COMMONWEALTH *of* MASSACHUSETTS.

In the year of our Lord, one thousand seven hundred and ninety-two.

An ACT to incorporate sundry Persons by the name of the President and Directors of the UNION BANK.

(Concluded from our last.)

THIRTEENTH. The Cashier, before he enters upon the duties of his office, shall give bond, with two or more sureties, to the satisfaction of the Board of Directors, in a sum not less than *twenty thousand dollars*, with condition for the faithful discharge of the duties of his office.

Fourteenth. All bills issued from the Bank aforesaid, and signed by the President, shall be binding on said Corporation, but it shall not be lawful for them to issue any bills of a less denomination than *five dollars*.

Fifteenth. The Directors shall make half yearly dividends of all the profits, rents, premiums and interests of the Bank aforesaid.

Sixteenth. The Directors shall have power to appoint a Cashier, and such other Officers and Clerks, for carrying on the business of the Bank, with such salaries and allowances as to them shall seem meet.

Seventeenth. No loans shall be made by the Directors of said Corporation, for the use, or on account of any foreign Prince or State, unless previously authorized by a law of the Commonwealth.

And be it further enacted by the authority aforesaid, That whenever the Legislature shall require it, the said Corporation shall loan to the Commonwealth, any sum of money not exceeding *one hundred thousand dollars*, reimbursable by five annual installments, or at any shorter period, at the election of the Commonwealth, with the annual payment of interest, at a rate, not exceeding *five per centum* per annum; *Provided however*, That the Commonwealth, shall never at any one time stand indebted to said Corporation, for a larger sum than *one hundred thousand dollars*.

And be it further enacted by the authority aforesaid, That the principal seat of said Bank, shall be in the town of *Boston*, or in such other place within this Commonwealth, as the Stockholders shall direct; but the Directors may at any future period, establish offices for the purpose of loans, discounts, and deposits, in such other towns within this Commonwealth, and commit the management thereof, to such persons, and under such regulations as to the Directors shall seem proper, and advisable.

And whereas it is repugnant to the principles of a free government, that the property of any of its citizens should be placed out of the reach of their just creditors:

Be it further enacted by the authority aforesaid, That the property of every individual member of said corporation, vested in said corporate funds, shall be liable to attachment, and to the payment and satisfaction of his just debts, to any of his *bona fide* creditors, in manner following, viz. In addition to the summons by law prescribed to be left with the debtor, a like summons shall be left with the Cashier of said Bank, and the debtor's shares in the said corporate funds, together with the interests, rents and profits due and growing due thereon, shall hereby be held to respond said suit according to law; and all transfers of the debtor's shares, not noted in the Bankbooks, previous to the delivery of such summons, shall be barred thereby; and execution may be levied upon the property of any Stockholder in said Bank, and his shares therein be exposed to sale, in the same manner as is by law provided, where personal estate is taken into execution; and it shall be the duty of the Officer who extends such execution, to leave an attested copy thereof, with his doings thereon, with the Cashier of said Bank, and the purchasers shall thereupon be entitled to the reception of all dividends and stock, and to the same privileges as a member of said Corporation, that the debtor previously was entitled to; and upon any attachment being made or execution levied on any shares in said Bank, it shall be the duty of the Cashier of said Bank, to expose the books of the Corporation to the Officer, and to furnish him with a certificate under his hand in his official capacity, ascertaining the number of shares the debtor holds in said Bank, and the amount of the dividends thereon due.

Be it further enacted by the authority aforesaid, That any Committee, specially appointed by the Legislature, for the purpose, shall have a right to examine into the doings of said Corporation, shall have free access to all their books; and if upon the report of such Committee, it shall be found, and after a full hearing of said Corporation thereon, be determined by the Legislature, that said Corporation have exceeded the powers herein granted them, or failed to comply with any of the rules, restrictions and conditions in this act provided, their incorporation shall thereupon be declared forfeited and void, and the same, shall be announced by proclamation from the Supreme Executive authority of the Commonwealth.

And be it further enacted, That this Commonwealth, shall have a right to be interested in the said Bank, in a proportion, not exceeding one third of the whole amount thereof, including the sum which may be subscribed by the said Commonwealth, on such terms and on such conditions, and under such regulations as the Legislature shall hereafter determine. *Provided always*, That the profits of the said Commonwealth, shall be in proportion to their deposits.

And be it further enacted by the authority aforesaid, That the persons herein before named, or any three of them, are authorized and directed, to call a meeting of the Members and Stockholders of said Corporation as soon may be, in *Boston*, by advertizing the same, for three weeks successively in the *Independent Chronicle*, for the purpose of their electing a first Board of Directors, who shall continue in office, until the first Monday of October, one thousand seven hundred and ninety-three, that said Corporation may take effect as soon as may be.

In the House of Representatives, June 22, 1792.

This Bill having had three several reading, passed to be enacted.

DAVID COBB, Speaker.

In Senate, June 22, 1792.

This Bill having had two several readings, passed to be enacted.

SAMUEL PHILLIPS, President,

By the Governor APPROVED:

JOHN HANCOCK.

A TRUE COPY—ATTEST

JOHN AVERY, jun. Secretary.

Baldwin & Storrs,

MOST respectfully inform their Customers and the Public in general, that they have formed a Partnership under the firm aforesaid, and that they improve the Shop lately occupied by *STILES & BALDWIN*, nearly opposite the Meeting-House Northampton:—Where Clock and Watch making and repairing is performed in its various branches, such as Chime Clocks to go with springs or weights, Spring Quarter Clocks, Clocks which exhibit the Moon's age, with elegant China Faces, common eight Day Clocks with or without an Alarm, thirty hour Clocks, also, a variety of timepieces, warranted Watches which shew the day of the Month, plain do. —— Surveyors Compasses, Chains, Protractors, Scales and Dividers—All kinds of Silver Smith and Jewellers work, such as Spoons, mounting of Swords, Buttons, Goldbeads, enameled mourning rings, Garnet rings, Earrings, Silver and plated Buckles agreeable to the newest patterns, they have a new fashion for Buckles from Newyork, superior to paste, for beauty and strength. They have just Received from New-York an elegant assortment of Goods in their way of business, among which are the following, viz. Dial Plates, main springs, Fusee chains, Crystals, Chains, Seales, keys, Tinkers, &c. which they will sell by the doz. or single. A few English Warranted Watches, gilt Neck buckles, Locket and Breast pins, Silver and gilt Thimbles, Chapes and Tongues, Plated Spurs, Penknives, Scissors, together with a good assortment of fashionable Buckles.

N. B. CASH given for old Gold, Silver, Brass and Copper. Wanted at the above business a good JOURNEYMAN, one that is master of the clock-making business. NORTHAMPTON, JULY 4, 1792.

R A G S.

CASH, and a generous price given for clean cotton and linen RAGS, at this Office. *A penny saved is as good as a penny earned.*

SETH WRIGHT,

Has just imported from London, a general assortment of

HARD WARE,

consisting of the following articles, viz.

AN assortment of the best of London Pewter, Brass Kettles, Warmingpans, Steel plate Handirons, Iron do. Tenant do. Flat and half round Files, of different sizes, Handsaw do. Sadirons, Knives and Forks of different kinds, Shears, Steel Compasses, Brass and Locks, of different kinds and sizes, Brass-cocks, Brass Spring, and other Chest Locks, Shoe Pincers, Nails and Knives, Table Catches of different kinds, Door handles and Escutcheons of different kinds and sizes, Brass Knobs, Press and Iron table Butts, Hammers, Cuttoes and Pen Knives of different kinds, Candlesticks, A variety of Buttons, and Shoe Buckles, Snuff-boxes, Spectacles, Screws of different Sizes, Brass and Iron Desk Locks, Brass and Iron-headed Shovel and Tongs of different sizes, an assortment of Saddler's Ware, consisting of two and three Barr'd Stirrop Irons, Swivels, Women's do. Snaffle Bitts, of different kinds and sizes, Hunting and Pelham do. White Setts of different kinds, Flat Setts, Common head and throat Buckles, Silver Buckles and Tips of different kinds and sizes, Black Girt Buckles, Silver wash'd & plated Spurs of different kinds, Steel do. Saddler's Hammers and Punches, with

PAINTER's COLOURS.

Consisting of White and Red Lead, Yellow Ochre, Spanish Brown and Spanish White, &c.—Also, a quantity of 8 by 6 and 9 by 7 Window-Glass—Also has lately received an assortment of

G O O D S

from N. York, which together with those he had on hand will make as complete an assortment as can be found in any Country Store, which he will sell at a small advance for cash, he also shall dispose of the above goods for most kinds of Country produce or approved credit as usual.

Northampton, July 18, 1792.

P R O P O S A L

FOR PRINTING BY SUBSCRIPTION

A VOLUME OF

S E R M O N S,

Designed for the promotion of CHRISTIAN KNOWLEDGE AND PIETY in general, and FAMILY RELIGION and YOUTHFUL VIRTUE in particular.

By JOSEPH LATHROP, D. D.

Pastor of the First Church in W. Springfield.

On the following, with some other subjects.

GOD glorified in creation.
God working, not for our sakes, but his name sake.
The work of redemption marvellous, but divine.
Shepherds glorifying God for the birth of a Saviour.
Children in the temple praising the Redeemer.
John leaning on Jesus' bosom.
The spectators of the crucifixion smiting their breasts.
God's wisdom, as King of saints, great and marvellous.
God glorified in the punishment of sinners.
Jesus rising early, for secret prayer.
The obligations to family prayer—and to morning and evening prayer.
A Christian family helping their minister.
Early religion.
Samson shorn of his locks.
The Kingdom of God without observation.
Innumerable gone to the grave, and every one drawing after them.

CONDITIONS.

I. The work will contain between 3 and 400 pages octavo; it will be printed with an elegant type, on good paper, and will be neatly bound and lettered.

II. Price to subscribers will be Six Shillings each volume; to non-subscribers Six Shillings and Four Pence.

III. No money to be paid until the work is finished.

IV. The work will be put to the press, as soon as proper volumes are subscribed for.

V. They who subscribe for 6 volumes, shall have one gratis.

VI. Punctual payment is expected from every subscriber, as soon as the books are ready to be delivered.

* * Subscriptions are received at this Office, and by a number of gentlemen in this State.

Springfield, July 1792.

Joseph Clapp, Jun.

HAS just received a large and beautiful assortment of ENGLISH and INDIA GOODS, consisting of a large variety of Calicoes and Chintzes, White India Rum, Crosscut Saws, Steel Plate do. Will receive in addition, in a few days, W. I. and N. E. Rum, Wine, Brandy, Frying pans, Allum, Copperas, Rice, Raisins, &c. &c.

N. B. Most kinds of Country produce received in payment.

Northampton, July 2, 1792.

Andrew Wood, (Post-Rider)

INFORMS his Customers, that Number Two is completed his quarter,—He therefore requests all those that are indebted, to make immediate payment.

July 25, 1792.

Hampshire Gazette.

NORTHAMPTON, (*Massachusetts*) PRINTED AND PUBLISHED BY WILLIAM BUTLER.

Vol. VI.] WEDNESDAY, AUGUST 1, 1792. [NUMB. 309.

COMMONWEALTH *of* MASSACHUSETTS.

In Senate, June 30, 1792.

WHEREAS in providing for an equal representation of this Commonwealth in the Congress of the United States, regard is to be had, as far as may be, to the local circumstances and usages of the citizens, and to the residence of those who may become Representatives, to the end that a knowledge and confidence in the measures of the General Government may be diffused through this Commonwealth,

Resolved, That the fourteen Representatives apportioned to this Commonwealth, and to be returned therefrom, to the next Congress of the United States, shall be chosen by the inhabitants of this Commonwealth, qualified to vote for Representatives to the General Court, duly assembled in their respective towns and plantations; —— and for that purpose, that the said Commonwealth be, and the same is hereby divided into four districts, in the manner following, viz.

The first district shall consist of the counties of *Suffolk*, *Essex*, and *Middlesex*, and shall be entitled to choose four Representatives, of whom one at least, shall be resident in each of those counties.

The second district shall consist of the counties of *Hampshire*, *Worcester* and *Berkshire*, and shall be entitled to choose four Representatives, of whom one at least, shall be resident in each of those counties.

The third district shall consist of the counties of *Plymouth*, *Bristol*, *Barnstable*, *Duke's County*, and *Nantucket*, and shall be entitled to choose two Representatives, one of whom shall be resident in *Bristol*, *Duke's-County* or *Nantucket*, and the other in the other part of the said district.

The fourth district shall consist of the counties of *York*, *Cumberland*, *Lincoln*, *Hancock* & *Washington*, & shall be entitled to choose three Representatives, one of whom shall be resident in the county of *York*, one in *Cumberland*, and one in the other part of said district. And the first, second and third districts shall be equal in the choice of one Representative.

And be it further *Resolved*, That the Selectmen of the several towns, and districts within this commonwealth, shall in manner as the law directs for calling town meetings, cause the inhabitants of their respective towns and districts, duly qualified to vote for Representatives in the General Court of this Commonwealth, to assemble on the second day of *November* next, to give in their votes for their respective Representatives to the Selectmen, who shall preside at said meeting; and the Selectmen or the major part of them, shall in open town-meeting, sort and count the votes, and shall form a list of the names of the persons voted for, with the number of votes for each person, set against his name, expressing the county or counties, district or districts, for which he may have votes; and the Town-Clerk, shall make a record thereof and the Selectmen shall make public declaration in town meet of the names of the person voted for, and of the number of votes they respectively have; and shall in open town-meeting seal up said list, certified by the Selectmen, and transmit the same within ten days next after such meeting, to the office of the Secretary of this Commonwealth, or to the Sheriff of the county in which such town lies, who shall transmit the same to the Secretary of this Commonwealth, on or before the fifth day of *December* next. —— And the Secretary shall lay the same before His Excellency the Governor and Council; and in case of an election for any district, of one or more persons, by a majority of all the votes returned from such district His Excellency the Governor is hereby requested forthwith, to transmit to the person or persons so chosen, a certificate of such choice, signed by the governor, and countersigned by the Secretary.

Provided Nevertheless, That such towns and districts as lay within any county, in which there is no Sheriff, shall return such list to the Secretary's office, in the same term of time as Sheriffs are required to do it. And in case of the election, of any or all the persons not being effected by a majority of all the votes in any district, His Excellency the Governor is hereby requested to cause precepts to issue to the Selectmen of the several towns and districts, in such district, directing and requiring such Selectmen to cause the inhabitants of their respective towns and districts as aforesaid, to assemble as aforesaid, on a day in such precept to be appointed, to give in their votes for such Representative or Representatives in Congress as aforesaid, as shall remain to be chosen; which precept shall be accompanied with a list of persons voted for in such district, shewing the number of votes for such person according to the first return: and the same proceedings shall be had thereon, in all respects, as is before directed in this resolve: And the Selectmen shall make return to the Secretary of this Commonwealth, or to the Sheriff, in manner as aforesaid, within ten days next after such meeting: And the Sheriff shall make return to the Secretary's office, on or before such day as His Excellency the Governor shall appoint in such precept: and the Secretary shall lay the same before His Excellency the Governor and Council; and His Excellency the Governor is hereby requested to cause the person or persons who shall be chosen as aforesaid, to be served with a Certificate thereof as aforesaid; and the same proceedings shall be again had, in case any district should fail of completing the choice of their Representative—and His Excellency the Governor is requested to issue his precept accordingly, to the Selectmen of those towns and districts of such districts where the choice of Representatives shall not have been completed; and like proceedings shall be had, as often as occasion may require.

And it is further *Resolved*, That if in the process of such election, after a second trial therefor, any Representative or Representatives shall remain to be chosen in any district, the Governor with the advice and consent of Council, shall declare and publish to such district, the persons who shall have had the greatest number of votes in the last preceeding returns, being double the number of the persons to be elected in such district, if so many there be, and those persons only shall be candidates in the next election.

And each voter in the first and second districts, shall give in his vote for an inhabitant in each county in his district, and also for an inhabitant of any part of such district; and also another vote for an inhabitant of any part of the first, second or third district:—And such voter in the third district, shall give in his vote for an inhabitant of the county of *Barnstable*, *Duke's County*, or *Nantucket*; and also another vote for an inhabitant in the county of *Plymouth or Barnstable*; and also another vote for an inhabitant of any part of the first, second or third district.

And each voter in the fourth district, shall give in his vote for an inhabitant of the county of *York*, and also a vote for an inhabitant of the county of *Cumberland*; and also another vote for an inhabitant in the county of *Lincoln*, *Hancock* or *Washington*. And if it shall so happen, that any person shall have a majority of all the votes in the first, second and third districts, and also a majority of votes for any district or part of a district, such person shall be taken to be the Representative for the three districts, and the district in which he shall be an inhabitant, shall be called on to make another choice for such district: And in case it should so happen, that no person shall have a majority of all the votes of the first, second and third district, His Excellency the Governor is hereby requested to publish to such districts, the name of the person of each district, who shall have had the highest number of votes in such district, as Representative for said three districts in the preceeding election, and shall not have been chosen Representative for such districts; and those three persons only shall be candidates for a Representative of the said three districts at the next election: And the same proceedings, as near as may be, shall be had for the purpose of choosing a Representative, for the said three districts collectively, as are herein before provided for choosing Representatives for any particular district, where such choice shall not have been completed in a former election.

And be it further *Resolved*, That if the Selectmen, of any town or district, shall neglect to transmit to the Sheriff of the county to which they belong, the list of votes, as by this resolve they are directed, in every such case it shall be the duty of such Sheriff, either by himself or his Deputy, to repair to such Selectmen, and receive of them such list; and such Selectmen shall jointly and severally, be holden to pay to such Sheriff, the same fees as are by law allowed for travel, in cases of civil process. And such Sheriff, shall return such list to the Secretary's office, as is before directed in this resolve: And it shall be the duty of the Sheriffs in the respective counties, on their receiving this resolve or any precept from His Excellency the Governor, for the purposes mentioned in this resolve, to transmit the same seasonably to the Selectmen of the several towns and districts within their respective counties, to whom they are respectively directed:—And the Sheriffs shall be entitled to receive out of the treasury of this Commonwealth, the same fees for transmitting this resolve, and the precepts aforesaid, as they are allowed by law for dispersing Proclamations; and the same fees for returning the votes as aforesaid, as are allowed by law, for returning the votes for Governor, Lieutenant Governor and Senators of this Commonwealth.

And be it further *Resolved*, That each Sheriff who shall neglect to perform the duties, which by this resolve he is directed to perform, shall for each neglect forfeit and pay to the Commonwealth, a sum not exceeding *one thousand pounds*, to be recovered by bill, plaint or information in the Supreme Judicial Court in the county to which such Sheriff belongs. And it shall be the duty of the Attorney General, to prosecute for all breaches of this resolve;—And if any Selectmen shall neglect to perform the duties, which by this resolve they are required to do, the Selectmen so neglecting, shall severally forfeit to the Commonwealth, a sum not exceeding *thirty pounds*, nor less than *twenty shillings*, to be recovered as aforesaid.

And the Secretary is hereby directed to transmit seasonably to the Sheriffs of the several counties in this Commonwealth, copies of this Resolve for the Selectmen of the several Town and districts in such counties respectively, to be by said Sheriffs, transmitted to the said Selectmen accordingly.

[This Resolve was concurred in the House, June 30, and approved by the Gov.]

A true Copy. Attest,

JOHN AVERY, jun. Secretary.

On the use of Oxen instead of Horses.

(From CATHARINE PHILLIP'S TRAVELS through ENGLAND.)

I WILL venture to recommend, as tending to reduce the high prices of provisions, the more general use of oxen for tillage, and even drawing of carriages, rather than for many horses. So much has already been written on the subject, as to demonstrate that it would be greatly to the advantage of farmers to till their land with oxen. I can see no reason for their giving the preference to horses, but that they do the work quicker; and if they would try oxen in the traces, instead of putting them under the yoke, perhaps that excuse would fail them. They will go heavier, faster, and I think, draw a greater burthen; and on public roads this method must be far preferable to yoking them. I have seen a waggon drawn by six or more oxen in the traces, and was told, the owner of them much preferred that method to the yoke; that they went employed in carriage as well as tillage, and that they drew his waggon loaded from his house to Exeter, which is full 17 miles, and returned again in a day.—Prodigious weights are drawn and even carried by the animals in countries wherein they are generally used. And I doubt not if farmers and waggon keepers would thoroughly try the before mentioned method, but much of our carriage as well as tillage might be done by oxen; whereby the prices of beef, tallow, leather, &c. might be reduced.

It appears to me probable, that an improvement upon the method used for drawing with horses in traces, might be made for oxen. As much of the strength of the ox is supposed to lie in its neck, which I conclude to be the reason for its being subjected to the yoke, might not an additional collar, perhaps belt made of coarse linen, wherein a cord or light chain might be fastened, and that again fastened to the carriage or plough, in the manner the Laplanders attach their rein deer to their sledges, to tend to keep down the neck of the ox, as that more strength might be exerted by that part, than in the usual method of drawing in traces, only. As this is merely my own conjecture, I only propose it for consideration. The oxen I saw draw in the traces, drew single; and I did not observe, nor hear, that their gear was any wise different from that of horses: even the shafts were filled by an ox, and all seemed to draw with more ease, than when wriggling under the yoke. As the thing was, to me, new, I took the more particular notice. But if these valuable beasts were more generally used, it might be hoped that their inhuman drivers would not be suffered to beat them, as though their flesh like that of the poor horses, was only fit for the dogs.

When it is considered that all parts of the oxen are useful, and divers of them very valuable, and how much less expence it is to breed and to feed them than horses, and that horses when worn out are worth but a mere trifle, it is admirable that they are not more generally used in this money-getting nation. Their flesh, fat, hides, horns, hoofs, hair, yea, their very guts are used either for food, cloathing, or by our artificers, &c.

A celebrated French author (Buffon) says of the ox, "*He is the most* advantageous by all domestics to the farmer; he is the very source and support of agriculture. Formerly the ox constituted the whole riches of mankind; and he is still the basis of the riches of nations, which subsist and flourish only in proportion to the cultivation of their lands, and number of their cattle, for in these all real wealth consists even gold and silver, being only fictitious representations, have no real value but what is conferred upon them by the productions of the earth.

Perhaps some of our modern farmers may be too wise, or too conceited to receive these old-fashioned maxims, and may as reluctantly consent to do their business with oxen, as did the Irish to draw their ploughs otherwise than by the horses' tails.—However, that scenes like those is now generally in disguise; and we may also hope that horses will be more diffused in the course of time in agricultural employments. Our rulers have lattely been otherwise too busy to attend to such minutiæ for the welfare of the nation, or they might think it worth while to encourage the use of oxen, by small premiums, or other benefits to the farmers, who are most likely to be convinced by present interest, of the utility of any measure proposed. If but the tolls of turnpikes were remitted them it might induce some to increase their numbers of these very strong and useful cattle; and I do not think the turnpikes would suffer much by this indulgence, as oxen in travelling do much less damage to the roads than horses. Certainly, the price of leather is so high, that if some measure is not adopted to lower it, the poor in England may be laid under the necessity of walking *barefoot*, as many of their children now do.