lection of their debts, till the expiration of the act rather than put themselves into a condition of liability to have specific articles tendered to them? If it be so, why did the act have its title and not be called in plain terms, *A Tender Act?*

There are two things which may possibly be plead, by one or another, to justify this legislative interference to alter the obligation of private contracts; the state of the people as to their ability, and as to their affection to government and justice. To obtain satisfaction respecting the general ability of the commonwealth to pay debts or the want of it; those that wish for information may look at the importations of foreign commodities, the cups and tables, the furniture and dress of all ranks of people; and for gold and silver, at their various ornaments and utensils of these precious metals, and at the pay offered in trading shops and taverns; and compare these with the manners of former years.

To say the act in question was made to conciliate the affections of uneasy subjects, especially those who are embarrassed with debts, is to represent it, as offering them a gratuity to purchase their allegiance; and doing it at the expence of those who are better disposed to government. Whether this be righteous or wise policy, it concerns those to be able to say, who plead for this mode of removing disaffection. Its present operation on the sentiments of the friends of government, and its future effect on those who are uneasy because in debt, are both worthy to be considered.

Another circumstance is its influence on public credit; and the confidence of good citizens and friendly foreigners on the government. If circumstances not named in the act, and which are only to be conjectured by the public, be a sufficient warrant to suspend the laws for the collection of private debts, under certain limitations; may not the same or like unknown circumstances, at another time, be an equally sufficient warrant for postponing the payment of the public debts, or for the discharge of them in specific articles, without the consent of the public creditors?

There are a number of other attendants and circumstances of the act, which I shall but mention and leave it with others to approve or disapprove of them. As public laws give the complection and character to the people under their influence, the suspension of the collection of debts begets and increases a habit of omitting payment, and the use of a tender, teaches to disregard contracts and to vacate promises, by substituting one thing for another. As all characters of people are or may be in debt, if they be not obliged to pay those of them that are idle and indulged an their sloth: the extravagant, in their excesses; as such as have wasted their estates in the consumption of the goods of others. Property being in too great proportion in the possession of men that are not the best managers, is not improved to so much increase and public advantage, as it might be by debts being paid. The disproportion of estates is increased, by an allowance of some in the use of the goods of others, giving too great liberty to one sort and too much confining others in their expences. A portion of taxes is laid on the poor, which if they were not in debt, would be laid on their creditors, who are more able to pay them. And while debtors are countenanced in living upon imaginary wealth it not being their own, interest is adding to their debts, to be demanded with the principle at the expiration of the act of suspension and tendery, when they will be less able to pay than at present.

Before I close this number decency requires that I take notice of a publication in the Hampshire Gazette No. 56, by Brutus. I feel myself unhappy that he has mistaken my ideas in the passage he has quoted and attempted to answer. In observing that others thought it needful not to suffer the full operation of justice left debtors be ruined and multitudes crowded into jails, I was far from supposing it a necessary consequence, that I wish the events, to take place. The apprehension of them I viewed as groundless, and considered the designed benefit a real injury to debtors themselves, as well as an injustice to creditors. I have so good an opinion of creditors in general, as to think them as little likely to oppress or wrong their fellow-men, by having good laws in force; as debtors are an occasion of their being suspected.

Having mentioned his mistake of my sentiment in what he has quoted, I shall pass without repeating the description he gives of the idea he supposes me to have of justice: which is as far from having existence in my mind as it can be in his. And shall only say that I shall think myself bound to ask pardon of the public, the moment any thing I have written shall be made to appear to express it.

Not having given my opinion on the question whether it be right to imprison men, debtors that are willing but want ability to pay debts, I shall make no other observation upon it at present, but to ask another question, If the sentiment of Brutus be just in the mind of the legislature why did they not alter the standing laws, to conform them to it, rather than suspend them?

As Brutus intimates that the proof I want for my purpose is not to be found in the sacred scriptures, I shall take the liberty to mention a passage he has kindly set before me. It is one he has adduced to prove his point, with the sentence connected with it. *Be not one of them that strike hands, or of them that are sureties for debts. If thou hast nothing to pay, why should he take away thy bed from under thee?* The reader will now judge, whether the wife man forbids the taking of the debtors bed, or cautions against suretyship, as a mode of coming into debt, lest such an evil should follow, if a man have not other estate to make payment when it is demanded. But in doing it, it should be remembered that the laws of the children of Israel allowed of selling debtors and even their children, if payment could not be otherwise made.

The argument of Brutus from a parable of our Lord, is attended with the following defects in my view. The parable respects the voluntary conduct of individuals toward each other, and that not so much concerning debts of money as offences, for such only do men owe to God, and in this view the unerring teacher applies it; to enforce it upon every man, from his heart, to forgive his brother his trespasses; which is a different thing from giving him the money due from him. The passage he quotes from 1st Samuel may also be understood of something different from what Brutus supposes. Christians were then liable to be oppressed and brought before heathen and jewish tribunals merely for their religion. Perhaps James refers to this, for he says in the next words, *Do not they blaspheme that worthy name by which ye are called?* But if this be not his meaning, another may be adopted, and the passage not discountenance christians in collecting their debts by the help of civil law. For it is supposeable that men, who blaspheme the name of Christ, may be so wicked as to oppress their neighbours by unrighteously bringing them before the seats of judgment.

The mode of selling property to the highest bidder, complained of by this writer, has been long practised, and as long an ground of complaint. But legislatures have not been so satisfied of the evils attending it, as to abolish it by standing laws. And those that have made the complaints have not been so happy as to devise a preferable mode of answering debts to render this unnecessary. If Brutus would do this he would do an acceptable service to the public.

The manner in which men have come into debt is of but little importance to the question what is just in making payment, though it may be of weighty consideration in a question concerning charity. The declaration, *That multitudes of these unhappy sufferers were involved in their present difficulties by public and private fraud, or violence practised under the sanction of law*, &c. is no reason in favour of any mode of relief that is not perfectly just. And I think I may say the reason, if it were good, would not apply in favour of the tender act, as Brutus would have it, unless it can be made to appear that the greater part of the sufferers, by a deficiency of the public credit and honesty, are in favour of it. If an hundred have suffered wrong, this is but a poor argument for a law that shall increase the wrongs of ninety of them, to relieve only ten. Indeed it would not make the law just, were the disproportion the other way, and the number of debtors that are supposed to have received injury in the form Brutus has mentioned were those of creditors in the same predicament. Thus were his representation true it would not answer his purpose; but what he calls *a notorious fact*, I shall take the liberty to call a high coloured misrepresentation in abuse of the character of government. His assertion would have been more just, as well as more respectful to the laws, had he said that many have involved themselves in embarrassment by extravagant and needless expences. But whatever may have been the occasion of their being in debt, I repeat it, the consideration of it is of no validity to justify a forced gratuity from their creditors for their relief.

NUMA.

For the HAMPSHIRE GAZETTE.

CAN it be affirmed with any degree of propriety that the LAWS regulate the government, or that the CONSTITUTION is the *polar star* to the Supreme Executive of this Commonwealth?

Need any stronger evidence be adduced, than the late "*full and free pardon*" to *traitors* and *murderers* to prove that there is an object pursuing by certain men in power, and a JUNTO of needy expectants which is *alien from*, if not diametrically *opposed to* the best interests of the community.

To the grief and chagrin of all good men, there appears to be in *influence*, in the counsels of the land, that is paramount to law, and the Constitution; an *influence* that bears down before it the whole force of the *judicial department*, rendering null and void all those salutary laws which with a spirit, that does honour to their patriotism and independency of sentiment, the supreme judicial court had taken to bring the most *attrocious offenders* against the majesty of the people to condign punishment. This *influence* has quashed and silenced all the arguments and remonstrances of those who are firm friends to government, and given the triumph to the *insurgent interest* throughout this, and the whole of the United States.——This *influence* has for its *object* POWER IN PERPETUUM to itself and allies a certain junto, well known in the metropolis—and if it can secure this object, it matters not by what means—no methods are unessayed, no expence to the Commonwealth is spared—arts of various kinds, the subterfuges of selfish scheming politicians—adjournments of C——e delays, *letters, petitions, rhetoric* &c. are unitedly employed to carry points.

Can a community under the direction or controul of such an *influence* be justly denominated a government of laws?—no—it is a mere *engine of ambition* whose motions are directed by secret springs at the option of the *puppet-players*, just as the particular views and designs of the operators may suggest. Nor is any regard paid to the *safety* and *prosperity* of the public, by this *influence*, but as *these* may quadrate with its ultimatum, *the continuance of their own power and emolument!*

What evils (which offended heaven has in store for a degenerate people) may not a community thus situated anticipated.

Should *treason and rebellion* stalk hand in hand through the Commonwealth, should *rapine* and *murder* follow their rear---Should the *courts of justice, the laws, and the constitution* be trampled under foot, and declared *nuisances* by a lawless banditti—Should the best part of the community be thrown into terror, and made to tremble for the sacred ark of the constitution—and in such a tremendous juncture, from the purest principles of patriotism and sense of public danger, harness on the buckler and take the field in the height of winter, and after encountering unparrelleled fatigues and contracting immense expence to the public, be so highly successful as in one campaign to triumph over the invaders of the public peace, and effectually crush *a deep, daring and unprovoked rebellion*—Should this army and its patriotic commander receive the *thanks of the Legislature for their eminent services?* I say, should all *these events*, and many others that might be mentioned, occur and conceive to point out the duty of a *wise, just and independent* Executive, in the strict and impartial execution of the law upon such of these *rebels, traitors* and *murderers* as are condemned by the tribunals of the country? Still we find the pernicious effects of *this influence* pervading the public councils, and bringing about (no matter by what means) a "*full and free pardon*" to such high handed criminals. But some may say, is not this power lodged in the S——e Executive by the constitution? I answer, yes, for the public safety, and the public have a right to judge whether the powers of government are abused or not.

It must come with conviction upon every mind as a truth, that a *free uninfluenced* judgment upon the subject of pardoning the rebels could not have been in favour of a *full, free* and *indiscriminate pardon*.

From this transaction we learn *characters*, and how much confidence can rationally be placed in an administration which appears to square its decisions, not upon the great principles of the *law* and the *constitution*, but by those ideas which they conceive will perpetuate their power, and secure the future suffrages of their constituents. It is in vain to attempt masking such views---every man can develope the machinations of such men, and the people who are in the hands of such an administration, have a miserable prospect before them. The grand enquiry with such men is not, what is law? what says the constitution? but how stands the thermometer of the popular opinion? and when *that* is known, their determinations are known; till such times as they have *fixed themselves* and tools in power, and then the most execrable tyranny follows.

It becomes the good people of this county to be on their guard, and to keep a watchful eye on the conduct of the *insurgents* and their *abettors*---Plans are already in operation to continue and encrease the insurgent interest in the Legislature; and to ensure an administration that shall compleatly destroy all the good effects and obliterate the fair prospect that opened upon the Commonwealth at close of the last winter's campaign. Let the friends of government therefore exert themselves in season or all is lost. Let them recollect then that the proclamation with a large reward is yet in force for apprehending Shays and the other outlaws---the securing these culprits would be a touchstone by which an unequivocal proof may be obtained (if any further can be necessary) of what principles the present administration are determined to proceed upon. If this is not done speedily, it may be expected that the grace and mercy of government will speedily restore these villains to the bosom of the country.

JUSTITIA.

From the PENNSYLVANIA PACKET, *of September 22.*

From a Correspondent.

I WAS walking the other day in Second-street and observed a child, of five or six years old, with a paper in his hand, and lisping, with a smile "*I know what the Convention have done.*" Last evening I was walking down Arch-street, and was struck with the appearance of an old man, whose head was covered with hoary locks, and whose knees bent beneath the weight of his body, stepping to his seat by the door, with a crutch in one hand and his spectacles and the *new federal constitution* in the other. These incidents renewed in my mind the importance of the present æra to one half the world! I was pleased to see all ages anxious to know the result of the deliberations of that illustrious council, whose *constitution* are designed to govern a *world of freemen!*

The unthinking youth, who cannot realize the importance of government, seems to be impressed with a sense of our want of union and system, and the venerable fire, who is tottering to the grave feels new life at the prospect of having every thing valuable secured to posterity.

Ye Spirits of ancient legislators! Ye Ghosts of Solon, Lycurgus and Alfred! Of the members of the grand Amphyctionic Council of Greece! And of the illustrious Senate of Rome! Attend and bear testimony, how important the task of making laws for governing empires? Attend, ye Ghosts of Warren, Montgomery, Mercer and other heroes who offered your lives upon the altar of freedom! Bear witness, with what solicitude the great council of America, headed by a *Franklin* and a *Washington*, the fathers of their country, have deliberated upon the dearest interests of men, and laboured to frame a system of laws and constitution that shall perpetuate the blessings of that independence, which you obtained by your swords!

* These are the fathers of this western clime!
Nor names more noble grac'd the rolls of fame,
When Spartan firmness brav'd the weeks of time,
Or Rome's bold virtues fann'd the heroic flame:
Nor deeper thought the immortal sage inspired,
On Salon's lips when Grecian senators hung;
Nor mastlier eloquence the bosom fired
When genius thundered from the Athenian tongue."

Away ye spirits of discord! Ye narrow views! Ye local politics! Ye selfish patriots, who would damn your country, for a farpenny duty! In the present state of America, *local views are general ruin! Unanimity* alone is our *last resort*. Every other expedient has been tried, and unanimity *now* will certainly secure freedom, national faith and prosperity.

GERMANTOWN, Sept. 21.

At a meeting of a respectable number of the citizens of Germantown, the Constitution of the United States being read,

Resolved unanimously, That we do highly approve of the proposed Constitution of the United States, and that we will concur with our fellow citizens in Philadelphia in praying the legislature immediately to adopt the measures recommended by the Honourable Convention, for carrying the same into execution.

CHARLES BENSEL, Chairman.

PHILADELPHIA, Sept. 25.

At a meeting of a very respectable number of the inhabitants of the different wards of this city, the district of Southwark and the township of the Northern-Liberties, the following petition and declaration was unanimously agreed to be circulated, and when signed, to be presented to the honourable the Representatives of the freemen of the Commonwealth of Pennsylvania in general Assembly met.

To the honourable the Representatives of the freemen of Pennsylvania, in general Assembly met, the Petition and Declaration of the inhabitants of Philadelphia, and the districts of Southwark and the Northern Liberties,

Respectfully shew,

THAT your petitioners have seen with great pleasure, the proposed Constitution of the United States, and as they conceive it to be wisely calculated to form a perfect union of the States, as well as to secure to themselves and posterity the blessings of peace, liberty and safety, they have taken this method of expressing their earnest desires that the said constitution may be adopted as speedily as possible by the state of Pennsylvania, in the manner recommended by the resolution of the late honourable Convention.

A letter from a gentleman in Berkely county, Virginia, to his friend in Baltimore, dated the 26th ult. says,—"At the head of New-Creek, which empties into Patowmark, twenty miles above Fort Cumberland, a Silver Mine of unknown value has had its bountiful bosom opened, by a Captain McCarty, who has now a number of men at work, throwing out such quantities of ore, as will soon surprise us all.

NEW-YORK, Sept. 27.

On Monday last the British packet, Halifax, Capt. Boulderson, arrived with the mail, in 46 days from Falmouth; by whom we have received London papers to the 2d of August.

The papers inform,--That an extraordinary council met in London, on the 28th of July, to deliberate on the last accounts respecting the Dutch affairs.---The determination, in substance is to this effect; that the popular encroachments on the powers and privileges of the Stadtholder should be repelled, and the prince of Orange should be maintained in the full enjoyment of every constitutional right. In consequence of this determination, dispatches were immediately prepared to go with Mr. Eden to the French court, and with Mr. Grenville to Holland.---That more lives have been lost, and more mischief done to personal property, in England, by late thunder storms, than for many years past.---And that a subscription is set on foot in the city of London, for the relief of the sufferers by the late fire in Boston; on the 31st of July One Hundred and Fourteen Guineas, had been paid into the hands of Sir James Eldaile, and Co. Bankers, for the above benevolent purpose. Subscriptions were going on rapidly at several other principal Banking-houses in that city. It is said that this charitable act originated among the society of Friends (Quakers) and was followed by all denominations of people. It is thought that by Christmas, several thousand pounds will be received.

The ship Union, Capt. Tucker, 7 weeks from Bourdeaux, arrived at Baltimore the 14th inst. The Captain has given the following articles of intelligence, which was the best that could be gleaned, when he left France---that it was the general opinion war was unavoidable in Europe; and that in the present struggle between the Stadtholder and the States of Holland, France was determined to support the latter in their claims, and was making every necessary preparation for that purpose;---no less than 15 ships of the line sailed from Brest on the 20th July---on the contrary, the English nation appear to be on the side of the Stadtholder, and are taking measures accordingly; they are making great exertions to man their fleet with all possible expedition; in consequence of which, there is a strong press for seamen in every part of England; and it is said, 18 or 20 ships of the line were ready to sail from Spithead about the 20th of July.

The King of Prussia and the Emperor of Germany will also act a distinguished part on this important occasion, the one for his friend and relation, the Stadtholder, the other with his brother-in-law, for the States; and from this disposition of affairs on the grand theatre of action, it cannot be supposed that Spain will be an idle spectator.

On Friday night, another darling attempt was made to consume, by fire, the stores in Gouverdeur's ally, in order, as it is supposed, to communicate fire to a large part of the city. It appears by this, that the incendiaries, upon the least relaxation of the patrules, will effect their villainous purpose.

After the Gentlemen of the Federal Convention had made report of their proceedings, to the Legislature of Pennsylvania, Dr. Franklin rose and delivered a letter from the delegates to the House, which being read, consisted of a recommendation to the Legislature, "that a law be immediately passed vesting in the new Congress a tract of land of ten miles square, by which that body might be induced to fix the seat of Federal government in that state—an event that must be highly advantageous to the Commonwealth of Pennsylvania.

NEW-HAVEN, October 4.

At a town-meeting holden in New-Haven by adjournment on the first day of October, A. D. 1787.

Voted, That this town do request their representatives at the next General Assembly to use their influence to obtain a convention as speedily as possible for the purpose of taking into consideration the constitution recommended by the convention of the states.

"A true copy of record,
Examined by
SAMUEL BISHOP, Clerk.

We are informed the above was passed by a very full vote.

Extract of a letter from Philadelphia, dated Sept. 22, 1787.

Before this you will have seen the constitution adopted by the convention—it is devoutly to be wished that your state will as readily accede to it as this state—we have scarcely a dissenting voice in Philadelphia. All classes of people seem disposed and determined to have it go down, not only in this but in the other states."

NORTHAMPTON, October 10.

The cloud which gathers in the European hemisphere, serves, as a foil to set off the lustre of the prospect that opens upon America. While the ancient establishments of the world are rent with civil discord and national contention, this infant empire deliberately examines her present wants and weakness, in order to provide for her future strength and glory. Thus the doting of our parent continent is stained with wild ambition and fantastic pride, while the vigourous youth of the confederated states, expands under the influence of reason and philosophy.

We are informed that the constitution proposed by the late Federal Convention promises to be highly popular with the citizens of New-York; and that the distinguished person from whom an opposition was expected, has expressed himself favourable to the plan. Perhaps there never was a subject indeed, upon which men were more unanimous; for even those who cavil at the system itself, are impressed with the necessity of adopting it.

Accounts from the State of Delaware say, that the new Federal Government, as proposed by the Honourable Convention, meets with the strong and hearty approbation of the good people of that Commonwealth.

THE Collector of the Duties of Excise in the county of Hampshire, hereby gives notice, That he shall attend to settle accounts and to receive the said duties at the several times and places hereafter mentioned, viz. At Mr. Elihu White's in Hatfield, on Thursday the 1st day of November next, at 9 o'clock A. M.—at Mr. Joel Wait's in Whately the same day at 11 o'clck A. M.—and the same day at Mr. David Hoit's in Deerfield, at 4 o'clock P. M—On Friday the 2d at Mr. Caleb Alvord's in Greenfield, at 8 o'clock A. M.—On Monday the 5th of the same month at Mr. Joshua Thayer's in Williamsburgh, at 9 o'clock A. M.---the same day at Mr. Ebenezer Parsons' in Goshen, at 11 o'clock A. M.---the same day at Mr. Stone's in Chesterfield, at 1 o'clock P. M.---and the same day at Mr. Chapin's in Worthington, at 4 o'clock P. M.---On Tuesday the 6th at Mr. Jonathan Hartwebber's in Chester, at 9 o'clock A. M.---the same day at Mr. Douglas's in Norwich, at 11 o'clock A. M.---& the same day at Mr. Wright's in Westampton, at 3 o'clock P. M.---and on Wednesday the 7th at Mr. Clap's in Eastampton, at 9 o'clock A. M.---and at Mr. Perez Clap's in Southampton, at 11 o'clock A. M. And on Thursday the 8th at Mr. Elisha Cook's in Hadley, at 9 o'clock A. M.---and at Mr. Asahel Pomeroy's in Northampton, at 1 o'clock P. M.

ELIJAH HUNT, Collector of Excise & (Impost for the county of Hampshire.

N.B. It is expected that there will be a punctual attendance of all persons concerned, as by the late excise Act, "No taverner, innholder or retailer shall hereafter be licensed by any court, unless he produces in court a certificate or receipt from the collector or his deputy, that he has accounted and paid his excise on the 1st day of November and the 1st day of May, or within 30 days of each of those periods.

Northampton, October 9, 1787.

THE subscriber calls upon all those indebted to him for News-Papers, to make payment immediately, that he may be enabled to settle up with the printer.

CALEB HANNAM.

October 10, 1787.

STRAYED, or stolen from the subscriber, on last Saturday night, a sorrel mare, eleven years old, about fourteen hands high, a grey spot near her left hip, a thick high neck, paces and trots, shod before. Whoever will take up said Mare, and return her or send word to the subscriber, shall be haddsomely rewarded by

SETH LYMAN.

Northfield, Sept. 25th, 1787.

THE Hon. Judge of Probate for the county of Hampshire, having appointed us the subscribers Commissioners to adjust the claims on the estate of NATHANIEL WHITE, late of South-Hadley, deceased, represented insolvent, and six months being allowed for that purpose; We hereby give notice, that we shall attend said business at the dwelling-house of said deceased, on the third Mondays of November January and March next, from 1 to 8 o'clock P. M.---after which no accounts will be allowed.

Josiah White.
David Mitchel,
Gardner Preston.

South-Hadley, October 1, 1787.

Cash, Writing-Paper, &c.

given for clean Linen and Cotton RAGS, at the Printing-Office in Northampton.