

And be it further enacted by the authority aforesaid, That upon default being made, upon any such recognizance, a *fiere facias* shall issue and judgment and execution be had in the usual form; and that no recognizance for the keeping the laws respecting the abovementioned licenses, shall be put in suit, for any breach thereof, after the expiration of two years from the time of taking such recognizance.

And be it further enacted, That every person to whom any license shall be granted, before the receiving or exercising the same, over and above the recognizance required, for the due observation of the laws, and keeping good rule and order as aforesaid, shall also become bound to the Commonwealth, in a distinct recognizance, with sufficient sureties, in manner as aforesaid, on condition, that the person so licensed shall duly and truly pay the duty of excise, according to the regulations that are or during the time of such person's license, may be established by law.

And be it further enacted by the authority aforesaid, That the time of granting licenses to innholders and retailers as aforesaid, shall be at the first General Sessions of the Peace, that shall be held in course, within the several counties, on or next after the first Tuesday in June, annually; unless upon application made to the General Sessions of the Peace, at any of the terms stated by law for holding said Courts, and on such day and time of the sitting of such Court, as the Justices of the same are wont to give their more general attendance, for license to keep an inn, tavern, a House of public entertainment, or to retail strong liquors, it shall appear to the same Court, that the person applying was unavoidably prevented from making application at the said first General Sessions of the Peace, so that the necessity of such license—had taken place since that time; and in either case, that the public good makes it necessary that the same should be granted; in which case the said Justices are empowered to grant the same, as though it were the proper term for granting licenses, the person applying for such license paying therefor, for the use of the county, five shillings, over and above the usual fee and duties.

And be it further enacted, That when it shall happen, that any licensed innholder or retailer, shall die before the year is expired for which license shall have been granted, and the widow of the deceased, if such there be, or child or other representative, shall desire to exercise said employment, in such licensed house, the remainder of the year; and where any licensed innholder or retailer, shall remove from a licensed house, and the purchaser or occupier of such house, shall petition to be licensed, to be an innholder or retailer in the same house for the remainder of the year, in every such case, it shall be lawful, and the Justices of the Court of General Sessions of the Peace, are hereby empowered, at any of the terms appointed by law for holding the same in such county, and any two Justices of the Peace, *quorum unus*, are also empowered to grant license to such person or petitioner applying therefor, the remainder of the year. Provided such person be suitably qualified therefor, and recommended in manner as the law directs.

And the better to prevent intemperance, and nurseries of vice and debauchery: Be it further enacted, That the Justices of the General Sessions of the Peace in each county, be, and they are hereby directed, not to license more persons in any town or district to keep houses for common entertainment, or to retail spirituous liquors as aforesaid, than the Justices shall judge necessary for the receiving and refreshment of travellers and strangers, and to serve the public occasions of such town or district, or be necessary for the public good; and all public houses shall be on or near the high streets, roads and places of great resort.

And be it further enacted by the authority aforesaid, That the Selectmen in each town shall cause to be posted up in the houses and shops of all taverners, innholders and retailers, as aforesaid, within such towns or districts, a list of the names of all persons reputed common drunkards or commonplers, or common gamblers, mispending their time and estate in such houses. And every keeper of such house or shop, after notice given him as aforesaid, that shall be convicted before one or more Justices of the Peace, of entertaining or suffering any of the persons in such list, to drink or tipple or game, in his or her house, or any of the dependences thereof, or of selling them spirituous liquor, as aforesaid, shall forfeit and pay the sum of thirty shillings.

And be it further enacted by the authority aforesaid, That if any person shall by violence or excessive drinking of spirituous liquors, or mispend, waste, or lesion his or her estate, as thereby, either to expose himself or herself, his or her family, to want or indigent circumstances, or to the town to which he or she belongs, to a charge or expence for the maintenance or support of him or her, or his or her family, or that of his or her family, or himself in the use of spirituous liquors, as thereby greatly to injure his or her health, or endanger the life thereof, such Selectmen shall in writing under their hands, forbid all licensed persons in their respective towns and districts, to

sell to any of the aforesaid mispenders of time and estate, any spirituous or strong liquors, in this act mentioned, for the space of one year, and shall in like manner forbid the licensed persons of any other town or district to which such mispender may resort for the same; and if any of the persons contained in the said prohibition, shall not, in the opinion of the said Selectmen or the major part of them, have reformed during the said year; in such case, the Selectmen of such town or district shall renew the prohibition in manner as aforesaid; and if any licensed victualler, taverner, innholder, or retailer of spirituous or strong liquors, shall during any such prohibition, sell to any person contained therein, any spirituous liquors, in this act mentioned, he shall forfeit and pay for each offence, the sum of twenty shillings, to the use of the town or district where such mispender lives, to be sued for, and recovered by the Treasurer of such town or district.

And whereas the giving credit to town inhabitants and others, living near houses of public entertainment, very much tends to the destructive expence of time and money of many persons

Be it therefore enacted, That if any innholder, retailer, ale-house keeper, or common victualler, trust or give credit to any person, inhabiting in the same town, where they are trusted, or to any person whose place of abode is within five miles distance, for victuals, or drink, for more than ten shillings, such innholder, retailer ale-house keeper, or common victualler shall lose all such sums so trusted, and all actions hereafter brought for such debt or debts shall be utterly excluded and barred. And the defendant in such action, may plead the matter specially, or under the general issue give the matter in evidence, any law, usage or custom to the contrary notwithstanding.

And for the better inspecting of licensed houses, and the discovery of such persons, as shall presume to sell without license:

Be it enacted by the authority aforesaid, That the Selectmen in each town or district, respectively, shall take due care that Tythingmen be annually chosen, at the general meeting for the choice of town-officers, as is by law provided; and upon any vacancy, to fill up the number at any other town-meeting, which Tythingmen shall have power and whole duty in that behalf, carefully to inspect all licensed houses, and to inform of all disorders and misdemeanors which they shall discover or know to be committed in them, or any of them, to a Justice of the Peace, or to the General Sessions, within the same county; as also of all such as shall sell spirituous liquors as aforesaid, without license: And in like manner to inform of all idle and disorderly persons, profane swearers or cursers, Sabbath-breakers, and the like offenders, to the intent, they may be punished: Every of which Tythingmen, shall be sworn as other town officers are, to the faithful discharge of his office, and shall be intitled to such part of the penalties enjoined by this act, as by law accrues to the informer.

And be it further enacted by the authority aforesaid, That all fines and penalties arising from any of the offences aforesaid, not otherwise appropriated, shall be disposed of, one half thereof to the use of the county, where the offence is committed, and the other moiety to him or them who shall inform and prosecute for the same; except where the offence is prosecuted by a Grand Jury, before the Supreme Judicial Court, or Court of General Sessions of the Peace; in which case the whole forfeiture to be to the use of the county.

And every Justice of the Peace is hereby empowered to hear and determine any of the offences above mentioned, committed within his county, where the penalty doth not exceed four pounds, and not otherwise: And every Justice of the Peace before whom such conviction shall be had, and where the party convicted doth not appeal, shall make a certificate of the same; and the Justice before whom such conviction is, shall cause the same to be fairly written, and shall return the same to the then next General Sessions of the Peace for the county, where the said offence is committed, there to be read over in open Court, and filed among the records of the same Court, to the end among other things, that it may be known, that the breakers of this are duly prosecuted.

In the House of Representatives, Feb. 28 1787. This bill having had three several readings, passed to be enacted.

ARIEMAS WARD, Speaker.

In SENATE, Feb. 28, 1787.

This bill having had two several readings, passed to be enacted.

SAMUEL PHILLIPS, jun. President.

By the Governor, Approved.

JAMES BOWDOIN.

A true Copy.—Attest.

JOHN AVERY, jun. Secretary.

Commonwealth of Massachusetts.

In Senate, 17th May, 1787.

ORDERED, That Samuel Adams and Cotten

2 Esq., Esquires, with such as the honour-

able House may join, be a committee to wait upon his Excellency the Governor, with the following answer to his Excellency's Speech at the opening of the Session.

Sent down for concurrence.

SAMUEL PHILLIPS, jun. President.

In the House of Representatives, May 7, 1787.

Read and concurred, and Mr. Brock, Mr. Hale, and Mr. Kilkinn, are joined.

ARIEMAS WARD, Speaker.

To his Excellency JAMES BOWDOIN, Esq., Governor of the Commonwealth of Massachusetts.

May it please your Excellency,

The General Court have attended to your Excellency's Speech at the opening of the present Session, and beg leave to assure you, that your calling the General Court together, at a period as early as possible, after the decease of Thomas Ingers, Esq. the late Treasurer, has met their entire approbation, and cheerfully do we join in the tribute, which your Excellency has so justly paid to the memory of the deceased.

Your Excellency has led us to take a retrospect of the late measures of Government, respecting the rebellion; and while it is with regret that we contemplate the necessity of those measures, and we are happy to find that the success of them has so far corresponded with the purposes for which they were intended. With pleasure we accept your Excellency's congratulations on this success; and cannot but flatter ourselves, that by a continuation of those measures, the welfare of the Commonwealth, and the tranquillity which is fully restored to those counties, in which alarming commotions had arisen and prevailed.

Our recommendations of the measures which have been adopted, and co-operation with your Excellency in carrying them into effect, has proceeded from a clear conviction of their necessity and importance.

The confidence we have placed in your Excellency, the approbation we have heretofore expressed of the part you have acted, of the wisdom and firmness which have been so fully manifested in the execution of the measures of government on this great occasion, as well as of your administration in general, have been no other, than the dictate of real sentiment.

The manner in which your Excellency has thus far passed through the several grades of political life, and during a period of such residence to America, must naturally upon review, afford satisfaction. We are pleased to find your Excellency possessing this satisfaction, and we doubt not, it will remain to you a source of real enjoyment.

Having been long versant in public affairs, and having had so large a share in the honors of your country, how much does your Excellency may have of a wish for retirement, considering the critical situation our affairs are still in, with the hopes which might be entertained from a person of your Excellency's experience, abilities and peculiar qualifications, joined with your extraordinary services, your Excellency we trust will excite us, if in such a wish, we cannot so readily concur.

Your wishes so strongly expressed for our welfare and happiness, we gratefully accept; may your Excellency with health and tranquillity receive and enjoy those marks of esteem and benevolent affection from a grateful people, which are the proper reward of distinguished merit.

With real ardour we readily join with your Excellency in the further wish, That the people of this Commonwealth may have just ideas of liberty; and not lose it in licentiousness, and its natural consequent, despotism: That they may reverse the constitution of their own framing, and govern their conduct by the principles of it.

Persuaded we are, that under the direction and influence of those principles, "The Commonwealth will rise superior to its present state of barbarism; and evince to the world, that a Republican government, founded on the rights, and the principles of equal liberty, may not only subsist, but effectually answer the salutary purposes for which Government was designed."

LONDON, February 15.

Extract of a letter from Toulon, Jan. 26. Two frigates, one of 30 and the other of 40 guns upon one deck, are now building at this port by order of his Most Christian Majesty.

These vessels are on an entire new construction, and are to carry 18 pounders on one deck, when complete are to sail for Philadelphia, being intended as presents from the King to the States of America. They will be completely equipped and furnished with six months provisions and stores. Several military officers and other gentlemen, who are engaged in the service of the United States, are to take passage in these vessels, together with several merchants, and other respectable characters in the commercial and naval and military lines.

Whitehall, Feb. 22. The King has been pleased to appoint George Miller, Esq. to be

Majesty's Consul in the State of North and South Carolina, and Georgia, and Deputy Commisary for Commercial Affairs to the United States of America.

Feb. 21. The head of the Algerines Captain, who took an English ship off St. Vincent, was elevated on a pole, after it was severed from his body. Here it stood three days, and then was ordered to be buried. The English Captain, who had been made prisoner by the Algerines; but the Day would not listen to it, as the Englishman had taken his passport, and proved he was bound to England.

Feb. 27. The following awful and dreadful circumstance happened lately in the county of Hertford: About three weeks since a man walked upon a magistrates in the vicinity of Hitchin, and informed him, that upon the preceding Tuesday evening, he was stopped by a young gentleman of Hitchin, who knocked him down and searched his pockets, but not finding any thing therein sufficient to do part. The Magistrate, alarmed at this piece of intelligence, dispatched a messenger to the young gentleman, ordering him to appear immediately before him, and answer to the complaint lodged against him. The youth instantly obeyed the summons, accompanied by his guardian and an intimate friend. Upon their arrival at the seat of justice, the accused and the accuser were confronted, when the magistrate hinted to the man, he was fearful he had made the charge with no other view than that of extorting a sum of money from the young gentleman, and bid him, it was the case, to take care how he proceeded in the discharge of his duty, as he was in the most earnest and pathetic manner, to beware of the dreadful and destructive consequences attending perjury; but all his arguments were vain, for he was too old a disciple in the school of vice, to be diverted from his bad path, by any advice that could be given him: He insisted upon making oath to what he had advanced, which at last was administered upon him, and the business was finally entered upon, when the young gentleman's innocence was manifestly proved, he having by the most incontrovertible evidence, clearly established an alibi. Upon this, the magistrate dismissed the parties, having first obtained a promise from the young gentleman's guardians, that they would indict the man for perjury at the next assize of the county. The infamous wretch finding his infernal intentions thus frustrated, returned home much chagrined, and meeting soon after with one of his neighbours, he declared to him that he had not sworn to any thing but facts, and called God to witness the same in the most solemn manner, and with this he set out as he had asserted, that his jacket might be locked, and that his flesh might rot upon his bones, when—terrible to relate!—(Lies, ye fons of impurity, while the horrid tale is told, ye, who affect to doubt the existence of a Supreme Being, and scoff at his judgments!)—his words were instantly fulfilled, the use of his speech denied him forever, and after lingering a few fortnights in great agonies, he expired, his flesh literally rotting upon his bones.

Lately died, at a village near Piritz, in Pomerania, John Perge, aged 103: He was borne to his grave on sheaves of corn, according to his desire; and a spade, plough, share, and hedging bill, were placed on his coffin. He had cultivated upwards of two thousand acres of land. He had 25 children, and such as lived he taught to be as industrious as himself.

ALBANY, April 26.

Extract of a letter from a gentleman at Canadago, in the Genesee county, to his friend in this city, dated March 29. "A melancholy affair happened in this country a few days since. Three of our traders, who were on their way from this place to the Genesee fall, having with them a couple of young Indians, were attacked and inhumanly murdered by a party of Indians, at about a days journey from the Falls, on the 13th of this month—the two Indians saved themselves by taking to the woods. Although it is unknown to what tribe these murderers belong, the Indians here are using every exertion to find them out, in order to have them brought to punishment. The names of the persons murdered are Michael Vandervoort, Peter Wemple and Jasper Dinsman, said to belong to Schenectady. Vandervoort had 3 cuts with a hatchet in his head—Wemple ten stabs with a knife in the head and body, two cuts with a hatchet in the head, and a stab through the body with a ball—

Dinsman was shot through the body and arm with a ball, in the naval with a charge of shot, and three stabs with a knife in the head. The greater part of the goods they had, with them, have been saved.

"On the 27th inst. there was a Council held near this place by the Kyuga Indians, when they passed sentence of death on an Onondia Indian, who was immediately executed on the spot with a knife."

WILMINGTON, (Del.) April 21. Sunday evening last, a certain James Kirk, in the vicinity of this borough, was, in a drunken frolic, bear to such a degree, that he expired a short time after. In order the more clearly to ascertain the perpetrators of this horrible deed, the presence of sundry surgeons were requested by the coroner of the county, who after having thoroughly examined the bodies by dissection, and investigating the matter maturely, were of opinion with the Jury, whose verdict was, "That he died of the drops he received from his wife." She is committed to Newcastle-gool to take her trial. A warning is to all Sabbath day violators, to refrain such conduct, lest, as a judgment for the profanation of that day, they be found in a similar predicament.

BOSTON, May 4. The following letter was written by Eli Parsons, and brought by the person therein mentioned, to Keene, where it fell into the hands of a gentleman of this state; who, being assured by Mr. Moore that it was written by Parsons, opening his mind to some of the members of the General Court. The head writing, besides, is known by several gentlemen now in town, to be Parsons's: so that there is no doubt of the letter's actually coming from him, although his signature is not affixed to it.

St. John's, 25th March, 1787.

SIRS, THIS is forwarded by Mr. Moore of Keene, in which you may assure yourselves that we are not inactive in this province—we have many friends who wish us success; but our present situation renders us in many instances very unhappy—we are destitute of cash or any other property, except our clothes, to subsist upon; however, our landlord is very kind, in hopes that our friends will send us some relief, which I am sorely in need for as he says—If any of you could give us assistance, and wait upon us for remittance until we are able to make amends, I shall receive it as a particular favour. It is not long that we wish to tarry in this province, for as soon as the spring opens, we wish immediately to beat the bush, and ***** (I dare not mention it.) I am, gentlemen your humble servant,

To Messrs. Parr. Shays, Elijah Barns, Amos Perkins.

May 10. Tuesday last, agreeably to notification, the inhabitants of this town convened at Faneuil-Hall, for the purpose of electing persons to represent them in the General Court—the ensuing year; when, Thomas Davies, Esq. Hon. Samuel A. Gris, Esq. Dr. Charles Jarvis, Hon. Caleb Davis, Esq. John Winthrop, Esq. and John Coffey Jones, Esq. were elected.

WORCESTER, May 10.

Last Saturday the Supreme Judicial Court ended their business for the session, Henry Gale, of Princeton, convicted of Treason and Rebellion, received sentence of death accordingly. Jacob Chamberlain, of Dudley, and Silas Livermore, of Haxton, were acquitted by the Jury; Chamberlain was discharged, but Livermore is now indicted for Seditious Conduct, &c.

One Billings, of Northborough was indicted for a like offence, and pleaded guilty—his sentence is suspended until next term. Caleb Curtis, of Charleton, and a great number of others, are indicted for like offences, but their trials are put off until next term.

We learn from Woodstock, that on Wednesday last week, the meeting house in the old parish was struck by lightning, and greatly damaged.

NORTHAMPTON, May 16. On Monday last the inhabitants of this town, in legal meeting assembled, made choice of Mr. BENJAMIN SHELTON and Col. WILLIAM LYMAN, to represent them in the General Court the ensuing year.

His Excellency Samuel Huntington, Esq. is re-elected Governor of the State of Connecticut, and the Hon. Oliver Wolcott, Esq. Lieutenant-Governor.—The Hon. Oliver Ellsworth, Hon.

William S. Johnson, and the Hon. Frazer, Woolcott, Esquires, are appointed to represent that state in the Convention to be held at Philadelphia.

Matters of infinite importance, lays a correspondent, in a Newport paper, now claim the attention of Congress.—A proposition from the Court of Spain concerning the navigation of the Mississippi.—The treaty of Peace with Great Britain.—The commerce of the United States.—and the conduct of some of the States in refusing a compliance with continental requisitions.—must speedily be determined on, and decisive measures adopted, or we shall be annihilated as a nation.—If the people at large have not enough virtue to govern themselves, as republicans, they must submit to a different form of government, of which they will have no choice but to obey.

Doctor Baldini, Italian Physician at Naples, has just published a very interesting work on the manner of sucking children. He recommends to all mothers not to deprive their infants of the natural food, their mother's milk; but advises them by no means to have any perfumed powders or pomatum about them. No scent whatever should be suffered near the child. He mentions an instance of the son of a Neapolitan nobleman who had nearly lost his life by being placed too near a little basket of linnin sprinkled with *sarsaparilla* water; quotes the authority of Dr. Triller, a German, who relates that a little girl died suddenly, in the act of sucking by being in a room where there were in a pot some violets just gathered. The abovementioned Baldini is of opinion, that when the mother cannot suckle her child, the milk of animals is preferable to that of another woman, or to any fadious food whatever. Animals, says he, know better what is good for them than the generality of mankind. They are seldom mistaken in choosing their food. They rest and exercise themselves very moderately, and we see them enjoy almost constantly perfect health.

Tappan and Fowle,

Have just received a good Assortment of ENGLISH GOODS, Which they will dispose of, at their Shop opposite the Court-House in Northampton, on the most reasonable terms. May 16, 1787.

THE Partnership of WOODBRIDGE & DICKINSON, being this day, by mutual consent, dissolved, they request all persons that have accounts unsettled with them, to make an immediate settlement, with the undersigned.

OBADIAH DICKINSON.

North-Hill, Nov 8, 1787.

Zebina Montague,

INFORMS his Friends and Customers, that he has just received a fresh assortment of GOODS, suitable to the season, which are now ready for sale at his Store in Amherst, where they may be supplied with almost every article usually enquired after in a country store, as cheap for Cash as can be purchased in the country.—Well-India Goods of all sorts—Nails—Glass—Swords—Iron—German Steel, &c. &c.

May 7, 1787.

STRAYED from the Subscriber the latter part of April last, a brown Mare COLT, two years old, star in her forehead; not docked, trot and paces. Whoever will take up said Colt, and inform the subscriber, shall be well rewarded, by

PEREZ CLAP.

Southampton, May 7, 1787.

Who the subscribers being appointed Commissioners by the Hon. Judge of Probate for the county of Hampshire, to receive and examine the claims of the creditors to the estate of DAVID DAY, late of Worthington, deceased, credited insolvent, and six months being allowed to the creditors to file estate, from the third day of April current, to bring in and support their claims, We hereby give notice, that we shall attend said business, at the house of John Stone, innholder in Chatterfield, on the first Mondays of July August and September next, from one to six o'clock on each day.—No accounts will be allowed after the above term.

JOHN STONE, AMASA CLAPP, HENNINGTON.

Chatterfield, April 7, 1787.