the bill of rights, are viz. first this:—"The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good; give instructions to their representatives; and to request of their legislative body, by way of addresses, petitions, or remonstrances, redress of wrongs done them, of grievances they suffer."

I desire to know in the name of commonsense what can be more explicit to justify insurrections, and I may say the only way, except that of taking the sword, which by words as plain as these can be condemned, either for the redress of wrongs, or even the discontent of them. The article above stated appears to me to be a full justification for some risings, and it is a matter of wonder and astonishment, to hear and see men of sense speak and write such things about conventions; how dangerous they are to the community; every thing is fair, and wrote that the artifice of men can invent. Surely that cause is poor which cannot be vindicated by fair, cool reasoning, and that without the sword. I ever blamed the regulators (so called) for taking up arms, when not consuming them conventions, until they had first ed all their grievances by petitions and remonstrances, to the General Court, without any regard had to any opposition against it; and if they had not in a tumultuous way, the people might, if agreed, have sent no members to the General Court, which would virtually have stopped the Executive Courts without the sword: but where there are two contending parties generally both are to blame. In my opinion the friends to government are also to blame in that they did every thing in their power, in a tumultuous way, both in common conversation and writing in the papers, till they had dropped the conventions, the only proper way for redress of wrongs: and I must suppose, that the friends to government are as much wrong in taking up arms, as are the other party, for all wars come from the devil, and are propagated through the lust of men, if my table be true, as I believe it is.

That there were grievances which ought to be redressed I have not heard any deny: some say the Court has redressed all that is necessary: some say the constitution ought to be revised and amended; either say it cannot constitutionally be done before the year 1795, without a breach of covenant, except a majority of the people, I say so too: but who know but that there is a majority for to do? no measures are taken to decide the question, except it be, on the one hand to see how many will turn out with a green bush in his hat; on the other, how many will turn out with a white paper in his hat: all equipped for war.

That the constitution needs reviling and amending, I have believed ever since it was made, but I was one to assist in the doing it, but never gave it my approbation, and it does not appear to me to be so difficult and dangerous a matter to alter it as many pretend, if proper measures are taken for it; but when the best time is for to do it, I leave lawmakers to determine.

But I imagine the main difficulty in reviling the constitution will arise from this, viz. those persons in particular places of profit and craft, may perhaps be left out by a new arrangement, and so their present emolument be retarded. But there is one a tickle in the bill of rights, that I could with might never be altered, as much as I hated it at the time of them ever was, and yet little or no notice taken of it:—That here transcribe its Art. xxx. "In the government of this commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them; to the end it may be a government of laws and not of men." If this article were fluidly adhered to, I imagine we should not find one Judge of the Executive Courts, one Justice of the Peace, one lawyer, in fine not one executive or judicial officer in the General Court; but he that will open his eyes will see in the General Court, the legislative, executive, and judicial, to be one and the same beings. If any ask why we chuse them? I answer, through ignorance, as but a very few ever read and understand the constitution, so as to understand it: I ask why do not those gentlemen who were elected contrary to the spirit and meaning of the constitution, refuse to serve, and by that means inform the ignorant? If I must answer for them, it is because they had a relish for the honor and profit of both, they can make the laws and their own fee-table, and enjoy honor and execute them. But I would not be too censorious; but it must be a great mistake in those elections, or in me.

And now, my dear countrymen, before I take my leave of you I advise you one and all to lay aside your weapons of war, and come to a capitulation, get the courts go on; make a new choice to represent you in the General Court, relative to the confusion in your election, and let the legislature, executive and judicial powers be once separated, and forgive on heart and hand, forgiving one another, as ye expect forgiveness at the last day.

A FRIEND,

For the HAMPSHIRE GAZETTE.

IN a former publication I endeavoured to show, that the present insurrections and outrages in this commonwealth, are not to be cured by temporary and negligent measures. May I add, that lenity to traitors and murderers, who are plotting the overthrow of the government and the establishment of military power; is the highest injustice and cruelty to good and virtuous citizens. By such ill-timed lenity, honesty must fall a sacrifice to villainy, and patriotism to the ambition of the unprincipled and profligate. The public safety, the dignity and veracity of government, now call for examples of condign punishment. If such examples are not exhibited, we may bid adieu to all security, to the enjoyment of property, and to the future possession of every valuable privilege and immunity, and shall become a prey to men of the most worthless and dissolute characters. Examples are absolutely necessary, not only in the confiscation of the estates of numbers of the conspirators, but in the capital punishment of some of the most guilty of their leaders, who have produced, by their seditious artifices, such amazing expense and threatning danger to the community, and have, by precipitating their deluded followers into open rebellion, wantonly shed the blood of the citizens of this commonwealth. Blood cries for blood. When the heads of the rebellion have deliberately attacked a strong post, defended by an officer of government, and have thrown away the lives of our fellow subjects, is there a man who has the assurance and the injustice to plead for an indemnity to the author of this public and irreparable wrong. "Whoso sheddeth man's blood, by man shall his blood be shed. Thou shalt take no satisfaction for the life of a murderer. And the land cannot be cleansed from blood, but by the blood of him who hath shed it." This is the indispensable law of the Universal Parent, given to all nations as a necessary protection to the lives of his rational creatures. All treason tends immediately to blood. The treason of our insurgents hath already produced blood, and what future desolations it may produce, is known to God only. But this is obvious, that the land cannot be purged from the guilt of blood, nor the public tranquility be restored, but by the execution of some of the principal offenders. It is further evident that the conspirators have not as yet laid aside their unreasonable enmity and their traitorous opposition to the government. They continue their threatnings against the lives and property of the faithful subjects of the state. This spirit of opposition and hostility must be subdued before the community can enjoy rest and safety. For this purpose, it will be absolutely necessary to maintain a considerable military force, until the public disturbances shall be effectually quieted; otherwise injuries and assassinations, which are denounced without reserve against the best officers and citizens of the state, may be expected to take place, and the door be opened for a promiscuous and relentless carnage in several parts of the commonwealth. Men must be afraid to threaten their neighbours and to trample upon the laws: and as they will not be restrained by humane and moral principles, they must be controled by power. The sword of civil justice must be the terror and punishment of evil doers. It is full time, that our houses and other possessions, our limbs and our lives, be no longer exposed to the menaces of such wicked and unreasonable men. And it is to be hoped that present measures will be vigorously pursued, until there shall be entire safety and peace to him who goeth out and to him who cometh in.

A proper number of mete examples being made to expiate the blood already shed, and to prevent future insurrections, humanity will dictate pardon and forgiveness to the multitude of deluded and less informed offenders; at the same time taking of them the best security by their oaths of allegiance to the state, and putting it out of their power to be troublesome to the government in future time. As a mean of national defence and prosperity in all future ages, I beg leave to propose to the consideration of the public in general, and of the Legislature in particular, the propriety and usefulness of an oath of fidelity, to be taken by all the freemen of this commonwealth, as a necessary pre-requisite to their enjoying the privilege of chusing any officer of government, whether civil or military. Oaths of fidelity are commonly required in all free states, as a term of enjoying the prerogative of electing magistrates. And if any occasion demands an oath to make men considerate and faithful, I must think that to be the proper time for administering it, when freemen are raised to the dignity of electors in the commonwealth. Shall a state be under obligation to yield protection to the subject, and he be under no special and sacred bonds to yield allegiance to the state? Shall legislators and other officers of government be bound by oath to defend the laws and constitution, and at the utmost hazard of life and estate, to protect the citizens in their possessions and liberties, and yet the citizen be free from any special bonds to support and aid the magistrate in the due execution of his trust? This is certainly a solecism in politics. The neglect of administering an oath of fidelity to our citizens, when they are raised to the dignity of electors, is perhaps the greatest error in the administration of our government, and has proved the occasion of sedition in the conduct of many, who, awed by the oath of God, would be influenced to a performance of all the duties of faithful and loyal subjects. The solemnity of an oath would have prevented multitudes who have been engaged in our present troubles, from aiding those wicked attempts to establish a lawless military power. It would methinks greatly forward the happy settlement of our troubles, were all the freemen in future required to take the oath of fidelity to the state, previous to their enjoying the privilege of chusing the officers of government. It is probable that no precaution has been attended with more happy effects than the requisition of an oath from their electors in our sister state of Connecticut. This practice has been their strongest barrier against the attempts of self-seeking and seditious conspirators. A measure so reasonable in itself; so commonly adopted in free states; so decidedly beneficial by the long experience of other republics, it is wished may recommend itself to the attention and patronage of our Legislature. The present day calls for every expedient to protect the the community from the unconstitutional and insidious attempts of corrupt and unprincipled politicians. These general hints are humbly submitted to public enquiry, and the particular attention of the members of the Legislature. As far as they are worthy their notice, it is hoped they will meet with their patronage and approbation. That our political fathers and rulers may share richly in divine illuminations, and guide our public affairs with discretion, is the devout wish of the faithful and obedient subject,

PHINEHAS.

February 9, 1787.

To His EXCELLENCY
JAMES BOWDOIN, Esq.
Governor of the Commonwealth of Massachusetts.

May it please your Excellency,

THE Senate and House of Representatives, in General Court assembled, have read & duly attended to your speech at the opening of this session, and take this earliest opportunity to express their entire satisfaction in the measures you have been pleased to take, pursuant to the powers vested in you by the constitution, for the subduing a turbulent spirit, which has too long insulted the Government of this Commonwealth, prostrated the courts of law and justice in divers counties, and threatened even the overthrow of the constitution itself. The General Court congratulate your Excellency on the success with which Providence has been pleased hitherto to bless the wise, spirited and prudent measures which you have taken; and they earnestly intreat your Excellency, still to encounter, repel, and resist, by all fitting ways, enterprizes and means, all and every such person and persons as attempt or enterprise, in a hostile manner, the destruction, detriment, or annoyance of this commonwealth; and to pursue such further constitutional measures as you may think necessary for extirpating the spirit of rebellion; quieting the minds of the good people of the commonwealth, and establishing the just authority and dignity of government. And in order that your Excellency may be possessed of the full power of the constitution, to effect these great purposes, the General Court have thought it highly necessary, after mature deliberation, to declare that a rebellion exists within this commonwealth.

This Court are fully persuaded, that by far the greater part of the citizens of this commonwealth are warmly attached to our present happy constitution: they have a high sense of the merit of a respectable body of the militia, who have with readiness attended your Excellency's orders on this pressing emergency, as well as of the patriotick zeal of a number of private citizens, who have chearfully advanced their money to the aid of government: and you may be assured, Sir, that the most speedy and effectual means will be used for the payment of the officers and soldiers who have been, or may be employed in this necessary and important service; and for the re-imburtement of the monies generously advanced for its support.

It is to be expected, that vigour, decision and energy, under the direction and blessing of Heaven, will soon terminate this unnatural, unprovoked rebellion, prevent the effusion of blood, and the fatal consequences to be dreaded from a civil war; and it is the determination of this Court to establish a criterion for discriminating between good citizens and others, that each may be regarded according to their characters and deserts.

If it shou'd appear to your Excellency, that the time for which the militia, under the command of Major-General Lincoln, are inlisted, is too short to effect the great objects in view, it is the request of this Court, that you would be pleased to direct the commanding General to reinlist the same men, or inlist others, for such further time as you may think necessary, or to replace them by detachments from the militia; and, if you shall think it expedient, to encrease their numbers, and continue them in service until those purposes shall be completely accomplished.

The General Court will give the most ready attention to your message of the third instant, and every other communication you shall be pleased to lay before them. They will vigorously pursue every measure that may be calculated to support the constitution, and will find continue to redress any real grievances, if such shall be found to exist—humbly beseeching Almighty God to preserve union and harmony among the several powers of government, as well as among the honest and virtuous citizens of the commonwealth, and to restore to us the inestimable blessings of peace and liberty, under a wise and righteous administration of government.

In Senate, 4th February, 1787.

Read and unanimously accepted—and Ordered, That Samuel Adams, Caleb Strong, and Seth Washburne, Esquires, with such as the honorable House may join, be a Committee to wait upon his Excellency the Governor with the foregoing address.

Sent down for concurrence.

SAMUEL PHILLIPS, jun. President.

In the House of Representatives, Feb. 4, 1787.

Read and concurred, and Mr. Shepard, Mr. Brooks, Mr. Beckford, and Mr. Davis are joined.

ARTEMAS WARD, Speaker.

True copy: Test.

JOHN AVERY, jun. Sec'ry.

Commonwealth of Massachusetts.

WHEREAS many who now are, or have been, in arms against this government, may not have considered the evil nature and tendency of their crime, and might not have been apprized that an opposition to the legal authority of the state, with force of arms, is Treason and Rebellion: And whereas General Lincoln has given to a particular description of the insurgents his advances, to recommending them to the clemency of government, on certain conditions therein mentioned:

Resolved, That this Court approve of General Lincoln's conduct in his overtures of recommending certain description of insurgents to the clemency of government, and that the Governor be, and he hereby is authorized and empowered, in the name of the General Court, to promise a pardon, on such facts disclosed, as he may hereafter be provided, to such private soldiers and others who act in the capacity of non-commissioned officers, as have been, or now are, in arms against the commonwealth with such exceptions as he or the General Officer commanding the troops may judge necessary; provided they shall deliver up their arms, and take and subscribe the oath of allegiance to the commonwealth, within such time as shall or may be limited by his Excellency for that purpose.

In Senate, 4th February, 1787.

Read, and unanimously accepted.

Sent down for concurrence.

SAMUEL PHILLIPS, jun. President.

In the House of Representatives, February 4, 1787.

Read and concurred:

ARTEMAS WARD, Speaker.

Approved.

JAMES BOWDOIN.

A true copy: Attest.

JOHN AVERY, jun. Sec'ry.

Commonwealth of Massachusetts.

WHEREAS the doings of the General Court at their last session, relative to the insurgents against the Government and the authority of the state, in several counties within this commonwealth, were lenient and merciful, were intended to quiet the minds of the disaffected, and ought to have had the effect they were designed to produce:

And whereas every complaint of grievance was carefully attended to, with a disposition to grant all that relief which could be afforded consistent with equal justice and the dignity of government; and the General Court, so far as they were able, adopted measures accordingly, and gave full and clear information, to the insurgents as well as others, of the general situation of public affairs.

And whereas a full and free pardon for all the outrageous proceedings against the Government, whereof the insurgents had been guilty, was tendered them upon this mild condition alone, that they should be guilty of such outrages no more; and evidence of their intentions to demean themselves, in future, as good and faithful citizens, should, before the first day of January, A. D. 1787, take and subscribe the oath of allegiance; it manifestly appears, from the subsequent conduct of the leaders of the insurgents, that their opposition to Government has arisen from a misapprehension as to the views and disposition of government, or from a temporary irritation, arising from the pressure of supposed grievances, or from a misguided zeal to promote the public happiness, as has been insidiously asserted; but from a settled determination to subvert the the constitution, and put an end to the government of this commonwealth:—It is also abundantly manifest, that the conduct of the insurgents, in stopping the Courts of Justice in the counties of Worcester, and Hampshire—in assembling in arms avowedly to commit the same outrages in the county of Middlesex—in calling upon the towns in some counties to furnish themselves with arms and ammunition—in appointing committees to form their adherents into regular military companies, properly officered, thereby establish within this commonwealth a standing force beyond the controul of, and for the express purpose of opposing, in arms, the constitutional government of the state in endeavouring to execute the commotions in the counties aforesaid, by publicly inviting and abetting others to throw off their allegiance and join their body; is subversive of all order and government, absolutely incompatible with the public safety and happiness; and is an open, unnatural, unprovoked and wicked Rebellion, against the dignity, authority and government of this commonwealth:—and the Legislature, in duty to their constituents, in conformity to their oaths, and by virtue of the authority vested in them by the constitution, (having ineffectually tried every lenient measure to reclaim them) Do hereby solemnly declare, That a horrid and unnatural REBELLION and WAR has been openly and traiterously raised and levied against this commonwealth, and is still continued, and now exists within the same, with design to subvert and overthrow the constitution and form of government thereof, which has been most solemnly agreed to, and established by the citizens of this commonwealth; and that government ought and will, with the greatest energy and force, exert and bring forth all the power of the commonwealth for the suppression thereof:—and all the horrors and evils, that may follow in consequence of this rebellion, must be imputed to those men who have, contrary to the duty of their allegiance and every principle of law and justice, been the fomenters, abettors and supporters of the same.

In Senate, Feb. 4, 1787.

Read and unanimously accepted.

Sent down for concurrence.

SAMUEL PHILLIPS, jun. President.

In the House of Representatives, Feb. 4, 1787.

Read and concurred:

ARTEMAS WARD, Speaker.

True copy. Test:

JOHN AVERY, jun. Sec'ry.

Commonwealth of Massachusetts.

In the House of Representatives, Feb. 5, 1787.

RESOLVED unanimously, That the General Court highly approve of the conduct of Major-General Shepard, and the militia of his division, for their exertions and spirited defence of the federal arsenal at Springfield, against the daring attempts and attack of the insurgents.

Sent up for concurrence,

ARTEMAS WARD, Speaker.

In Senate, Feb. 5, 1787.

Read and unanimously concurred.

SAMUEL PHILLIPS, jun. President.

Approved.

JAMES BOWDOIN.

True copy. Attest.

JOHN AVERY, jun. Sec'ry.

BOSTON, February 8.

On Tuesday last, arrived in town, Major CABOT, who left Head Quarters at Petersham, in the county of Worcester, on Monday morning—with dispatches from the Hon. Major-General Lincoln, to his Excellency the Governor.

Petersham, February 4th, 1787.

DEAR SIR,

I HAVE been honoured with the receipt of your Excellency's favours of the 25th ult. and the 1st inst. with the warrants.

In my last I mentioned to you, that I had various applications from the neighbouring towns, and what answers I had given. These I think, had a very happy effect, and the towns have felt themselves much interested, in recalling their men; and in putting an end to the progress of the Insurgents.

I remained a number of days in Hadley, refreshing our men, who had experienced severe fatigue; this gave time for the insurgents to reflect upon the offers which had been made them, and for the selectmen to interpose their advice and authority.

Friday we reconnoitered their post, with an intention to approach them the next day. This movement gave them an alarm, and at three o'clock, Saturday morning, I received a flag from Wheeler, requesting that he might have a conference with Gen. Putnam. It was granted, and they met Saturday forenoon. To provide for his personal safety, seemed to be the principle object he had in view—no encouragement or this head being given him, he retired; and Saturday evening I was informed, that Shays had left Pelham, and had pointed his forces towards this place, where it was said he was to be joined by many others, and where he could make a stand, as many towns in this vicinity, were in his interest. At 8 o'clock our troops were in motion; the first part of the night was light, and the weather clement, but between 2 and 3 o'clock in the morning, the wind shifted to the westward, it became cold and squally, with considerable snow; the wind arose very high, and with the light snow that fell the day before, and was falling, the paths were soon filled up, the men become fatigued, and they were in a part of the country where they could not be covered in the distance of 8 miles, and the cold was so increased that they could not halt in the road to refresh themselves. Under these circumstances they were obliged to continue their march. We arrived here about 9 o'clock, exceedingly fatigued by a march of 30 miles, part of it in a deep snow, and in a most violent storm. When this abated, the cold increased, and a great part of our men were frozen in some part or other—I hope none of them are dangerously so, and that most of them will be able again to march in a short time. We approached this town nearly in the centre, where Shays had covered his men; and had we not been prevented by the steepness of the hill, and the depth of the snow, from throwing our men rapidly into it, we should have arrested very probably one half of his force, for they were so nearly surprised as it was, that they had no time to call in their out parties, or even their guards. About 150 fell into our hands, and none escaped but by the most precipitate flight in different directions; but most of their men fled for Athol. It is said they intended to reach Northfield: This brings him near the line of another State, where he may vainly hope to find an asylum. Thus, Sir, that body of men, who were, a few days since, offering the grossest insults to the best citizens of the commonwealth, and were menacing even government itself, is fast dissipating; and it will not long, I think, have the least existence. It must be pleasing to your Excellency, to know that this has been effected, and bloodshed avoided, but in an instance or two, where the insurgents have rushed on their own destruction, after every effort had been made, by the officers of government, to prevent it. That so little has been spilt, is owing, in a measure, to the patience and obedience, the zeal and the fortitude discovered in our troops, to whom too much thanks cannot be given—A different line of conduct, which Shays flattered his troops would be manifested, would have given them support, and led them on to acts of violence, while it must have buoyed up the hopes of their abettors, and stimulated them to greater exertions.

As soon as the troops are able to move, I shall follow Shays, and throw part of our force into Berkshire—before I leave this place, I shall make a disposition of the troops, and discharge such whose services are no longer necessary.

Notwithstanding the present flate of things, much is necessary for the General Court to do, and decided measures on their part, will give support to our friends, and dismay to others.

I have the honour to be, with the highest respect, your obedient servant,

B. LINCOLN.

Mr. Cabot will honour this, by being the bearer of it—his great attention to duty, and his knowledge therein, entitle him to thanks—he will give your Excellency a more minute account of matters than I have been able to write.

His Excellency Governor BOWDOIN.

NORTHAMPTON, February 14.

Extract of a letter from a gentleman in one of the eastern counties, to his friend, an officer in General Lincoln's army.

"In monarchies, mercy to rebels may be the highest magnanimity—In republics, it assumes a different character, and becomes a weakness. Insurrection in a monarchy affects but the extremities and limbs. In a republic, the disease is in the head; the disease therefore, must no only be removed, but the seeds of it rooted out for one or two returns may bring on a politics dissolution. And it is not enough to hang two or three to terrify the rest—many must be cut off, because it is dangerous to society that they should live. The poor wretches I pity, God knows. It is melancholy their vices and follies should plunge them into such deep distresses. Pardon ought, I think, to be granted upon these conditions and disqualifications, that they petition—the petition be prefered before days. That the pardon be available to them, but upon condition that they keep the peace, and are of good behaviour for a certain number of years. That the petitioner be ineligable to any office or to vote for others for a certain number of years. How absurd is it, that the very men, whom you have this day declared rebels, shall on the morrow, merely from the circumstance of defeat, have a right to appoint magistrates, and constitute a part of the supreme authority? The present appearance of the General Court is highly favourable. They speak out.—Some cunning men however, are wriggling about among them: Their vices are pitiful. They are known and marked; some with the business to be but half finished, because they flourish most in confusion. Some fear to be decided, least they should shake their popularity. Others are desirous of having the business taper off, to throw an odium on the present administration. But the current in favour of exertion, seems so strong at present in the Court, that the characters I have described, are obliged to grin their teeth and vote—they dare not stand in opposition."

Last Monday evening was committed to gaol in this town, a John Wheeler, of Hardwick, who has acted in the capacity of an Aid to Capt. Shays.——Nine others were also committed the same evening.

Yesterday was brought to this town and committed to gaol, a Capt. Clark, of Colrain.

STOLEN from the stable of Mr. Samuel Cook, in New-Salem, on the night of the 5th inst. a dark chesnut coloured MARE, about 14 and half hands high, with a small star in her forehead, nose wholly, high carriaged, and very great spirits, the mane on the near side. Whoever will take up and secure the thief, and return the Mare to the subscriber, shall have TEN DOLLARS, and for the Mare only, Five Dollars, and all reasonable charges paid, by

ABEL WHITNEY.

Westfield, Feb 7, 1787.