

Mr. BUTLER, Please to communicate to the public the following Miscellaneous ENQUIRIES.

1. WHETHER justice does not demand the life of a Frenchman or Mulatto, to satisfy for the same crime (less aggravated) which admits of a full and free pardon for an American.

2d. Whether a complication of crimes does not abate their malignity.

3. Whether murder, committed in rebellion, does not lose its ill quality and assume that mild construction of self-defence.

4th. Whether it was not a horrid abuse to exhibit in such an odious view the conduct of the Jews, in soliciting Pilate their governor, and of his, in gratifying their wishes to pardon and discharge from prison Barrabbas, who, for nothing worse than sedition and murder was committed; and whether it is not equally as unreasonable for the pretended friends of government to excite jealousies and complaints against the Supreme Executive of this Commonwealth, for that a free and full pardon was granted to such offenders as were in the like predicament.

5th. Whether it is not inconsistent with republican principles to inflict punishments, and whether an exemption therefrom is not an essential right of freemen.

6th. Whether it is not the duty of chief magistrates to extend mercy (should that chance to be popular) to malefactors, whose crimes may justly be ranked in the black catalogue of treason, sedition, rebellion, murder, robbery, plundering, &c.

7th. Whether that old traditional sentence, that "Whoso sheddeth man's blood by man shall his blood be shed," is not a mere prejudice of education unfounded in nature, the offspring of ignorance and superstition, and irrational, or else extracted from an obsolete law book (now neglected and useless) framed in the infant state of knowledge, when adequate ideas of government had not possessed the minds of men as in this enlightened age; and whether "thou shalt not kill" does not strictly forbid it.

8th. Whether justice is not a public nuisance; whether it is not the grand and only obstacle in our way to the summit of nation glory and happiness: whether it is not that which prevents one access to a state of perfect freedom and equality; and whether it would not therefore be our wisdom to expel it from our land and country, that it might wing its way to some savage uncultivated region, doomed to perpetual slavery.

9th. Whether indemnifying atrocious offenders, unthought, does not insultuously display the dignity and sovereignty of government.

10th. Whether unconstitutional acts and resolves, passed by those guardians of a people's rights, the legislative body, are not justifiable.

11th. Whether to meet the wishes of the people is not of greater moment to abide in office, than to adhere to the strict rules of justice and the constitution.

12th. Whether Numa is not highly censurable for those investives he has scurrilously levelled against the General Court, in No. 9, and against his Excellency in No. 10.

13th. Whether there would be any impropriety in reading the 20th verse of the 34th psalm.

14th. Whether perverting the sacred scriptures, to subvert vile knifery purposes, is not like the devil—read Mat. iv. 3 and 6.

15th. Whether Burros, in Gazette No. 56, hath not rendered the words of the wife and inspired king of Israel, and those of St. James, agreeable to their true sense and meaning; whether it will not appear to the judicious, if they will examine them in connection with the context.

16th. Whether it is not evidently more oppressive for an honest and indigent creditor to compel the opulent debtor to discharge that sum which he has promised with a fraudulent design never to pay, as an equivalent for that commodity, on the effects of which the creditor depended for subsistence; than for such a debtor to withhold the same to the ruin of the creditor.

Should these impertinances be so far noticed as to meet a satisfactory answer, the public may, at some future time, hear again from the

QUERIST.

L O N D O N, July 28. Murder at Madras.

An imperfect account having lately appeared of a murder at Madras, we farther ourselves the following authentic particulars of so extraordinary an occurrence may not prove unacceptable to our readers:

Shaik Solyma, a private soldier of the 23d battalion of the Seapoys corps, stationed at Chepauk, was tried at Madras quarter sessions, in October last, for murdering Ashabibed his wife—the fact being insufficiently proved, the prisoner made the following very extraordinary defence—that he and his family, having from a variety of circumstances, been plunged into an insupportable state of distress—himself and wife thought death infinitely preferable to the lingering rack of existence—that, after debating again and again the melancholy subject, it was resolved that he should at first destroy their infant daughter, then his wife, and afterwards himself.

This horrid, but well-concerted plan was defeated, he said, by his wife's maternal feelings, who not being able to endure the dreadful thought of beholding the slaughter of her beloved and only child, entreated him to give her first the fatal blow—that in compliance with her request, he put an end to her misery, by plunging a dagger in her bosom; and that whilst in an agony of despair, he was preparing to destroy his daughter, the guards alarmed by her cries, rushed in and prevented the execution of his purpose.

The jury taking all the circumstances into their consideration, brought in their verdict, "Guilty without malice;" but the court representing the illegality of such a verdict, they agreed to find him "Guilty;" at the same time strongly recommending the unfortunate wretch to his Majesty's mercy.

He will, therefore, remain closely confined till his Majesty's gracious pleasure shall be known.

NEW-HAVEN, Oct. 11.

The town of Derby, at a legal town-meeting on Monday last, Resolved unanimously, to instruct their representatives in the General Assembly to use their influence that a Convention should be called as soon as possible, for the purpose of taking into consideration the Constitution proposed by the Federal Convention, in conformity to the recommendation of Congress.

The College in New-Jersey have conferred the degree of Doctor of Divinity on the Rev. Timothy Dwight, of Greenfield.

Hudson and Goodwin,

Have for Sale near the Bridge, HARTFORD, CLOTHIER'S Press-Papers of the best kind, by the gross or dozen. Bonnet Papers, by the gross, dozen or single. Writing Paper, by the ream or quire. Common and small Wrapping Paper. Excellent Sheathing Paper. Last's Collection of Music, by the dozen or single. Webster's Institute, all parts, by the thousand, gross, dozen or single. Dillworth's Spelling Books, by the dozen or single. Watts's Primals, at 22s. per dozen. Accompt Books of various sizes. A few Books on Divinity, History, Physic, &c. Nest Pocket Globes, &c. &c. Grain of any kind, Bags, Tann'd Sheep-Skins, Tow-Clath, Flax, or Certificates for Interest, will be received in payment.

THE Collector of the Duties of Excise in the county of Hampshire, hereby gives notice, That he shall attend to receive and to receive the said duties at the several times and places hereafter mentioned, viz. At Mr. Elhu White's in Hatfield, on Thursday the 31 day of November next, at 9 o'clock A. M.—at Mr. Joel Wait's in Whately the same day at 11 o'clock A. M.—and the same day at Mr. David Clark's in Deerfield, at 4 o'clock P. M.—On Friday the 1st day of December next, at 9 o'clock A. M.—at Mr. John T. Haver's in Willingham, at 9 o'clock A. M.—the same day at Mr. Ebenezer Parsons' in Colchen, at 11 o'clock A. M.—the same day at Mr. Stone's in Chelmsfield, 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 day of December next, at 9 o'clock A. M.—at Mr. Joseph H. Webb's in Chester, at 9 o'clock A. M.—the same day at Mr. Douglas's in Northampton, at 11 o'clock A. M.—and the same day at Mr. Wright's in Westampton, at 3 o'clock P. M.—and on Wednesday the 7th day of December next, at 9 o'clock A. M.—and at Mr. Perez Clay's in Southampton, at 11 o'clock A. M.—and on Thursday the 8th day of December next, at 9 o'clock A. M.—at Mr. Eliza Cook's in Hadley, at 10 o'clock A. M.—and at Mr. Abiel Pomeroy's in Northampton, at 1 o'clock P. M.

ELIJAH DUNT, Collector of Excise & Impost for the county of Hampshire. N.B. It is expected that there will be a public sale of all persons concerned, as by the late excise Act. No taverner, innholder, or retailer shall be liable to a certificate or receipt, unless he produce a court certificate, to be taken from the collector or his deputy, that he has accounted and paid his excise on the 15 day of November and the 1st day of May, or within 20 days of each of those periods. Northampton, Octob. 9, 1787.

William Moore,

RESPECTFULLY informs his customers and others, that he has lately received and selling at his Store in Greenfield, a general Assortment of European and Well-known

GOODS.

Also, NAILS, of all kinds—to say, at the lowest terms, would be a repetition of many gentlemen's advertisements—he therefore submits that to his impartial customers, who will call and judge for themselves—where constant attendance will be given and the smallest favour gratefully acknowledged. Pot-Ash, Sals of Lye, Beef Castle, Pork Butter, Cheese, Indian Wax, Flax, Seed-Wheat, Rye, Oats, Bedd-Corn, Ginfeng &c. received in payment as Cash for the above Goods Greenfield, October 10, 1787.

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

Northfield, Sept. 25th, 1787. THE Hon. Judge of Probate for the county of Hampshire, having appointed the said SEITH LYMAN, to adjust the claims on the estate of NATHANIEL WHITE, late of South-Hadley, deceased, referred to him, and for making being allowed for that purpose; he hereby gives notice, that he shall attend at his dwelling-house of said deceased, on the third Monday of November next, and March next, from 10 to 8 o'clock A. M.—after which no accounts will be allowed.

ONE Right and an half of LAND, in the State of Vermont, to be sold for 45s. Enquire of the Printer. August 3, 1787.

HAMPSHIRE GAZETTE.

WEDNESDAY, OCTOBER 31, 1787.

NORTHAMPTON: PRINTED BY WILLIAM BUTLER, A FEW RODS EAST OF THE COURT-HOUSE.

From the INDEPENDENT GAZETTEER.

On Federal Government, No. 1. IT is impossible for an honest and feeling mind, of any nation or country whatever, to be insensible to the present circumstances of America. Were I an East-Indian, or a Turk, I should consider this singular situation of a part of my fellow creatures, as most curious and interesting. Instantly connected with the country, as a citizen of the union, I confess it entirely engrosses my mind and feelings.

To take a proper view of the ground on which we stand, it may be necessary to recollect the manner in which the United States were originally settled and established.—Ward of charity in the religious systems of Europe and of justice in their political governments, were the principal moving causes, which drove the emigrants of various countries to the American continent: The Congregationalists, Quakers, Presbyterians and other British dissenters, the Catholics of England and Ireland, the Huguenots of France, the German Lutherans, Calvinists, and Moravians, with several other societies, established themselves in the different colonies, thereby laying the ground of that catholicism in ecclesiastical affairs, which has been observable since the late revolution: Religious liberty naturally promotes corresponding dispositions in matters of government. The constitution of England, as it stood on paper, was one of the freest at that time existing in the world, and the American colonies considered themselves as entitled to the full enjoyment of it. Thus when the ill-considered edicts of latter times in England brought in question the rights of this country, as it stood connected with the British crown, we were found more strongly impressed with their importance and accurately acquainted with their extent, than the wisest and most learned of our brethren beyond the Atlantic. When the greatest names in Parliament interfered on the power of that body over the commerce of the colonies, and even the right to bind us in all cases whatever. America, seeing that it was only another form of tyranny, insisted upon the inalienable truth, that taxation and representation are inseparable, and while a desire and harmony and other considerations induced her to acquiescence in the commercial regulations of Great-Britain, it was done from the necessity of the case, and with a cautious, full and absolute saving of our voluntary suspended rights. The Parliament was persevering, and America continued firm till hostilities and open war commenced, and finally the late revolution closed the contest for ever.

It is evident from this short detail, and the reflections which arise from it, that the quarrel between the United States and the Parliament of Great-Britain did not arise so much from objections to the form of government, though undoubtedly a better one by far is now within our reach, as from a difference concerning certain important rights resulting from the essential principles of liberty, which the Constitution preserved to all the subjects actually residing within the realm. It was not asserted by America that the people of the Island of Great-Britain, were slaves, but that we, though possessed absolutely of the same right, were not admitted to enjoy an equal degree of freedom.

When the declaration of independence completed the separation between the two countries, new governments were necessarily established. Many circumstances led to the adoption of the republican form, among which was the predilection of the people.—In devising the form of government, it may have been difficult to avoid extremes opposite to the view of that we had just rejected: nevertheless many of the late constitutions, we have chosen, are truly excellent. Our misfortunes have been, that in the first instance we adopted no national government at all, but were kept together by common danger only, and that in the confusion of a civil war we framed a Federal Constitution now universally admitted to be inadequate to the preservation of liberty, property, and the union.—The question is not then how far our State Constitutions are good or otherwise—the object of our wishes is to amend and supply the evident and allowed errors and defects of the Federal Government.—Let us consider, while that which is now proposed to

us—let us compare it with the so much boasted British form of government, and see how much more it favours the people and how completely it secures their rights, remembering at the same time that we did not dissolve our connection with that country, so much on account of its constitution as the perversion and mal-administration of it.

In the first place let us look at the nature and powers of the head of that country, and those of the offensive head of ours. The British King is the Great Bishop or supreme Head of an established church, with an immense patronage annexed. In this capacity he commands a number of votes in the House of Lords, by creating Bishops, who besides their great incomes, have Votes in that assembly, and are judges of the last resort. They have also many lucrative and lucrative places to bestow and thus from their wealth, learning, dignities, power and patronage give a great influence and an enormous influence to the crown.

In America our President will not only be without these influencing advantages, but they will be in possession of the people at large, to strengthen their hands, in the event of a contest with him. All religious funds, honours and powers, are in the gift of numberless, unconnected, dissipated, and contending corporations, wherein the principle of perfect equality universally prevails. In short, danger from ecclesiastical tyranny, that long standing and still remaining curse of the people—that sacrilegious engine of royal power in former monarchies, can be feared by no man in the United States. In Britain their King is for life—in America our President will always be one of the people at the end of four years. In that country the King is hereditary and may be an idiot, a knave, or a tyrant by nature, or ignorant from neglect of his education, yet cannot be removed, for "he can do no wrong." In America, as the president is to be one of the people at the end of his short period, so will he and his fellow citizens remember, that he was originally one of the people: and that he is created by their breath. Further, he cannot be an idiot, probably not a knave or a tyrant, for those whom nature makes so, discover it before the age of thirty-five, until which period he cannot be elected. It appears we have not admitted that he can do no wrong, but have rather presupposed he may and will sometimes do wrong by providing for his impeachment, his trial, and his forcible and complete removal.

In England the King has a power to create members of the upper house, who are judges in the highest court, as well as legislators. Our president not only cannot make members of the upper-house, but their creation like his own, is by the people through their representatives, and a member of Assembly may and will be as certainly dismissed at the end of his year for electing a weak or wicked senator, as for any other blunder or misconduct.

The king of England has legislative power, while our president can only use it when the other servants of the people are divided. But in all great cases affecting the national interests or safety, his modified and restrained power must give way to the sense of two thirds of the legislature. In fact it amounts to no more, than a serious duty imposed upon him to request both houses to reconsider any matter on which he entertains doubts or feels apprehensions; and here the people have a strong hold upon him from his sole and personal responsibility.

The president of the upper house (or the chancellor) in England is appointed by the king, while our vice president, who is chosen by the people through the electors and the senate, is not at all dependent on the president, but may exercise equal powers on some occasions. In all royal governments an helpless infant or an inexperienced youth, may wear the crown. Our president must be matured by the experience of years, and being born among us, his character at thirty-five must be fully understood. Wisdom, virtue, and active qualities of mind and body can alone make him the first servant of a free and enlightened people. Our president will fall very far short, indeed of any prince in his annual income, which will not be hereditary, but the absolute allegiance of the people passing through the hands of their other

servants from year to year as it becomes necessary.

There will be no burdens on the nation to provide for his heir or other branches of his family. It is probable, from the state of property in America and other circumstances, that many citizens will exceed him in rank and expense, those dazzling trappings of dignity, power and power. He will have no authority to make a treaty without two thirds of the Senate, nor can he appoint ambassadors or other great officers without their approbation, which will remove the idea of patronage and influence, and of personal obligation and dependence. The appointment of even the inferior officers may be taken out of his hands by an act of Congress at any time; he can create no nobility or titles of honour, nor take away officers during good behaviour. His person is not so much protected as that of a member of the house of representatives; for he may be produced against like any other man, in the ordinary courts of law. He appoints no officers of the separate states. He will have no influence to place men in the legislature, nor can he propose or dissolve it. He will have no power over the treasury of the state; and lastly, as he is created through the electors by the people at large, he must ever look up to the support of his creditors. From such a servant with powers so limited and transitory, there can be no danger, especially when we consider the solid foundations on which our national liberties are immovably fixed by the other provisions of this excellent constitution. Whatever of dignity or authority he possesses, is a delegated part of their liberty and their political omnipotence, transiently vested in him by the people themselves for their own happiness.

An American CITIZEN.

B O S T O N, October 22. Wednesday last the General Court met at the State-House in this town agreeably to adjournment.

Thursday, his Excellency the Governor, went to the State-House, where, in presence of the two Branches of the Legislature, who had met in the Representatives chamber for the purpose, he addressed them as follows:

Gentlemen of the Senate and Gentlemen of the House of Representatives,

I HAVE directed the Secretary to lay before you several letters which I have received in the records of the Court, among them you will observe a Letter from his Excellency the Governor of New-York where he expresses his apprehension of a wicked combination entered into by a number of persons with an intention to deprive this commonwealth, and that State, of the land which have been lately the subject of compact between them. I need not enlarge on this subject as it will appear to you that the pretensions of these people are rather an insult upon the government, than an apology for their conduct. I have no doubt of your immediate attention to a subject, by which the interest and honour of the Commonwealth are so much affected.

The general convention having completed the business of their appointment, and having reported to Congress, "a constitution for the United States of America," I have received the same from that honourable body, and have directed the secretary to lay it, together with the letter accompanying it, before the Legislature, that measures may be adopted for calling a convention in this commonwealth, to take the same into consideration. It is not being within the duties of my office to decide upon this momentous affair, I shall only say, that the characters of the gentlemen who have compiled this system, are so truly respectable, and the object of their deliberations so vastly important, that I conceive every mark of attention will be paid to the report. Their unanimity in deciding those questions wherein the general prosperity of the nation is so deeply involved, and the complicated rights of each separate state are so intimately concerned, is very remarkable; and I persuade myself that the delegates of this state, when assembled in convention, will be able to discern that which will tend to the future happiness and security of all the people in this extensive country.