

Mr. BUTLER,

If you think the following worthy the attention of your readers, please to insert it.

A PASTORAL.

In imitation of Pope.

WHEN first the Muse exerts her feeble powers, To sing of madmen or of rapt days, Diff'rance begs her careful steps along, Neither rhyme nor rattle is her song.

In that gay season nature spreads her bloom, And calls her beauties from their wintry tomb; A harmless shepherd chase the fields to stray,

Go gentle gales, convey to Delia's ears, Tell her the spring's return'd, & the flowers appear; The little lillies, that enclose our plain,

Go gentle gales, go tell my lovely fair, The spring's return'd, & the beauty of the year; The willow's clay, and oak, and cutting vine,

Go gentle gales to Delia quick convey, Tell her the fields their verdure now display; The new grown grass with flowers bespangled thro',

Once more ye gales, go tell my lovely friend, The charming spring is drawing to an end; The little fragrances of the waving grove,

But what is this I see?—Oram I blind, Sure this is Delia—O my Delia's hand I find! She's now return'd—return'd the blissful scene,

ELEGY.

WHERE' weeping yews and nodding cypresses wave In awful gloom, around thy mod'ly grave, Let nymphs and shepherds ready tribute bring,

CONSCIENCE.

HOW irrefragable is the power of conscience!—Conscience is a viper, which wrines itself around the heart;—This viper lays flat hold of us,—

What can be a stronger representation of the most lingering and most acute corporeal pains?—Yet from these linear, they must fall greatly short of the anguish of a guilty conscience;

Commonwealth of Massachusetts.

In the year of our Lord, one thousand seven hundred and eighty-six.

An ACT to encourage the Manufacture and Consumption of Strong-Beer, Ale, and other Malt Liquors.

WHEREAS the manufacture of Strong-Beer, Ale, and other Malt Liquors will promote the best purposes of husbandry and commerce, by encouraging the growth of such materials as are peculiarly congenial to our soil and climate, and by producing a valuable article of exportation; and whereas the wholesome qualities of malt liquors greatly recommend them to general uses, as an important means of preserving the health of the citizens of this Commonwealth, and of preventing the pernicious effects of spirituous liquors;

Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That all Brew-Houses, wherein shall be made and produced for sale annually, a quantity of Strong-Beer or Ale, not less than one hundred barrels of thirty one and a half gallons each.

And be it further enacted, That all Brewers or others who shall be owners or occupiers of such Brew-Houses, shall as soon as may be after the passing of this act, and afterwards at least once in every year, produce to the several Justices of the towns and districts wherein such Brew-Houses shall be situate, satisfactory evidence of the quantities of Beer or Ale, made in their said Brew-Houses respectively, for one year then next preceding, in order that they may have the benefit of the exemption aforesaid.

In the House of Representatives, June 22, 1789. This bill having had three several readings passed to be enacted. DAVID COBB, Speaker.

In SENATE, June 22, 1789. This bill having had two several readings passed to be enacted. SAMUEL PHILLIPS, jun. President. Approved—JOHN HANCOCK. True copy. JOHN AVERY, jun. Secretary.

Commonwealth of Massachusetts.

In the Year of our LORD, one thousand seven hundred and eighty-six.

An ACT authorizing the settlement of the claims of Executors and Administrators, in the Probate Court, by Referrees.

WHEREAS Executors and Administrators, having claims against the estate of their testator or intestate, cannot commence and prosecute an action at law for the determination thereof, and it may tend to the furtherance of justice, as well as the satisfaction of the parties interested, to have the same determined by Referrees mutually chosen and appointed in the Probate Court;

Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That when any Executor or Administrator shall exhibit a claim in writing against his testator or intestate, to the Judge of Probate, having cognizance thereof, for allowance, and the same shall be disputed by any person interested adversely in the allowance thereof, it shall be lawful for the said Executor or Administrator, and the legatees or heirs whose interest will be affected by the issue thereof, to submit the determination of such claim, to Referrees, who may be mutually agreed upon by the parties interested; and the Court of Probate before whom such submission is made, may receive, approve and allow the report of such Referrees made in writing pursuant to the submission, and decree accordingly; Provided the submission be made in writing, and signed by all the parties interested therein, or their Agents duly authorized thereunto, and when any of the parties are minors, by his or their guardians duly nominated and appointed.

And be it further enacted, That when a dispute shall arise respecting the occupation, use and improvement of real estate in the hands of the Executor or Administrator, and the quantum be ought to credit in his account therefor, it shall and may be lawful for the Judge of Probate to appoint three disinterested persons, sitting near to the estate, to ascertain the true value thereof; and the report of them or the major part of them, made thereupon in writing, after hearing the parties, & accepted by the Judge, shall be the sum the Executor or Administrator shall be charged with in his account, and no more.

In the House of Representatives, June 22, 1789. This bill having had three several readings, passed to be enacted. DAVID COBB, Speaker. In SENATE, June 22, 1789. This bill having had two several readings, passed to be enacted. SAMUEL PHILLIPS, jun. President. Approved—JOHN HANCOCK. True Copy. Attest. JOHN AVERY, jun. Secretary.

A REMARKABLE INSTANCE.

MANLY.

A Native of Holland, who had lived from his early youth a rural life, in the Dutch Colony of the Cape of Good Hope, happened to be on board, on the coast, at the very point of time when a vessel was shipwrecked by a dreadful tempest; the greater part of the crew perished in the waves; the remainder, struggling with death on the flattering plank, that still floated on the surface of the water; no boat could be sent out in such a severe storm for the deliverance of these poor people: The humane and intrepid Hollander undertakes to save them: He blows bravely into the nostrils of his horse, and fixing himself firmly on his stirrups, he plunges into the sea, and gaining the wreck, brings back to the shore two men of the crew, each of whom held by his foot. In this manner he went and returned seven times, and thus saved fourteen of the passengers. But the eighth time (and here the generous heart must fail) on his return a rapid and immense surge, overtook his horse; the heroic rider lost his feet, and was swallowed up with the two unfortunate victims he was endeavoring to snatch from death. What exert could be more glorious than that of this yeomanly man. We celebrate the Chiefs who expired in the field of battle among the victims they had been rescuing; and if their motives were just and spirited, let them have their glory; but we cannot help contemplating with a more pleasing kind of admiration the intrepid man, dying in an attempt to save his fellow creatures from destruction.

TO BE SOLD, At Publick Vendue,

ON Thursday the 3d day of September next, Sunday Lots of Land, in the Town of Colrain, in the County of Hampshire, agreeable to the Order of the Superior Judicial Court, belonging to the Estate of Josiah Winslow, of Bolton, deceased. Sale to be held at the house of Mr. Robert Miller, Innholder in said Town of Colrain, at Twelve of the Clock at Noon on said day. HUGH McCALLAN, Attorneys to the Admors. JAMES STEWART, Auctioneers to said said Colrain, July 20 1789.

To the honorable the Justices of the Supreme Judicial Court holden at Springfield, within and for the County of Hampshire, on the fourth Tuesday of September, one thousand seven hundred and eighty eight.

THE petition of Prudence Farnam, of West-Springfield, in the County of Hampshire, and Commonwealth of Massachusetts, wife of Josiah Farnam, judge of said West-Springfield—Humbly Sheweth—

That on the twenty-sixth day of January, in the year of our Lord, seventeen hundred and seventy four, that she was married to the said Josiah, and lived with him as his wife almost ten years, and had within that time five children by him—That about five years ago the said Josiah left your petitioner and went out of this State, and cohabited with one Rebecca Cud, a woman of bad fame, with whom he has lived as with a wife, and by whom he has had one or more children, and thereby hath been guilty of adultery and broke the marriage covenant on his part—That he left your petitioner in a poor and distressed condition, with the care of three small children, without any sufficient means for their support—That your petitioner never has cohabited with the said Josiah for more than five years last past—That the said Josiah has lately returned into this State, and made a violent and dangerous assault on the body of your petitioner, and will continue to utter many and grievous threatenings of personal abuse and violence against your petitioner, thereby putting her in great fear and distressing anxiety—

Your petitioner therefore humbly requests the aid and assistance of your Honours, and humbly prays that she may be divorced from the bond of matrimony with the said Josiah, and as in duty bound she will ever pray.

PRUDENCE FARNAM. West-Springfield, Sept. 22, 1788.

IN the Supreme Judicial Court at Northampton, on the last Tuesday of April, 1789.—ORDERED.—That the libellant notify the adverse party, Josiah Farnam, jun. of this libel, by serving him personally with an attested copy hereof, and this order thereon, or by causing the same to be published in the Northampton newspaper four weeks successively, the first publication to be made sixty days at least prior to the fourth Tuesday of September next, that the said Josiah Farnam, jun. may appear before this Court, at the next session thereof, to be holden at Springfield, within and for the County of Hampshire, on the fourth Tuesday of September next, and then cause wherefore the bonds of marriage hitherto entered into between him and the said Prudence Farnam not to be dissolved. Attest. JOHN TUCKER, Clerk.

All Persons indebted to the Printer hereof, are requested to make immediate payment.

HAMPSHIRE GAZETTE.

WEDNESDAY, AUGUST 12, 1789.

NORTHAMPTON, (MASSACHUSETTS) Published by WILLIAM BUTLER.

Proceedings of Congress.

In the HOUSE OF REPRESENTATIVES of the UNITED STATES.

TUESDAY, July 11.

THE enrolled bill to regulate the collection of duties on goods, wares and merchandise imported into the United States, was read—after which the House proceeded to fill up the blank. Among others the following:

Table listing duties on various goods: The pound sterling of Great Britain, 4 1/2; The live tonnois of France, 19; The ton, or guilder of the United Netherlands, 39; The mark banco of Hamburg, 33 1/2; The six dollar of Denmark, 1; The six dollar of Sweden, 1; The rouble of Russia, 1; Real plate of Spain, 10; The milree of Portugal, 1 1/2; The pound sterling of Ireland, 4 1/2; The tale of Cuba, 1 1/2; The rupee of India, 1 1/2; The rupee of Bengal, 1 1/2; And all other currencies in value as near as may be to the said rates.

All duties to be paid in gold and silver. The gold coin of France, Spain, England and Portugal, & other gold coin of equal fineness, to be valued at 109; The Mexican dollar, 111; The crown of France, 111; The crown of England, 111; And all other silver coin of equal fineness, 111 cents per oz.

The blanks being filled—the question, shall the bill pass? was carried in the affirmative. Mr. Fitzsimons introduced a motion, that leave be given to bring in a bill to provide for the government of the Western territory agreeably to the acts and ordinances of the late Congress. This motion was adopted, and Mr. Fitzsimons, Sedgwick, and Brown, appointed as the Committee. Another motion was then made by Mr. Fitzsimons, that a committee be appointed to bring in a bill providing for the settlement of accounts between the United States and individual States, agreeably to the acts and ordinances of the late Congress. This was also agreed to, and Messrs. Baldwin, Sturgis and Smith, (of N.C.) appointed as the Committee.

WEDNESDAY, July 15. The House took up the subject of the contested election of New-Jersey—and after a long time being spent on the subject, the Committee were directed to obtain proof of the facts stated in the petition, in such manner as they should deem expedient.

THURSDAY, July 16. Mr. Baldwin of the committee appointed to prepare a bill, providing for the settlement of accounts between the United States and individual States, brought in a report: This bill provides for establishing a board of three commissioners, whose decision is to be final and laid on the table.

COMPEMATIONS. The report of the committee on compensations was next taken into consideration. On filling up the blank in the article which provides compensation for the services of the President; a lengthy conversation ensued. Mr. Sherman suggested the expediency of referring the subject to a committee, which should consist of a member from each State.

Mr. Sherman proposed that the blank should be filled up with 18,000 dollars; he observed, that the expense of the President of the late Congress, amounted upon an average to about 13,000 dollars; he adverted to the difference of the charges of living as the present laws compared with what they were formerly, he said laws in favour of a generous and competent allowance.

Mr. Tucker proposed that 25,000 dollars should be the sum for the first year, and 15,000 for each of the three succeeding years; he proposed that this mode would be agreeable to the constitution, provided the whole sum was voted at once, and he conceived there

was a propriety in making the grant for the first year, larger than for the following; the average would be about the sum mentioned by the gentleman from New-Hampshire.

Mr. Stone said, that he supposed that 25,000 dollars would be as small a sum as would answer, and in case that sum was agreed to, the executive would be less expensive to the people, than that of any similar government in the world; and if it is considered that the unavoidable expenses will be great, and that the President will require the assistance of two or more Secretaries to discharge his high and important trust, and that it cannot be expected that persons in such a station, should be in fringed or dependent circumstances, this sum will not be found to exceed—besides it is a maxim of sound policy, that executive officers should be independent.

Mr. White: Sir, I do not say that 25,000 dollars will be enough—or that it is not sufficient—but in order to determine what will be right, I should be glad to know in what style it is expected the President should live? If a style of magnificence and splendor is to be adopted, this sum will be too small; it will be extremely difficult to determine upon a proper sum until this is known.

Mr. Baldwin gave an account of the different ideas of the gentlemen who were upon the committee, by which it appeared, that the sum in the report was nearly an average of their respective ideas upon the subject: He observed that the sum was adopted with some reference to the character which now fills the chair, and the committee thought it would be perfectly safe rather to exceed, than fall short of the amount which might be requisite.

Mr. Boudinot made some similar observations with some enlargement, and added that he would rather be for increasing than diminishing the sum.

Mr. Vining said, that the committee had no documents on which to form a judgment—they had no light to guide them—they could not determine what an allowance that foreign ministers might be sent to this country, nor what expenses the President must necessarily incur upon that account, to support the dignity of the States: He observed, that there are cases in which generosity is the best economy, and no loss is ever sustained by a decent support of the chief magistrate: There is a certain appearance of external dignity and parade, which is necessary should be kept up. Did I represent a larger state (said he) I would speak with more confidence on this occasion—the ghost of poverty haunts us—We are stung with the cry of the poverty of the State;—But under the auspices of an energetic government, our funds will be established and increased; and I doubt not they will be found sufficient for all the purposes of the union—We ought not to confine our calculations to the present moment. If gentlemen will contend that we are not able to support the government in a proper style, why there is an end of the matter;—We should remember that the present is the time of organizing the government, and that a lengthy deliberation and investigation are requisite; & the amount of the civil list will be thereby increased, but in future the sessions will be short, and the burthen of expense greatly diminished. He said he was a great admirer of a reduction of the sum; he had always supposed it too small, and should rather propose to fill the blank with 30,000 dollars.

Mr. Page observed, that 30,000 dollars had been mentioned—He thought that would be an adequate sum; but not for the purposes of pomp and parade—These, he said, are entirely out of the question—He had made a calculation upon the probable expenses, and found that exclusive of the dignities and pageantry which form a part of this sum would be sufficient—He therefore moved, that the blank should be filled with 30,000 dollars.

The vote being taken on Mr. Page's motion, it passed in the negative.

It was then moved that the blank should be filled with 25,000 dollars—which was carried by a large majority.

Upon the clause in the report to allow the Vice-President 5000 dollars per ann. a debate ensued. Mr. White said he did not find any thing in the constitution authorizing a salary to that officer: He therefore moved that the sum should be struck out, and the clause so amended, as that the Vice-President should receive daily pay as President of the Senate, in which capacity alone, Mr. White further observed, services could be exacted from him—and he did not think they could consistently vote an allowance but for services actually performed.

Mr. Page said that he rose to second the motion of his colleague: but from quite opposite principles—He thought 5000 dollars he struck out as too small a sum—He could not see the propriety of mak-

ing too great a difference between the first and second magnitude—He therefore moved that 5000 be struck out in order to infer 10000.

Mr. Sedgwick observed, that the principles on which the motion of Mr. White was founded, did not appear to him to be just—The pay of the members is per diem, because they are together only for a time: The Vice-President is an officer by the constitution, who in case of accident is to take the chair, and is to reside at the seat of government; from which it appears necessary that he should receive a permanent salary.

Mr. Seney said, that by the constitution, compensation is to be made for services performed. The Vice-President may absent himself during the whole time—I am for giving him a handsome allowance while employed; but I think he ought to be paid per diem. Mr. Sherman adverted to the circumstance of Lieut. Governors receiving salaries in the several States, where such officers are appointed; and in this view the grant to the Vice-President is agreeable with the practice of the States individually—it appeared to be necessary also that such an officer should be taken care of from all other business.

Mr. White: Sir, the constitution has not pointed out the Vice-President as an officer to be provided; for it says, the President shall have a fixed and permanent compensation for his services, but is silent as to the Vice-President. We are not authorized to institute salaries for any man—Whether the Vice-President may or may not pursue any other business, I will not pretend to determine—He may, however, absent himself from the public service, and what can call him to account—the Constitution being silent, I think we may not establish a precedent—As to the Lieutenant-Governors of the States, some of them do not receive any thing.

Mr. Addison did not agree with his colleague—He said the Vice-President ought to be placed in such a situation that the States may always be able to command his services.—The Vice-President may be taken from the extremity of the continent. If he is to be considered as the apparent successor to the President in case of accident, it will be necessary he should withdraw his attention from all other pursuits. It is generally true, that pay should be for the time during which services are performed; but it is not universally the case; the Judges of the Courts will not be always employed; but they will be entitled to constant pay.

Mr. Ames observed, that the Vice-President's acceptance of his appointment, is a renunciation of the common modes of obtaining a livelihood. When a man is taken from the mass of the people for a particular office, he is entitled to a compensation from the public. During the time in which he is not particularly employed, he is supposed to be engaged in political research, for the benefit of his country.

Every man who holds by the Constitution to be chosen to this office; but if a competent person is not allowed, the choice will be confined to an ignorant character—this is an anticonstitutional idea, and contravenes the spirit of the Constitution.

Mr. Seney: This, Sir, is a subject of a delicate nature, and rather disagreeable in its discussion, but I consider it my duty to express my sentiments freely upon it—I have heard no arguments to convince me that the Vice-President ought to receive an allowance any more than the other members of the legislature—He cannot be compelled to perform any duty—This is an important subject, and ought to be maturely considered, as much depends on the decision which will now take place.

Mr. Burke said, that the embarrassed situation of our finances was such, as to put it out of our power to give such ample salaries as weight in difficult circumstances think necessary—That the Vice-President should receive a compensation as the second officer of the government is but reasonable—he will be obliged to support an appearance by living at the seat of government, which will subject him to extra expense. Mr. Burke further observed, that the sum proposed might not be fully sufficient, but it was as much as we could afford at the present moment.

Mr. Ames replied to the observations of Mr. Seney, and pointed out the difference between the situation of the Vice-President and the members of the legislature.

Mr. Sedgwick added some remarks of a similar import, and further said, it was necessary that the members of the House should return and mix with their constituents, in order to learn their sentiments, their feelings, and to witness their situation and wants; and consequently they may resume their occupations; but with respect to the Vice-President, his acceptance must be considered as an abandonment of every other pursuit; he must reside at the seat of government, and