

farre, as they are all necessary to the proposed system for the better administration of justice throughout the Commonwealth.

We are with sincere respect,
your Honour's obedient Servants,
WILLIAM CUSHING,
By order of the Committee.
To the Hon. Senate, and House of Representatives, for the Commonwealth of Massachusetts.

In SENATE, November 4, 1788.
Read, and with the bills accompanying, sent down.

SAMUEL PHILLIPS, jun. President
Published by order of the Hon. House of Representatives,
Attest—**GEORGE R. MINOT,** Clerk.

MR. SHERIDAN'S celebrated SPEECH
(Continued.)

W. Minister-Hall, Tuesday, June 3, 1788.

MR. Sheridan then adverted to the negotiation of Mr. Middleton with the Begums in 1778, when the dissent of the major part of an assembly had induced her to leave the country, only her authority was sanctioned, and her property secured by the Guarantee of the company. This Guarantee, the Council of Mr. Hastings, had thought it necessary to deny, as knowing that if the agreement with the Elder Begums were rejected, it would affect Mr. Hastings the guilt of all the sufferings of the Women of Khor-Mahal, the revenues for whose support were secured by the same guarantee. In treating this part of the subject, the principal difficulty arose from uncertain evidence of Mr. Middleton, who though concerned in the negotiation of four treaties, could not recollect among his signature to three out of that number. Mr. Sheridan produced, however, from the evidence of Mr. Middleton, that a treaty had been signed in October, 1778, where, in the rights of the Elder Begums, were fully recognized—a provision secured for the Women and Children of the late Vizier in the Ehoit Mahal; and that those engagements had received the full sanction of Mr. Hastings. These facts were confirmed by the evidence of Mr. Vything, a gentleman, who, Mr. Sheridan said, had delivered his account fairly, and as having no foul facts to conceal. He had translated copies of these engagements in 1780, to Mr. Hastings at Calcutta; the answer returned was, that in arranging the taxes on the other districts, he should pass over the liabilities of the Begums. No notice was then taken of any impropriety in the transactions in 1778, nor any notice given of an intended revocation of the engagements.

But in June, 1781, when General Clavering, and Col. Monson, being no more, and Mr. Francis having returned to Europe, all the business and affairs of the settled establishment were transferred, and Mr. Hastings determined on a journey to the Upper Provinces. It was then that without advertent to the intended transactions, he met with the Nabob Alaph Dowlah, at Chunar, and received from him the sum of 100,000. To form a proper idea of this transaction, it was only necessary to consider the respective situation of him who gave and him who received this present. It was not given by the Nabob from the superfluity of his wealth, nor in abundance of his esteem for the man to whom it was given; it was, on the contrary, a prodigious bounty, drawn from a country depopulated; no matter whether by natural causes, or by the grinding of oppression. It was raised by an exaction, which took what calamity had spared, and rapine overlooked; and pursued those angry dispositions of Providence, when a prophetic chastisement had been inflicted on a fatal crime. The secrecy which had marked this transaction, was not the smallest proof of its criminality. When Benaraj Pundit had, a short time before, made a present to the company of a lack of robes, Mr. Hastings in his own language detected it "worthy the praise of being recorded." But in this instance, when ten times that sum was given, neither Mr. Middleton nor the Council were acquainted with the transaction until Mr. Hastings, four months after, felt himself compelled to write an account to England, and the intelligence returned thus circuitously to his friends in India. It was peculiarly observable in this transaction, how much the districts of the different parts were at variance. Mr. Hastings travels to the Nabob, to see, no doubt, and enquire into his distresses, but immediately takes from him 100,000, to be applied to the necessities of the distressed East India Company. But, on further deliberation, the considerations vanish; a Turkish object arises, more worthy than either of the former, and the money is taken from the one, and demanded from the other, to be applied to the use of—the distressed Mr. Hastings.

The money, it was alleged by Mr. Hastings, had been originally taken to discharge the arrears of the Army. It had not been applied to that use, because it was received in bills on Capol Dos, a rich Banker, of Benares, who was then kept a prisoner by their King; Major Scott being questioned on the subject, declared, that his bills on Capol Dos were as good as cash; for that through the principal of the house was a prisoner, that circumstance made no difference whatsoever with the other partners. Thus Mr. Hastings was inconsistent with himself, by alleging an objection which should have prevented his taking the money, in the first instance, for the purpose he had stated; and Major Scott

contradicting Mr. Hastings; removed the objection, and restored the business to its original footing. But, that moral consideration, it was easy to mark the sense of hidden guilt. Mr. Hastings himself, being driven from every other hold, advanced to the state plea of NECESSITY; but of this necessity he had bro't no proof; it was a necessity which listened to whippers, for the purpose of crimination; and dealt in rumour to prove its own existence. To a general leading the armies of Britain; to an admiral bearing his thousands ovet the seas;—the plea of Necessity might be indulged, if the wants of those were to be supplied whose blood had been spilt in the service of their country; but then like the imperial eagle descending from its nest, though it defoliated the skirts of the rock, the motive and the conduct would be equally conspicuous. No concealment would then be necessary; and they would disdain the veil which covered the dark mean arts of busy peculation.

On the business of the Treaty of Chunar, which succeeded the acceptance of this bribe, Mr. Sheridan was equally precise and severe. It was a proceeding, he observed, which as it had its beginning in corruption, had its continuance in Fraud, and its end in violence. The first proposition of the Nabob after his recent Ebrarality, was, that the army should be removed, and all the English recalled from his dominions. The Bribe which he had given was the obvious price of their removal. He felt the weight of their oppression—he knew, to speak his own language, "that when the English laid, they said to ask for something." Though their predecessors had exulted the revenue, though they had shaken the tree until nothing remained upon its leafless branches, yet a new flight was on the wing to watch the first budgings of its prosperity, and to nip every promise of future luxuriance.

To this demand, Mr. Hastings had promised to accede, but to recall every Englishman from the province—but by an evasion which Mr. Middleton disclosed with so much difficulty, the promise was virtually recalled. No orders were afterwards given for the establishment of Englishmen in the province, but recommendations of the same effect, with Mr. Middleton and the Vizier, were sent, and the practice continued. In the agreement respecting the redemption of the Jaghires, the Nabob had been duped by a similar deception. He had demanded and obtained leave to resume those of certain individuals; Mr. Hastings, however, defeated the permission, by making the order general; knowing that there were some favourites of the Nabob whom he could be by no means brought to dispose of. Such was the conduct of Mr. Hastings, not in the moment of cold or crafty policy, but in the hour of confidence, and the effluence of his gratitude for the favour he had just received, bearing about every common feeling, he could deceive the man to whose liberality he was indebted—even his gratitude was perjured, and a larger actually awarded on the return which he was to make to an effluence of generosity!

The transactions in which Sir Elijah Impey bore a share and the tenor of his evidence, were the next objects of Mr. Sheridan's animadversion.—The late Chief Justice of Bengal, he remarked, had repeatedly stated that Mr. Hastings, left Calcutta with two references in his view, those of Bonars and of Ouda. It appeared, however, from every circumstance, that the latter reference was never in his contemplation, until the instructions in Benares, terminating in the capture of Bed-Jeyor, had destroyed all his hopes in that province.—At that point the mind of Mr. Hastings, as it were, had just received, bearing about every common feeling, he could deceive the man to whose liberality he was indebted—even his gratitude was perjured, and a larger actually awarded on the return which he was to make to an effluence of generosity!

With respect to the manner in which Sir Elijah Impey had delivered his evidence, it required some observation, though made without imputing to that gentleman the smallest culpability. Sir Elijah had admitted, that in giving his evidence he had never answered without looking equally to the probability, and the consequences of the fact in question. Sometimes he had even admitted circumstances of which he had no recollection beyond the mere probability that they had taken place. By confiding in this manner what was probable, and the contrary might certainly have corrected his memory at times, and Mr. Sheridan said he would accept that mode of giving his testimony, provided that the inverse of the presumption might also have place, and that where a circumstance was improbable, a smaller degree of credit might be subtracted from the testimony of the witness. Five times in the House of Commons, and twice in that Court, for instance, had Sir Elijah Impey borne testimony, that a rebellion was raging at Fyzabad, at the time of his journey to Lucknow. Yet on the eighth examination he had contradicted all the former, and declared, that what he meant was that the rebellion had been raging, and the country was then in some degree restored to quiet. The reasons assigned for the former errors were, that he had forgotten a letter received from Mr. Hastings,

informing him that the rebellion was quelled, and that he had forgot his own proposition of travelling through Fyzabad to Lucknow. With respect to the latter, nothing could be said, as it was not in evidence—but the other objections would scarcely be admitted; when it was recollecting that in the House of Commons Sir Elijah Impey had declared that it was his proposal to travel through Fyzabad, which had generally brought forth the information that the way was obstructed by rebellion! From this information Sir Elijah Impey had gone by the way of Allyabad, but that was yet more singular, was, that on his return he was again have returned by the way of Fyzabad, if he had not been informed of the danger; so that had it not been for these friendly informations, the Chief Justice would have run plump into the very vortex of the rebellion!—There were two circumstances, however, worthy of remark; the first was, that Sir Elijah Impey should, when charged with so dangerous a commission as that of procuring evidence, to prove that the Begums had meditated an expulsion of their son from the Throne, and of the English from Bengal, should intend to pass through the city of their residence;—and that he, as he alleged from mere hearsay of schoolboy civility, should choose the primary path, and with him, engaged in such business, to be in the way, and idle in the sunshine. The second circumstance worthy of observation, was, that if a conclusion could be made from a cloud of circumstances, the inference on this occasion would undoubtedly be, that Sir Elijah Impey was dissuaded by Mr. Hastings, and Mr. Middleton, from passing by the way of Fyzabad, as well knowing, that if, as a friend to Mr. Hastings, he went to approach the Begums, he would be convinced by his reception, that nothing could be more foreign to the truth than the idea of their supposed disaffection. It was also observable, that Sir Elijah Impey, at Lucknow, taking evidence in the face of day in support of this charge of rebellion against the Begums, was conversing with the Nabob and his Minister, heard no single word from either of a rebellion, by which it was proposed to dethrone the Nabob, and to change the government of his dominions! And equally unaccountable it appeared, that Sir Elijah Impey, who advised the taking of these affidavits for the safety of Mr. Hastings, had never read them at the time, for the purpose of seeing whether they were sufficient for the purpose, or the contrary! After giving a reserve, however, and after declaring on oath that he found it unnecessary, then the step taken by Sir Elijah Impey, was to read the affidavits, as if however late, they might contribute something to his information. He had been led to this step by Mr. Sheridan, one of the members on the part of the Company, who by looking at a book which he held in his hand, had persuaded him to declare that a sworn interpreter was present on the receiving these affidavits;—that Major Davy was present for that purpose;—and that whoever it was, he was perfectly satisfied with his conduct on the occasion; when it was actually in evidence that no interpreter whatsoever was present. Now, said Mr. Sheridan, how I by merely looking into a book, could impute the presence of an interpreter, could calculate the assistance of Major Davy, and could allow the satisfaction conceived by Sir Elijah Impey, are questions which I believe that Gentlemen would be able to determine!

He should admit, however, he said, that Sir Elijah Impey had not strictly attended to forms on the occasion of taking these affidavits; that he had merely directed the Bible to be given to the Whites, and the Koran to the Blacks, and had packed up in his wallet the returns of both without any further enquiry; or that he had glanced over them in India, having previously to that all communication between his eye and his mind; so that no confidant was transferred from the former to the latter; and that he had read them in England, if possible, with less information; however strange these circumstances might be, he would admit them all; he would even admit, that the affidavits were taken and properly taken;—and yet would prove that the affidavits were not sufficient to sustain any particular criminality against those who were the subjects of the present charge.

(Adjourned to Friday.)

LONDON, October 6.

Whether the Kings of Prussia thinks himself at the eve of war, we are not sufficiently in the secret to be able to determine; but thus much we can take upon us to affirm, that he is making preparations which indicate hostilities; orders having actually been issued from the war office at Berlin, for raising two additional squadrons of Uhlans, for every regiment of Hussars in the service, and since June last, no furloughs have been granted to either privates or officers through the whole army.

We have just received advices of the real object of the naval preparations of Spain. A private letter from Algiers says that the Emperor of Morocco is preparing to attack the city with all his land forces, and that he is to be seconded by a Spanish and a French squadron. The latter was met by some merchantmen, sailing to the Mediterranean, to the number of fifteen ships of war, two or three being of the line, and the rest frigates.

This accounts for the hostile preparations that have been going on, for sometime at Tangiers, and were supposed to be directed against England. The Spaniards, who have long been goaded by the Algerines, and have several times attempted to exterminate them, have probably judged the present favourable opportunity the Grand Seignior not being in a condition to succour his vassals.

It would perhaps be a matter worthy the consideration of every power about to engage in war to recollect that the object of its beginning, generally, falls

to the King would allow gentlemen to be of humanity to stimulate their conduct, rather than to sacrifice to the gratification of their this first glory, it might be a large tree, but to their crowns, than all the conquest obtained by rapine and the sword.

Extract of a letter from Amsterdam, Sept. 20. You think in England that tranquility and good order are restored in this city; but I can assure, that you are greatly mistaken. The disputes between the Orange party and the patriots, as they call themselves, are frequent and unquiet; they are animated with an implacable resentment against each other, which flows itself in daily disturbances in the streets and public houses. Government has suspended the liberty of the press, & almost all letters are opened at the post office, this is my reason for sending this by an English sailor, who goes to sea this evening.

A curious correspondence has communicated the following humorous occurrence.—An old maiden lady having taken it into her head that she should die in a few days, gave directions to the sexton of the parish to which she belonged, to dig out a handsome deep grave to receive her body; but before the much apprehended time arrived, she met with a jolly young fellow, who wanted her money, and she was prevailed upon to accompany him to church upon a very different occasion.—The honest sexton happened to be at work on her intended grave as he passed by, when the very gentleman put a guinea into his hand, and requested him to fill it up as judiciously as possible.

BASSATHEURE, October 20.

Extract of a letter from the Mauritius, to a gentleman in London, dated Oct. 22. By authentic accounts from Martinique we are informed, that Count Damas demanded a free gift of the Council, of 500,000 livres for the use of Government. That body being composed of planters, laid it entirely on the commercial people, whom they selected in different classes; the first, consisting of four, to pay 25 Joes each; the second, of which there was a large number, 20 Joes each; and the most inconsiderable shopkeepers, at 10 Joes each. Every thing was not up, but 30 men with fixed bayonets brought them to reason, and the free gift was paid at the point of the bayonet.

Extract of a letter from a gentleman in Virginia, to his friend in New York, dated 3d Nov. 1788. We have a change of Governors, our former one is called home on business so important, that he has taken his passage at this season of the year. Our late one has orders to garrison the island, in the strongest manner possible; not one place is omitted a fortification that is in any way necessary, but for what reason I cannot tell. We have a great quantity of military stores lately arrived, and a greater supply expected, with a number of troops, and three guard-ships of 40 guns each.

NEW-YORK, Dec. 11. Last Sunday two children of Mr. Timothy Bradley of Bradford, being left at home, while their parents were at meeting, an elderly boy about eight years of age, got down a loaded gun, and as he was playing with it, it discharged and killed the other child who was then lying in a bed. The charge was the fore-part of the child's head in a shocking manner, and left the bedclothes on fire. Query, ought a gun to be kept charged except in danger of enemies?

EXTRAORDINARY PRODUCTIONS. Joseph Meill, Esq. of Southampton, prepared a piece of ground the last spring, and sowed it with carrot seed, which yielded at the amazing rate of one thousand bushels per acre, some of which measured nearly a foot and an half in circumference.—The same number of pumpkins, the largest of which weighed one hundred and fifty pounds,—the weight of the whole upwards of three hundred pounds.

S A L E M, December 9. By a friend from Philadelphia, we are informed, of the alarming prevalence of robbery, in that city, to a great degree, that persons and property are exceedingly hazarded in one's passing, in the evening out of the wake of the lamps. One specie of this inquiry, our correspondent assures us of, not less authentic than fogular, is that a gentleman of the city, going farther forward, took with him his wife servant, a late purchased redemptioner; at the inn, where they thought it was time to change situations with his master, and to take his turn to ride, accordingly here he executes his plan, apparently to effect it.—The morning twilight scarce had peeped upon the world, than he familiarly visits the apartment of his master, who, dolefully locked in sleep, never dreamt of the unaccountable honour done him by his servant, who, makes free with his apparel, without any questions, not choosing to disturb his master, but generously left his clothes,

for those he borrowed. Fecipated in a masterly manner, below his buries, orders his horse, his servant was quite tired out, the said and not being able to go on, he would leave him, or dispose of his time. As he wished to be expeditious, and the poor car was near out, it was pity to disturb him, he would part with him as he lay; for a small consideration, and here into the bargain. The matter, as a servant, together with his horse, was absolutely sold deep, and the real servant had departed in triumph. The sequel, certainly, must have been diverting. The host inn hurried to command his new possession, with a comely get you may I what do you say there for? The gentleman was the content, and warm the words exchanged, in vain, for so long time, did the gentleman contend that he was not the servant, and the host's eagerly asserted that he was not the matter. Unhappily, for the gentleman, appearances were against him, and all his eloquence had nearly proved ineffectual to secure the mastery. The host to be sure, produced many arguments, the lively, as one, which played against the stranger, and went of money, a substantial one, equalled all his assertions. But for a gentleman, who just arrived at the inn, indicating the matter, we cannot say how long he would have been created as a servant; and we have never heard that the real servant was to discontinue to return the clothes, and after to redeem his master's horse.

On the day of our late annual thanksgiving, a man in Middlebury took from his neighbour's land the sheep, and dressed it, that he might be enabled to join in the great religious festival. He was suspected, & challenged by the owner with the commission of the deed—which he confessed; and the injury party, considering it rather an unwarrantable liberty, proposed that the matter should be submitted to three reputable neighbours, who should adjudge the delinquent's punishment. This was agreed to, and it was determined, that he should stand at Mr. Eddy's shop, from sunrise to 3 o'clock in the afternoon, with a large sign upon his hand, and inform every passer-by of his crime, and return the fleece (which weighed 4 lbs.) to the owner, and cut 12 cord of wood for him. But thinking the first part of the sentence too severe, it was commuted for flogging one hour upon the signpost, which is nearly 10 feet high, with the leg of mutton as before, which was regularly performed last Saturday week, and the performance of the labour will be thereby required.—The sentence of this Court of Neighbours was highly applauded, and had more salutary effect, perhaps, than whipping and imprisonment.

S P R I N G F I E L D, December 10. We learn from Great Barrington, that the dwelling house of Lieut. Isaac Pixley accidentally took fire on the 3d inst. and was consumed with all the furniture, which was more shocking, as a young gentleman, about 21 years old, perished from the flames, by leaping from a chamber window had her leg broken, and was otherwise much bruised by the fall; it is hoped, however, that she is in a fair way to recover. This truly melancholy accident ought to stimulate all families to the great care of their fires before they retire to rest.

NORTHAMPTON, December 21. On Thursday last the inhabitants of this town assembled for the purpose of choosing a Federal Representative, for the western District, and two Electors, when at the close of the poll, the votes stood as follows:—

For Representative,
The Hon. Theodore Sedgwick, Esq. had 57—William Willams, Esq. 28.
For Electors,
Hon. Elijah Dwight, Esq. and Samuel Hays, Esq. had 58 each—Simon Strong, Esq. 15, Oliver Phelps, Esq. 15.
HATFIELD, for Representative,
Hon. Theodore Sedgwick, Esq. 22, William Willams, Esq. 15.
For Electors,
Hon. Elijah Dwight, Esq. 31, Samuel Hays, Esq. 26, Hon. Jehu Hastings, Esq. 6.
SPRINGFIELD, for Representative,
Hon. Theodore Sedgwick, Esq. 46, Samuel Lyman, Esq. 8, Col. Worthington, 2.
For Electors,
Hon. Elijah Dwight, Esq. 47, Samuel Lyman, Esq. 42, Samuel Hays, Esq. 2.
WEST-SPRINGFIELD, for Representative,
Hon. Theodore Sedgwick, Esq. 25, Dr. Whiting, 3, about 100.
For Electors,
Samuel Lyman, Esq. and one Forbs, about 100 each.
WILLIAMSBURG, for Representative,
William Willams, Esq. had all excepting one.
SOUTHAMPTON, for Representative,
Hon. Theodore Sedgwick, Esq. 30, Hon. Oliver Phelps, Esq. 32.
The State of New-Jersey have made choice of the Hon. WILLIAM PATERSON, and JONATHAN ELMER, Esq. to represent that State in the Senate of the United States.

Commonwealth of Massachusetts.
In Senate, November 19, 1788.

WHEREAS an act passed July the 8th, 1784, directing the Treasurer to receive Continental certificates to a certain amount, under the restrictions therein mentioned; and it having appeared to the General Court at their last sitting, that certificates had been received into the Treasury

to the amount mentioned in the said act; a resolution accordingly passed June 20, 1788, directing the Treasurer not to receive any more indents, (in the said act called certificates) upon any tax prior to tax No. 5; but no provision was made in said resolve for authorizing the Treasurer to receive the said certificates or indents of such Constables, Collectors and Sheriffs, as might have come to the knowledge of the said resolve timely, for a compliance therewith.

Therefore Resolved, That the Treasurer be and he is hereby directed to receive the said certificates or indents of any Constables, Collectors or Sheriffs, received in the collection of taxes by virtue of any law or resolve passed before the said resolve of June 20, 1788, and also such as were received by them respectively before they had knowledge of the passing of the said resolution. Provided, That the said certificates or indents be paid into the Treasury as aforesaid, previous to the first day of February next; And provided also that such Constable, Collector or Sheriff, shall previously make oath before the Treasurer or some Justice of the Peace, that the said certificates or indents were by them respectively received before the passing the said resolve of the 20th of June last, come to their knowledge; and if such oath is taken before a Justice of the Peace, a certificate thereof shall be exhibited to the Treasurer with the said indents or certificates. And the said Sheriffs are directed to receive the said certificates or indents under like circumstances, of Collectors, and Constables, provided the same shall be offered to them before the fifteenth day of January next, and provided also that such Constable or Collector shall make oath as aforesaid; and the Treasurer is directed to receive the same of such Sheriffs, if accompanied with a Certificate, that such Collector or Constable has made oath as aforesaid mentioned.

Sent down for concurrence.
SAMUEL PHILLIPS, jun. President.
In the House of Representatives, November 19, 1788.
Read and concurred,
THEODORE SEDGWICK, Speaker.
Approved.

JOHN HANCOCK.
True copy. Attest.
JOHN AVERY, jun. Secretary.

TAKE NOTICE.
THE Celebration of SAUEL the Evangelist, will be held at Brother ASHBEI PONSEROY'S, on Monday the 29th inst. at 11 o'clock, A. M.
THE Subscriber once more requests all Persons indebted to him for the Hampshire Gazette, to make immediate payment.
ANDREW WOOD.
Dec. 26, 1788.

ALL Persons indebted to the subscriber, are directed to make payment immediately.—Those accounts not settled by the 15th of January next, will be put into the hands of an Attorney to collect.
ELIHU GOODMAN.
Greenfield, Dec. 24, 1788.

TAKEN up by the Subscriber, on the 29th ult. a white heifer, CALF, with a half-penny cut under the side of each ear. The owner is desired to prove his property, pay charges and take her away.
SUPPLY CLAR.

Northampton, Dec. 17, 1788.

C A S H,
And a generous price given, for all kinds of
SHIPPING FURR
and
BEE-SWAX,
by LEVI SHEPHERD.
Northampton, Dec. 1788.

Thomas's Almanack, and Perry's Dictionary, for sale by the Printer hereof.

The Subscribers for Mr. OSTERWALD'S Compendium of Christian Theology, are requested to call for their Books.—A few Copies for sale, by the Printer hereof.