

December 15, 1791

## 'Congress Shall Pass No Law'

December 15 does not stand out in many people's minds as a particularly important day. April Fool's Day get quadruple the attention.

However, this date, this day, though detached from people's minds, should nonetheless stay close to their hearts. December 15 is Bill of Rights Day.

On this same day in 1791, the first 10 amendments to the Constitution of America were ratified. These amendments became the backbone of American freedom. Their author, George Mason, became its spirit. Bill of Rights Day has largely gone unnoticed in the scene of American celebrations. Overshadowed by the whoopla of the Fourth of July, Bill of Rights Day remains a quiet day of appreciation for only a few freedom-minded citizens.

Foremost among these patriots are the members of the National Society of Colonial Dames, a heritage-based organization dedicated to cultural, historical and social preservation. Through the Society's efforts, Gunston Hall—the Potomac home of George Mason—has been carefully restored and preserved. Today it is becoming a national shrine.

Mason was actually the author of the Fairfax Resolves and Virginia Declaration of Rights, the first free Constitution of the United States. Being both friend and advisor to such notables as George Washington and Thomas Jefferson, Mason instilled in them much of their inspiration for the later Declaration of Independence, signed on July 4, 1776.

Yet he has gained very little recognition from the majority of citizenry who today still enjoy the freedoms protected by the Bill of Rights.

As one writer reminded, Mason lost his place among

the signers of the Constitution because he refused to affix his signature to a constitution which promised no guarantees of personal freedom against the national government.

As a result of Mason's determination and insistence, James Madison promised a Bill of Rights would be added to the document. This was done on Dec. 15,

known throughout the colonies and in England for his stance on liberty.

In 1766, he protested the unfair Stamp Act imposed by the British crown and continued his defense of the colonists. Jefferson gave him the title "Penn of the Revolution."

In 1776, he wrote the Virginia Declaration of Rights, a brilliantly stated

more written constitutions of the countries freed in the 19th and 20th centuries and of the Charter of the United Nations.

In 1785, he wrote the Mount Vernon Compact calling for the Annapolis Convention which in turn led to the Constitutional Convention in 1787.

Upon Patrick Henry's refusal to attend, Mason went in his stead as most experienced delegate. During the four months spent preparing the document, he spoke 128 times, contributing with his words, his ideas and his spirit.

Yet when the Constitution came up for signing, Mason refused.

"There is no declaration of rights," he said.

At the Virginia Ratifying Convention of 1788, Mason again tried to amend the Constitution prior to adoption but was unsuccessful. he did secure a promise from George Washington to push personal guarantees and a promise from James Madison to introduce his amendments in to the first Constitutional Congress.

In this he was successful. The first 10 amendments to the constitution were approved and sent to the states for ratification.

The freedoms set forth by this 18th century statesman are freedoms basic to the democratic way of life: freedom of speech, freedom of the press, freedom of religion, the right to assemble peaceably and to petition for redress of grievances.

These intangible but inalienable rights took form in the mind of George Mason. They became a tangible foundation for true American freedom when the states ratified them as the federal Bill of Rights on Dec. 15, 1791.

George Mason's colonial home on the Potomac, Gunston Hall, was occupied by the Mason family until the War Between the States. It was bought by the late Louis Hertle in 1912.

Mrs. Hertle was a member of the National Society of the Colonial Dames of America. Her husband left the house and 556 acres of grounds to the Commonwealth of Virginia with the provision that it be administered by a Board of Regents chosen from the different State Societies of the Colonial Dames and approved by the Governor of Virginia.

The restored home is open to the public each day, except Christmas, from 9:30 a. m. to 5 p. m. It is located 18 miles south of Washington on the Potomac River and may be reached via US 1 or Interstate 95.

1791 after previous attempts had failed.

Mason had a long personal history of political involvement for personal freedoms. A foremost colonial authority on land grants and charters, the Virginian was

document that was copied by seven of the newly formed states and was finally adopted as part of the final Constitution. It also became the basis of the 1789 French Declaration of the Rights of Man, of many

### from HISTORY'S SCRAPBOOK DATES AND EVENTS FROM YESTERYEARS

December 16, 1773—Boston Tea Party—Boston patriots protest against British tax on the product by dumping tea into the water off a British vessel anchored in the harbor.

December 17, 1903—Orville and Wilbur Wright make the first successful airplane flights in history as they soar over sand dunes near Kitty Hawk, North Carolina.

December 18, 1865—Slavery is abolished in the United States by the adoption of the Thirteenth Amendment to the Constitution.

December 19, 1777—George Washington and his troops start their winter encampment at Valley Forge, Pennsylvania.

December 20, 1820—The state of Missouri levies a tax against bachelors. Unmarried men between the ages of 21 and 50 must pay a dollar a year.

December 21, 1944—Horse racing is banned in the United States for the duration of World War II.

December 22, 1775—The Continental naval fleet is actively organized under the command of Ezek Hopkins, a former New England sea captain.

# The Bill of Rights

## First Ten Amendments to the Constitution of the United States

**Article I.** Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**Article III.** A well-regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

**Article III.** 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.

**Article IV.** The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

**Article V.** No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, 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 be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

**Article VI.** In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

**Article VII.** In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

**Article VIII.** Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

**Article IX.** The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

**Article X.** The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

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