie Street, near the Town House, subject  
to a small Ground rent.

A Lot and Dwelling House on the east  
Side of Green Street, near the Court-house,  
now occupied by Wm. H. Williams, Esq.

A Lot and Dwelling House on the east  
Side of Green Street, in possession of Mrs.  
Emmett, and subject to her Life Rent.

Two Lots at Lower Fayetteville, on  
which there is a Tobacco Inspection, under  
the direction of Messrs. Davis and McDo-  
nald, together with a large three Story  
Warehouse, three small Warehouses, and  
three extensive Sheds, with every necessary  
Accommodation for the Inspection and Sto-  
rage of Tobacco. If the Purchaser should  
incline, one of the Lots on which stands a  
large Shed, will be sold separate or divided  
into two Lots.

Orange County & Town of Hillsborough.  
300 Acres of Land in the Hay-fields, ad-  
joining Lands of General McBane.

A Grist Mill on Eno River, in the Town  
of Hillsborough. The Mill runs two Pair  
of Stones, with the necessary Machinery of  
a Merchant Mill; the whole is in tolerable  
Repair. From the natural Advantages this  
Mill possesses, it is considered to be the  
most valuable in the State.

New-Hanover County & Town of Wilmington.  
One Half of a Lot in the Town of Wil-  
mington, on the south Side of Prince Street,  
extending along said Street, from Front  
Street to the River.

A Tract of Land on the east Side of the  
north-west Branch of Cape Fear River, a-  
bout three miles above Wilmington, join-  
ing Lands of Wm. W. Jones and Henry Wat-  
ters, Esq. A considerable Part of this Land  
is of the very best Tide Swamp, and is con-  
sidered by Judges to be equal, if not superi-  
or to any Rice Lands in the State. It is  
well worth the Attention of those who pro-  
pose engaging in the Culture of Rice. The  
whole will be sold, or it will be divided to  
accommodate the Purchaser.

A large Body of Land on the west Side  
of the north east River, extending along  
the River from Henry Waters's Plantation  
called Forcport, to Major Moore's on Fish-  
ing Creek. A part of this Land is Tide  
Swamp, and well suited to the Cultivation  
of Rice. Also, three Tracts of Land on  
Little Cohery, well calculated for Corn or  
Cotton.

The Subscribers will receive Proposals at  
Fayetteville, by letter or otherwise, for all  
or any Part of the above described Property  
until the 1st of October next. If unsold, the  
Mill and Lands in Orange county will be  
offered at Auction in Hillsborough on the  
9th day of October. The Lots, Houses and  
Lands in Cumberland, at Fayetteville, on  
the 26th day of the same Month: And the  
Lands in New-Hanover, on the 18th day  
of November next. Application may be  
made to Mr. James Mumford, at Wilming-  
ton, who will describe and shew the Lands  
in the Vicinity of that Place.

JOHN ECCLES,

JOHN WINSLOW,

Executors of Peter Mallet,

June 19, 1805.

### Land for Sale.

THE Subscriber will dispose of  
his Tract of Land, containing 800 Acres,  
situated on the Waters of Eno River, five  
Miles West of Hillsborough, on the main  
Post Road, with a large and valuable Peach  
Orchard which never fails to produce Fruit,  
a young Apple Orchard, containing 162  
Trees of excellent Fruit of a Variety of  
Kinds. The Land is well watered, well  
timbered, and of a good quality, hand-  
somerly situated.

It is presumed, that any person having a  
disposition to purchase, will examine the  
Premises, therefore further description is  
not necessary. This Land will be disposed