

HAMPSHIRE GAZETTE.

WEDNESDAY, DECEMBER 3, 1787.

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

On the looking account of a Child's perishing in a Swamp, near its Parents dwelling.

DEAR offspring of a pure connubial rite,
 In you lay center'd all our peace and love:
 At once you'r hidden from your parents sight,
 And left us in a fruitless search to rove.

The plying neighbours with all haste attend,
 With care they search the intricate forest thro';
 Till sol below the horizon descends,
 And leaves them in a mill of falling dew.

Next morn the fun o'er-top the heavy hills,
 And strow'd the thrubs with bright reflecting drops:
 The child is found below a murmuring rill,
 His pulse bears low, and now his breathing stops.

With weeping eyes, the childless couple view'd
 The cold remains of all their former joy;
 While tears gush'd forth from every eye a flood,
 And even made the hardest heart to sigh.

I. M. N.

From the CONNECTICUT COURANT.
 To the HOLDERS and TILLERS of LAND.
 NUMBER I.

THE writer of the following passed the first part of his life in mercantile employments, and by industry and economy acquired a sufficient sum on retiring from trade to purchase and stock a decent plantation, on which he now lives in the state of a farmer. By his present employment, he is interested in the prosperity of Agriculture, and those who derive a support from cultivating the earth. An acquaintance with business has freed him from many prejudices and jealousies, which he sees in his neighbours, who have not intermingled with mankind, nor learned by experience the method of managing an extensive circulating property. Conscious of an honest intention he wishes to address his brethren on some political subjects which now engage the public attention, and will in the sequel greatly influence the value of landed property. The new constitution for the United States is now before the public, the people are to determine, and the people at large generally determine right, when they have had means of information.

It proves the honesty and patriotism of the gentlemen who composed the general Convention, that they chose to submit their system to the people rather than the legislatures, whose decisions are often influenced by men in the higher departments of governments, who have provided well for themselves and dread any change least they should be injured by its operation. I would not wish to exclude from a State Convention those gentlemen who compose the higher branches of the assemblies in the several states, but choose to see them stand on an even floor with their brethren where the artifice of a small number cannot negative a vast majority of the people.

This danger was foreseen by the federal Convention, and they have wisely avoided it by appealing directly to the people. The landholders and farmers, are more than any other men concerned in the present decision, whether the proposed alteration is best they are to determine; but that an alteration is necessary an individual may assert. It may be assumed as a fixed truth that the prosperity and happiness of the farmer must depend on the prosperity, and good national regulation of trade. Artful men may insinuate the contrary—tell you let trade take care of itself, and excite your jealousy against the merchant because his business leads him to wear a gay coat, than your economy directs. But let your own experience refute such insinuations. Your property and riches depend on a ready demand and generous price for the produce you can annually spare. When and where do you

find this? Is it not where trade flourishes, and when the merchant can freely export the produce of the country to such parts of the world as will bring the richest return? When the merchant doth not purchase, your produce is low, finds a dull market—in vexation you call the trader a jockey, and curse the men whom you ought to pity. A desire of gain is common to mankind, and the general motive to business and industry. You cannot expect many purchasers when trade is restricted, and your merchants are shut out from nine tenths of the ports in the world. While they depend on the mercy of foreign nations, you are the first persons who will be humbled. Confined to a few foreign ports they must sell low, or not at all; and can you expect they will greedily buy in at high a price, the very articles which they must sell under every restriction.

Every foreign prohibition on American trade is aimed in the most deadly manner against the holders and tillers of the land, and they are the men made poor. Your only remedy is such a national government as will make the country respectable, such a supreme government as can boldly meet the supremacy of proud and self-interested nations. The regulation of trade ever was and ever must be a national matter. A single state in the American union cannot direct, much less controul it. This must be a work of the whole, and requires all the wisdom and force of the continent; and until it is effected our commerce may be insulted by every overgrown merchant in Europe. Think not the evil will rest on your merchants alone; it may distress them, but it will distress those who cultivate the earth. Their produce will bear a low price, and require bad pay; the labourer will not find employment; the value of lands will fall, and the landholder become poor.

While our shipping rots at home by being prohibited from ports abroad, foreigners will bring you such articles and at such price as they please. Even the necessary article of salt has the present year, been chiefly imported in foreign bottoms, and you already feel the consequence, your flux-seed in bazaar has not returned you more than two-thirds of the usual quantity.—From this beginning learn what is to come.

Blame not our merchants, the fault is not in them but in the public. A federal government of energy is the only means which will deliver us, and now or never is your opportunity to establish it, on such a basis as will preserve your liberty and riches. Think not that time without your own exertions will remedy the disorder. Other nations will be pleased with your poverty; they know the advantage of commanding trade, and carrying in their own bottoms. By these means they can govern prices and breed up a hardy race of seamen, to man their ships of war when they wish again to conquer you by arms. It is strange the holders and tillers of the land have had patience so long. They are men of resolution as well as patience, and will I presume be no longer deluded by British emissaries, and those men who think their own officers will be hazarded by any change in the constitution. Having opportunity, they will coolly demand a government which can protect what they have bravely defended in war.

A LANDHOLDER.

BOOKS out of the inclosure of Ephraim Wright, Esq. of Northampton the 20th of October last, a black STEER, two years old, with a white face and broad horns. Whoever will take up said Steer and return him to said Ephraim Wright, Esq. or to the subscriber, shall have a reasonable reward and all necessary charges paid by me, ASA GURNEY.

Cambridge, November 24, 1787.

Drugs & Medicines.

Levi Shephard,

Near the Brick School-house, in Northampton has just imported from London, and now opening for sale, a fresh and genuine assortment of *Drugs and Medicines*; which he will dispose of upon the most reasonable terms for cash or most kinds of country produce; where physicians and private families may be supplied upon the shortest notice.

Amongst which are the following useful and medicinal articles, viz.

- CINNAMON. Cloves. Ginger. Writing-Paper. Wafers. Ink Powder. Webber's Infusate, 1st, 2d and 3d part. Watts's Pfalms and Hymns. Prefs Paper. Spirit of Turpentine, by the gallon. Varnish, by ditto. Putty. Oil of Vitriol. Indigo, of a superior quality. Coppers. Crown Lancers. Bell metal Mortars. Syringes. Scales and Weights. White Lead. Red do. Spruce Yellow. Spanish White. Ditto, Brown. Prussian Blue. Verditer Blue. Verdigrise.
- Vermillion. Rose Pink. Logwood. Puffball. Allum. Otter. Madder. Grimstone. Flower of dirt. Anderson's Pills. Lockyers do. Hookers do. Godfrey's Cordial. Barenant's Drops. Balsam of Honey. Francis's Female Elixir.
- Turlington's Balsam of Life. British Oil. James's Fever Powder. Snuff by the large or small quantity, much approved of by good judges. Stone Jugs, chamber Pots, Jars for Pickles, and Dike Pots, that will endure the fire.
- An assortment of cream coloured Ware.

CASH, and a generous price given for all kinds of Shipping FURRS and BEES-WAX, Nov. 7, 1787.

Hudon and Goodwin,

Have for Sale near the Bridge, HARTFORD, CLOTHIER'S Pref-Papers of the best kind, Bonnet Papers, by the gross, dozen or single. Writing Paper, by the ream or quire. Common and small Wrapping Paper. Law's Collection of Music, by the dozen or single. Webber's Infusate, all parts, by the thousand, gross, dozen or single. Dillworth's Spelling Books, by the dozen or single. Watts's Pfalms, at 2s. per dozen. Account Books, of various sizes. A few Books on Divinity, History, Physics, &c. Near Pocket Globes, &c. &c. Grain of any kind, Rags, Tann'd Sheepskins, Tow-Cloth, Flax or Certificates for interest, will be received in payment.

ADVERTISEMENT.

THE Subscriber being directed by the Commissary General (agreeably to a Resolve of the General Court of the 12th inst.) to dispose of the TOBACCO, (about TWENTY THOUSAND weight) he has received in payment of back taxes, either at public or private sale for any of the liquidated securities of this Commonwealth; He gives NOTICE that he shall dispose of the aforesaid Tobacco at public Auction on Friday the 30th inst. at 1 o'clock, P. M. at the house of Mr. Abel Pomeroy, unless previously sold at private sale. JAMES SHEPHARD.

Said Shephard has Crockery, Glass, and Stone Ware (at his shop opposite the meeting-house) for sale. Northampton, 21st Nov. 1787.

WHILE the subscribers being appointed Commissioners by the Hon. Judge Probate for the County of Hampshire, to receive and examine the claims of the creditors on the Estate of THOMAS HASTINGS, late of Amherst, deceased, respected intestate, and nine months being allowed to the creditors of said estate, from the twenty fifth of September last, and being in a situation to receive the same, we hereby give notice, that we shall attend said business at the house of the deceased, in said Amherst, on the first Tuesdays of December, January February and May next, from nine to four o'clock on each day. No accounts will be allowed after said term.

B. MATTOON, Jun. JOHN BLOUGHT, JONATHAN EDWARDS.

Amherst, November 5th, 1787.

For the HAMPSHIRE GAZETTE. SINCE Numa has done me the honour of number 56, of this paper, I should think myself wanting in respect to so sensible an antagonist as well as in justice to myself, should I suffer his observations to pass without due acknowledgment.

He observes that he feels himself unhappy that I have mistaken his ideas in the passage I quoted, and attempted to answer. Whether I have been so happy as to apprehend his idea or not, I shall not take upon me positively to determine. But that the sense in which I understood the passage is far from being strained, and unnatural, if it be not sufficiently manifest already, I trust will appear so from the following remarks. The passage referred to is "That in the general opinion it is become dangerous to suffer justice to have its full operation. It must be disguised, and restrained, to prevent its raising debtors, and crowding them in multitudes in jail." What he calls restraining and disguising justice, whereby it was suffered to have its full operation, I took for granted, to be the tendency act; as this is the only impediment in the way of crowding debtors into jail. And as Numa hath not disavowed the tendency of the act, I have no reason to doubt that he is mistaken in his ideas. The construction I put upon the passage was, "That if from the full operation of justice, for which Numa manifests his hankering an appetite, is that by which the goals may be crowded with ruined debtors. It does not come up to his idea of justice, that the debt should be paid in full value, but the debtor must be ruined and his body crowded into jail, that justice may have its full operation." In reply to which, Numa alleges that, "In observing that others thought it needful not to suffer the full operation of justice, he means to say, that he was far from supposing it a necessary consequence, that he wished the events to take place." I am sensible he says it in the general opinion that it is become dangerous to suffer justice to have its full operation, &c.—That it was the general opinion that there should be a tendency act, upon expedient to prevent the property of debtors, being taken fully below the value of it in the payment of debts, or they bodies confined in jail, while they are willing to turn out property of equal value for that purpose, being unable to obtain cash, is freely conceded. But would Numa have us to understand, that because a tendency act was generally supposed necessary, for the reasons above mentioned; it is therefore the general opinion, that the full operation of justice should be disguised and restrained? Could any intelligent person suppose, when he says, "that it is the general opinion, that it is become dangerous to suffer the full operation of justice to take place, but that it must be disguised and restrained (that is, by the tendency act) left debtors be ruined, &c." That he meant to represent it, as the general opinion, that the tendency act was a restriction and disguise of justice; or that those who were in favour of it, and judged it a wise and necessary expedient, considered it as an unjust act? Particularly, except we suppose, that he designed to represent it, as his opinion, that the General Assembly, in passing the above act, considered it in this light? Sure to suppose this to be his meaning, is to extravagantly suppose a supposition, as hardly to confit with that good sense, of which Numa appears to be possessed; nor would it very well comport with the reverence and respect for government, of which he sometimes makes such an appearance; and for the want of which he hath seen fit to pass a censure upon me. I think it therefore sufficiently evident, that the plain, obvious sense, in which every rational person, must understand Numa, in the passage under consideration, and which is dictated by candour itself, is that in the general opinion it was necessary that there should be a tendency act; which in his opinion was a restraint upon the operation of justice. If the idea which Numa would wish to have understood, by the passage in question, is that it is the opinion of those who approve of the tendency act, and particularly of the Legislature, that it is a restraint upon the operation of justice, and that it was enacted, and approved under that view; I trust he will be kind enough to make a more explicit

avowal of the sentiment in some future publication. But if he chooses the other alternative, viz. that the tendency act, though considered as a just and reasonable provision, by the people in general, and General Assembly in particular, is nevertheless, in his humble opinion, a restraint and disguise of justice, and calculated to obstruct the full operation of justice, it may be doubted if he expected that in compliance with his acknowledged obligation, he will ask pardon of the public.

Numa chooses to evade giving his opinion upon the question, whether it be right to imprison debtors, that are willing, but want ability to pay their debts, by asking another question. If the sentiment of Brutus, says he, 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? A very concise and easy mode of getting rid of questions, when a satisfactory solution might be attended with difficulty, which a person may be sensible will not be easily obliged, consistent with preconceived opinions. But then it is a little unlucky, that the question in the place of that which he chooses to evade, hath no relation to the subject under consideration. The question in debate is, whether the law which imposes creditors to confine debtors in jail, who are willing, but unable to pay their debts, is a just law?—instead of which he inquires what is the opinion of the Legislature in this matter? And with an air of triumph, and as if he seems to suppose, a sufficient confutation of my opinion, gravely asks, if the opinion 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? But does Numa need to be informed, that the Legislature are liable to err? or are not infallible? And consequently whether a law be right and just in itself, and whether it be so in the mind of the Legislature, are very different and distinct questions. It is not sufficiently obvious to the weakest capacity, that it being once admitted as a principle, that the judgment of the Legislature, concerning the equity or inequity of a law, is the criterion whereby we are to determine whether it be just or unjust, would effectually supersede all enquiry with regard to the justice or injustice of any law whatsoever: For the very existence of a law, is a sufficient indication, that the Legislature considered it as just; which upon the principle Numa hath advanced, in the above question, proves it to be so. And consequently on this principle it appears impossible an equal law should ever exist. And thus the justice of the tendency act itself, which is so frequently expatiated by Numa, is on his own principle effectually vindicated and established! The public may therefore judge, with what confidence or decency they could declare, (as in his 11th number) that he shall not subscribe either to the morality, constitutionality, or good policy of that act.

The sense of those passages of scripture, cited by me in my former publication, appears to be obvious at first view; and the remarks which Numa hath made upon them, to evasive, that I conceive it needful to spend further time for them in a clearer light. Numa observes, that "the mode of selling property to the highest bidder, hath been long practised; and as long a ground of complaint; that is, it can plead prescription. A very forcible argument in justification of any law or custom, which call plead antiquity in its vindication. An argument, however, which operates with equal force and energy, in favour of burning Protestants at the stake in Roman Catholic countries! He further adds "But legislatures have not been satisfied of the evils attending it, as to abolish it by standing laws. But does Numa really suppose, that the existence of a law proves it to be just? If so why doth he not subscribe to the justice of the tendency act? For the Legislature have not been so sensible of the evils attending it, but that they have seen fit to enact it, and to continue it from time to time? But says he, "those who have made the complaint, have not been so happy as to devise a preferable method of answering debts, to render this unnecessary. If Brutus would do this, he would do an acceptable service to the public." But how surprising is this observation! Is it not a

most palpable begging the point in question? Hath not Numa been sufficiently informed, that an act, whereby creditors should be obliged to take the property of debtors, at its real and just value, in the payment of debts, is in the opinion of those who make the complaint, a method of answering debts, much preferable, to that of selling the debtors property to the highest bidder? Will Numa hath proved the contrary, he hath therefore no occasion to call upon Brutus to devise another.

BRUTUS.

For the HAMPSHIRE GAZETTE.

Mr. BUTLER, TO err is the part of humanity; and gentlemen of your occupation, I find, are sometimes caught tripping like their neighbours. This observation I shall apply at present only to an error of the press, respecting a single word in the sixth paragraph of his Excellency's speech; which must, I believe, be charged either to yourself, or to the Printer from whom you copied. That it was done with design, by either, I pretend not to say; but that it is a very important one, and one which has subjected his Excellency to pretty severe animadversions, both by Simon the Tanner, number 65, and by the Examiner, number 64, of your paper, is unquestionably true. This *ad* word is "INDISTINCT." After lamenting the late "infirmitates," and their unhappy consequences, his Excellency is pleased to add, "But I persuade myself you will concur with me in the sentiment, that they are no certain mark of the indistinctness of the people to good order and government." Mr. Webster, in the Hampshire Chronicle of the same week, with a much truer taste, as well as a far greater regard to his Excellency's reputation, has it, "But I persuade myself you will concur with me in the sentiment, that they are no certain mark of the disposition of the people to good order and government." Now, Sir, as these terms are not grown quite synonymous; and as the mistake lies between the two only channels of public information in the country, it might perhaps be well for us, in this remote part of the Commonwealth, to suspend our judgment upon the propriety or impropriety of the passage, till we are furnished with a copy of the speech, certified by the Secretary, or with such other evidence as shall remove all reasonable doubt on the subject. For my own part, had I no other testimony in this case than his Excellency's proclamation of June last, wherein, after the example of his worthy predecessor, he calls the racket of last winter a "REBELLION" and speaking of the "crimes" of the infamous NINE excluded from pardon—makes use without ceremony of the dark-complexion'd epithets "atrocious," &c.—I should think my good subject justified in buying Mr. Webster as the faithful transcriber of his Excellency's sentiments in the present instance; any thing in the Hampshire Gazette to the contrary notwithstanding.

PHILO-GUBERNATOR.

Algebra, Nov. 30. FEDERAL

From the MASSACHUSETTS CENTINEL.

THE following ADVANTAGES which every honest man is convinced must result from the adoption of the proposed Constitution, have not been distributed in "hand-bills," nor posted up in every part of the town.—but they are deeply impressed on the minds of every class of citizens in this metropolis.

16. The almost annihilated trade of this town, designed by the author of nature to be an emporium of wealth from all parts of the globe, revived, invigorated and expanded to all quarters of the earth.
22. The encouragement of agriculture by this means, and the produce now rotting on the farmers hands, finding ready vent, and an adequate price.
34. Every spring set in motion, by the innumerable avenues of business that will open upon us, and the present indolence, dissoluteness and riotous manners done away.
- 4th. An abolition of *intemperance, abilities* brought forward in the public service—men for offices, not offices for men.
- 5th. An army and a navy if necessary to vin-