

wherein such injured party shall dwell, good & sufficient bond with sureties to the satisfaction of such Judge of Probate, conditioned that such prosecutor shall pay the monies that he may receive in damages as aforesaid to the said injured party, on his or her return to this Commonwealth, if that shall happen by the time when such execution is satisfied, and if not, shall apply such monies to the use and maintenance of the wife, children or family of the injured party, in proportion, at such periods, and in such way and manner as the said Judge shall decree, best for the interest of such wife, children or family, in the absence of such injured party.

Provided also, and he it further enacted, That in case the defendant who shall be prosecuted as is provided in and by this act, shall be acquitted by the Court before whom the trial may be, the said Court shall not only render up judgment for legal costs, but for such reasonable damages as the said defendant hath sustained by such prosecution: **Provided also,** that this act do not extend to vessels which have already sailed, their owners, factors, or commanders for and during their present voyage, or to any insurance that shall have been made previous to the passing of the same.

In the House of Representatives, March 25, 1788.
This bill having had three several readings passed to be enacted.

JAMES WARREN, Speaker.
In Senate, March 26, 1788.
This bill having had two several readings passed to be enacted.

SAMUEL ADAMS, President.
JOHN HANCOCK, A True Copy. Auth.
JOHN AVERY, Jun. Secretary.

For the HAMPSHIRE GAZETTE.

Quid miseris lotis in operis Periculis Civis, VIRGILII.
I have come what to say in regard to a piece under the signature of Philanthrop, inserted in the Hampshire Gazette of April 23, intended as an answer to the three gentlemen, who have lately published their reasons of dissent from the Federal Constitution.—Herein I shall study brevity.

It would seem Philanthrop had been for some time in hard labour, and for all that appears to the contrary, his travail is likely to continue; for it seems he has not yet brought forth; and from his complaints, there is no prospect of a speedy delivery; and therefore, according to the common course of things, his dissolution must soon ensue, unless some skillful operator should step in and facilitate the birth.—But to drop the metaphor.—Philanthrop seems to be perplexed, not being able to spy out the cause of the mallocation of those three gentlemen. And if you look, he has been as hard as I can to obviate their objections, as to investigate their designs. It matters not, that I know of, to Philanthrop, what their intentions are; if he is to be as I am assured they had a bad one; for says he, "I am at a loss to conjecture what motives occasioned their publication." Therefore one would think that candour, he recommends to the gentlemen, would have induced him to suppose they had nothing very atrocious in view.—In considering this piece, I shall (setting a side sophistry) do pretty much as Philanthrop has done, in animadverting upon the objections. I shall not confine myself to order—I think he did not—and if it should so happen, I find any thing I cannot confute, I shall follow his example and say nothing about it.

He says, "he hopes if charity obliges them to bless the negroes, it will not lead them to curse the Convention"—this is evidently intended as a sarcasm upon the gentlemen, for vindicating the injured rights of the Africans. Why is it, thus? Is it because their colour is not to favour them in this country as in Africa? Or that their features are not supposed to be so beautifully arranged as those of the Americans; and therefore not to be treated with that humanity which it is generally thought belongs to the white people? Or does Philanthrop suppose, with some scoffers as sacred history, that those Africans did not proceed from the loins of the same parent with himself, and so on that score to be treated like brutes? He seems to charge them, with cursing the Convention, only because they said that body voted for those barbarities which are exercised towards the Africans. Does this amount to a curse? Can referring a plain matter of fact, concerning any man or body of men, by good logic, be construed into a curse? Did not the Convention vote, that the Congress should not have it in their power to prohibit the slave-trade until the year eighteen hundred and eight? Were they not sensible, therefore, that this trade would be carried on, with all those barbarities annexed to it? Did they not very generally consent that it was a most wicked piece of business? Where then were the great crime in laying such barbarities upon the negroes? If it is so, let Philanthrop point out the criminality of it, and do not be obliged to obtain credence.—If he make a charge he ought certainly to adduce some proof to support it. He must be possessed of some entirely new con-

structed spy-glass, else he never could have spied out curses where there were none. As little ground had he to dream from any which dropped from the gentlemen, that they had a desire to return back to Great-Britain, as he is so tax-free there, by cursing the Convention. Two constitutions were offered to the people of Massachusetts before one could obtain. Must we infer from thence, that those who supported the first, did it with a view of becoming subjects to Great-Britain? Let him answer, if he please.

I wish, seeing Philanthrop thought fit to take the matter up, that he had made use of less false reasoning—I will give an instance of it. He says, "While under Great-Britain, we heard nothing from the gentlemen, because that nation more than any under heaven, carried on that trade." and "that whenever a neighbour had imported a slave, their duty was either to drive him out of the country or to quit it themselves." It would not, one would think, require a degree of discernment far beyond mediocrity, to discover the fallacy of this argument. Will the gentleman pretend there is no difference between a man's being born under a government, in the framing of which, consequently he could have no hand, and in making one himself? If a man in a state of nature assists in forming a constitution, which gives countenance to iniquity and all kinds of cruelty, does he not by his own act incur guilt to his conscience? But if he is born under such a government, where is the guilt? Neither hath he any right to take upon himself the office of an executioner, and to undertake to punish those who are guilty, as Philanthrop would suppose; all he can have any right to is to remonstrate and exhort.—He indeed may share in the calamities which may fall upon the community in consequence thereof; but he has this consolation, that those calamities are not derived through his means, and therefore he cannot share in the guilt.

When a man is called to establish a frame of government, it ought to be such an one as his conscience will justify, or he must give his voice against it. I must fly the whole Philanthrop has laid on this subject is fallacious, from the foundation to the top-stone. His first position seems calculated to deceive the people, whether designedly or not, I do not say.—The purport of which is evidently this, that by civil connections people cannot become partakers of each others sins. What is the import of "civil connections"? Let them import what they will, it is evident Philanthrop would have us think, that in establishing this constitution, we have no more connection in the wickedness which the southern states may commit, with our heavy and free consent and engagement to support them, than we should be with any one nation under heaven in their iniquities, provided we had consented with them for the sake of their trade, &c. But these are not parallel—I with Philanthrop had indignity enough to confess it. It is idle for him to pretend, that establishing this constitution is no more than barely establishing certain civil connections with the southern states; was this the case I would agree with him. I am sensible America may enter into a treaty and connect with Spain for certain purposes, and still not become partakers in the iniquity of the acquisition. But if America and Spain were about to form themselves into one politic national body, and America should in that case pledge to Spain their lives and fortunes for the support of the acquisition, (as counsellor German, to the slave-trade) I should certainly suppose, upon good grounds, they would become partakers of the sin, connected with the acquisition. But let I find should be too lengthy, I shall waver what I have said farther upon Philanthrop's piece, until another opportunity, only adding my note, that if he writes again, his sentiments may better agree with his signature.

PHILEAS THEROS.
* Rather twin brother.

LONDON, February 28.

Extract of a letter from Stroud, Feb. 7.
"On Monday I was sent for to Mr. Tombs's of Coates, near Chichester, to hold an inquest on the bodies of two of his daughters, one of the age of 24 years, the other of 8, who, on the day before, were, together with a maid servant, of the age of 22, poisoned by taking, for a cutaneous eruption, a dose of arsenic, which was sold to Mrs. Tombs for cream of tartar, by an ignorant quack of that neighbourhood, some months ago."

"They were found after taking it, seized with all the dire symptoms which usually attend the internal use of that cursed drug, such as violent vomiting, excessive heat in the throat, and intolerable pain in the stomach, and abdominal region; and after enduring insupportable torture for near eight hours, they all three miserably expired."

"It is impossible to describe the grief of Mr. and Mrs. Tombs, for this afflicted and almost unparalleled event; particularly that of Mrs. Tombs. But even in this extremity of distress, the divine goodness seems to have thrown in a circumstance of consolation. Their other daughter was to have taken the same medicine, but she desired to postpone it till the next day, and she might go to church, and thus she escaped the fate of her sisters."

"Now, the tragical catastrophe of these three young persons should serve as a caution to all people not to purchase drugs of ignorant quacks, who, in many instances, where there is resemblance, do not know how to distinguish one from another."

GEO. NAYLER, Composer.

BALTIMORE, April 29.
The Convention on Saturday last determined to ratify the proposed plan of federal government, year 63, says 11—and then appointed a committee of 13 members, to consider and to report amendments, to be recommended to the people. The following amendments were proposed by a member, and referred to the committee, who are now sitting; and it is hoped that the great and essential rights of the people will be declared and secured.

Proposed Amendments.
THAT it be declared, that all persons controlled with the legislative and executive powers of government are the trustees and servants of the public, and as such accountable for their conduct;

WHEREAS, whenever the forms of government are perverted and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may, and do establish a new government.—That the doctrine of non-resistance against arbitrary power and oppression is absurd, unjust, and destructive of the good and happiness of mankind—that it is declared, That every man hath a right to petition the legislature, for the redress of grievances, in a peaceable and orderly manner.—That all criminal prosecutions every man hath a right to be informed of the accusation against him, to have a copy of the indictment or charge in due time (if required) to prepare for his defence to be allowed council, to be confronted with his witnesses, to examine the witnesses for and against him, on oath, and to a speedy trial, by an impartial jury.

That no freeman ought to be taken, or imprisoned, or deprived of his freehold, liberties, or privileges, or outlawed or exiled, or in any manner destroyed, or deprived of his life, liberty, or property, by the lawful judgment of his peers, or by the law of the land.

That no power of suspending laws, or the execution of laws, unless derived from the legislature, ought to be exercised or allowed.—That a person conscientiously scrupulous of taking an oath, to search suspected places, or apprehend any person suspected, without using or describing the place or person in special, are dangerous, and ought not to be granted.

That there be no appeal to the Supreme Court of Congress in a criminal case.

Congress shall have no power to alter or change the regulations respecting the times, places, or manner of holding elections for senators or representatives.

All imposts and duties laid by Congress shall be placed to the credit of the state in which the same be collected, and shall be deducted and paid for the state's share of the common or general expenses of government.

Every member of Congress shall be eligible to any office of trust or profit, under Congress, during the time for which he shall be chosen.

That there be no national religion established by law, but that all persons be equally entitled to protection in their religious liberty.

That Congress shall not lay direct taxes on land, or other property, without a previous assent of the respective states, or a portion of the said states, within a limited time, to complete therewith.

In all cases of trespasses, torts, abuses of power, personal wrongs and injuries done on land or within the body of a county, the party injured shall be entitled to trial by jury, in the court where the offence shall be committed; and in all other cases, in such cases, shall have every remedy that the federal courts may in their judgment shall be no appeal, excepting on matters of law.

That the supreme federal court shall not be a court of appeals, to extend its jurisdiction to all citizens of the same state, have controversy with each other, be suffered to make laws, or to alter the rights of citizens of another state, for the purpose of defeating the jurisdiction of the state courts; nor shall any matter, or question, already determined in the state courts, be revived or agitated in the federal courts; that there be no appeal from the said to the supreme court, where the claim or demand, do not exceed three hundred pounds sterling.

That no standing army shall be kept up in time of peace, unless with the consent of the four-fifths of the members of each branch of Congress: nor shall soldiers in time of peace be quartered upon private houses, without the consent of the owners.

No law of Congress, or treaty, shall be equal to repeal or abrogate any Constitution, or bill of rights, of the State, or any of them, or any part of the said Constitution or bill of rights.

Nothing to be subject to the rules of Congress.

great, nor marched out of the state without consent of the legislature of such state.

That Congress have no power to lay a poll-tax.

That the people have a right to freedom of speech, of writing and publishing their sentiments, and therefore that the freedom of the press ought to be retained, and the printing-press ought to be free to examine the proceedings of government, and the conduct of its officers.

The Congress shall exercise no power but what is expressly delegated by this constitution.

That the President shall not command the army, in person, without the consent of Congress.

True Extract from the Minutes of the Convention of the State of Maryland.
WILLIAM HARRWOOD, Clk. Con.
Done in Convention, April 26, 1788.

AUGUSTA, March 29.
A letter from Washington county, dated March 25, says, "The Indians seem to be very numerous in this county. Last Sunday week they killed and scalped Lieut. Hogan, near Kemp's fort; on Friday after a Mr. Daniel met with the same cruel death; and on Tuesday last they killed Mr. David Jackson's family, his brother and two negroes, and scalped another young girl."

"On the same day Capt. Wood, of the state troops, with four of his men, accompanied by Capt. Kemp, went reconnoitering on the river Oconee, and near the Long Bluff came up with about 30 or 35 Indians; upon which Capt. Wood's party turned back towards the fort, but had rode but a small distance, when the Indians fired at them, and killed one man on the spot. Capt. Wood is missing; we have since found his horse, without saddle or bridle, and very much bloody, from which circumstance we suppose he was either killed or taken. The brags have burnt three houses near Irwin's Fort, and killed a number of cattle and hogs."

PHILADELPHIA, May 3.

We learn that Mr. Bordley, of the eastern shore of Delaware has presented the Agricultural Society of this city with a model of a Threshing Machine, which is somewhat on the construction of a coffee-mill, and will thresh above 100 bushels of wheat in a day, with one man's labour. Machines appear to be objects of immense consequence to this country. Every month furnishes us with something new and important of that nature. It is the duty of every friend to America, at home and abroad, to keep a vigilant eye on every thing of that kind, which comes in his way. We may invent, and we may borrow of Europe their inventions. Possessed of soil without end, every thing that saves the labour of hands, is a gem of peculiar value to us.

Small-Clan twinning, Chester county, April 23.

The following melancholy accident of the effects of lightning happened on the 18th inst. the weather being very hot and sultry in the afternoon, in the evening, there appeared a black cloud to the westward, which came over this neighbourhood with uncommon flashes of lightning and severe claps of thunder. Between 12 and 1 o'clock the lightning struck the house of W. Fishers, in this township; it first entered the chimney, which was torn all to pieces, and in its descent it greatly damaged the upper floors, with the staircase from top to bottom, ripped up the lower floor, whence proceeded out of the cellar door, and tore away a considerable part of the stone wall of the house. The man, his wife and child about 6 months old, were in bed in a room where a partition cloth by it was flung over all to pieces, and the bed thrown some distance therefrom; the man's head was singed and much burnt, and the woman's arm, on which the child lay, was scorched, but providentially the child received no other hurt; the cradle, in which the child usually slept in the same room, was entirely destroyed. The bed on which two apprentices slept in the upper room, was also scorched, but remained unburnt. The house was rendered an entire wreck, not a window but was destroyed, and the glass thrown some rods distant. A fire, that hung on the wall of the house, was twisted up like a wither, and a great part melted; the smell of sulphur was so strong, that they were in danger of being suffocated.

PITTSFIELD, May 8.

On Monday last a most violent storm of hail and rain happened at New-Atholn. The hail-stones were of an enormous size, and it is feared it must have done great damage. Maj. Sloan, of that place, had his window much shattered; and had the gust continued any length of time, it must have demolished the whole.—The same

gentleman, about two years since, lost one hundred and thirty-four panes, by a like accident.

BOSTON, May 15.
Extract of a letter from New York, May 15.
"The Brig Boston Packet, Capt. Davis, in 39 days from London, by whom papers were received at late as the 7th of April, from which the following paragraphs are extracted."

Vienna, Feb. 25. Our last advices confirm the intelligence, that after four assaults, in which we lost a thousand men, our army subdued the fortress of New-Gradiska; and that the whole garrison, which had been reinforced by troops from Banaluka, were either put to the sword or taken prisoners.

LONDON, March 19.

Extract of a letter from Vienna, Feb. 3.
"The operations of war are already begun bloodily. One garrison of the Turks has already been cut to pieces. Our earliest intelligence presents no welcome news. The Ottomans will grow desperate, the Russians are left to do the most dreadful and unwelcome operations are to be expected. It is past doubt the Emperor will shortly put himself at the head of his forces."

Extract of a letter from Vienna, March 5.
"By an Edict of the Grand Signior the following Prayer is to be recited four times a day by all the Mussulmans."

"Creator of all the worlds, Lord of heaven and earth; thou whose immovable and glorious throne obscures the sun, moon and stars; thou who reulest the vast and raging ocean with as much ease as a drop of the morning dew; thou who by thy supreme power canst reduce the universe to nothing: We implore thy protection, favour & help; hear us, pity us, and grant our prayers; thou formerly didst send thy Prophet to give us thy holy laws and commandments; we have transgressed them; we are sinners, and thou hast brought down thine anger upon us, which has awakened our enemies, and has caused the land of the faithful this moment to groan beneath the weight of their chariots, and their neighboring horses to trample under their feet: Lift not thine angry arm against us; hide thy face from our sins, and turn thine anger from us; baffle the bloody projects of thine enemies and ours, render their threats in vain, reduce those infidel nations to dust, restore to thy people their former courage and confidence, and the arches of the temple of Mecca shall resound with praises and thanksgivings unto thee."

The treaty between the United States and Prussia is concluded. That which impeded the treaty between Great-Britain and the States, was the very important but very complicated business of the India commerce and settlements. And it is, we understand, at length agreed that a Convention should be signed, to arrange and finally adjust the India system within six months of the conclusion of the treaty of alliance.

By accounts from America we learn, that the Rhode-Island assembly, Nov. 3, by a vote rejected a motion made by a member to appoint a convention to consider the new federal constitution.

Great opposition is expected in some of the states.

The New-York people are much divided. Virginia has delayed its convention for considering the constitution till May, and Maryland till April. Delaware has unanimously ratified the constitution.—Pennsylvania has also ratified it, after great opposition. The minority having withdrawn, there was not a quorum; but two of the minority members, Jacob Miley, and James M. Calmont, had their lodgings broken open, and were dragged through the streets of Philadelphia, with their cloaths torn, to the assembly house, and kept there by force till the convention was signed. This is an American liberty.

The procession at Baltimore in celebration of the ratification of the Constitution, was a near imitation of the one in this town. It was preceded by a band of music, then followed farmers, 66 trades, a ship, &c. The confests, the bench, bar, faculty and clergy also joined in the procession. Several discharges of artillery, a bonfire, fire-works, &c. were made, and the whole was conducted with a decency and propriety becoming federalists.

NORTHAMPTON, May 21.

On Thursday last the inhabitants of this town made choice of Samuel Henshaw, Esq; and Mr. Benjamin Sheldon, to represent them in the General Court the ensuing year.

Hon. Calh Strong, and Hon. John Hattings, Esq's, are chosen Senators for the county of Hampshire for the year ensuing.

We hear that Dr. Whiting, of Great-Barrington, is chosen Senator for the county of Berkshire.

The 26th day of June next is appointed by the Supreme Executive, for the election of Abiel Coakley, lately con-

vided of the murder of her infant bastard child.

Extract of a letter from New York, May 15.

"On Tuesday our elections came on, and the following gentlemen are chosen to represent this city in Convention, viz.—The Hon. John Jay, Hon. James Duane, Hon. Robert R. Livingston, Hon. Alexander Hamilton, Hon. Richard Morris, Hon. John Slofs Hobar, Hon. Richard Harrison, Mr. Isaac Rotzevel, Mr. Nicholas Low. These gentlemen composed the federal ticket, and were carried by near 3000 votes.—The antifederal ticket, at the head of which was Governor Clinton, had not more than 200 votes. It is generally thought that in this city the federalists are thirty to one."

The planters of South Carolina are making experiments in the culture of Cotton, and they have proved hitherto very successful, promising great profit. They have got the Gin or Machine for cleaning it, by which the profit of raising it must be greatly increased.

A correspondent informs us, that George Baker, one of the robbers who was in company with Charles Dumpham, and others, in the county of Berkshire, the fore part of last summer, was lately seen by a number of people at his own house in Lansborough, who interrogated him respecting the money, pork, &c. which it was reported he and his comrades had stolen from Mr. William Starkweather. He says, that notwithstanding the accounts which have heretofore appeared in a number of papers of their having taken the sum of 150 dollars in cash, together with a barrel and half pork, &c. he can with truth assure the public, that the whole which they took from the above-named gentleman amounted to between five and six dollars in cash; and that neither he nor his companions had ever taken or seen the least quantity of pork while they remained at the house of Mr. Starkweather.

The State of Georgia has, by an act, ceded thirty millions acres of land to the United States, when the new Constitution is in force.

At the annual General Election held in Newport, State of Rhode-Island, JOHN COLLINS, Esq; was elected Governor; and DANIEL OWEN, Esq; D.puty Governor.

DIED, at Norwich, on Wednesday last, Mr. Daniel Sanford, of that town, in the 68th year of his age—he came to his end by taking corrosive mercury, supposing it to be balsam.

At Charlestown, on the 2d inst. Mrs. Elizabeth Rice, in the 60th year of her age.

All persons who received the Hampshire Gazette last year, in Shelburne, and who have not paid up, are hereby notified, that what will be received in payment, at Mr. Ransom's store, provided each one pays his proportion of the transportation to Northampton, otherwise the money will be expiated.

JOHN LONG.
NOTICE is hereby given to the non-paying proprietors of the town of Greenfield, in the county of Hampshire, that their lands are taxed in a town tax for the year 1789, and 1790, county and state tax for the year 1789, as follows, viz.

Name	1786	1787	1788	1789	1790
David Field, Esq;	3 11 0	0 0 0	1 1 0	0 0 0	0 0 0
Joseph Barnard,	26 0 0	0 0 0	2 0 0	0 0 0	0 0 0
Samuel W. White, Esq;	1 1 0	0 0 0	0 0 0	0 0 0	0 0 0
Jonathan Ashley, Esq;	1 1 0	0 0 0	0 0 0	0 0 0	0 0 0
Philo Mack,	0 0 0	0 5 3	0 0 0	0 0 0	0 0 0
Zeeb Taylor, or	1 1 0	0 0 0	0 0 0	0 0 0	0 0 0
Moses Chandler,	6 3 0	0 0 0	0 0 0	0 0 0	0 0 0
Zephariah Thayer,	1 1 0	0 0 0	0 0 0	0 0 0	0 0 0
Samuel B. Ward, Esq;	1 1 0	0 0 0	0 0 0	0 0 0	0 0 0
John Eaton,	8 2 0	0 0 0	0 0 0	0 0 0	0 0 0
Lemuel Robbins,	4 1 0	0 0 0	0 0 0	0 0 0	0 0 0
Third Decr's Return,	1 1 0	0 0 0	0 0 0	0 0 0	0 0 0

These said taxes are paid on or before the 15th day of May next, in such of the said lands which are held or public vendue, at the house of each Abiel Coakley, or his agent, in Greenfield, at two o'clock P. M. as will be sufficient to discharge the same, with interest charges.
REUBEN WELLS, Collector.
Greenfield, April 18, 1789.

Those persons who are in the town of Charlestown, who received the Hampshire Gazette the last year, and who have not paid up, are again requested to make immediate payment, either to Col. Taylor, or to the Printer, hereof.
May 14, 1788.
H. Marwell.