MONODY to the memory of a YOUNG LADY.

By SHAW.

YET do I live? Oh how shall I sustain
This vast unutterable weight of woe?
This worse than hunger, poverty, or pain,
Or all the complicated ills below?
She, in whose life my hopes were treasur'd all,
Is gone—forever fled—
My dearest Emma's dead;
These eyes, these tear-swol'n eyes beheld her fall.
Ah no—she lives on some far happier shore,
She lives—but (cruel thought) the lives for me no more.

I, who the tedious absence of a day
Remov'd would languish for my charmer's sight;
Would shide the lingering moments for delay,
And fondly blame the slow return of night;
How, how shall I endure
(O misery past a cure!)
Hours, days, and years, successively to roll,
Nor ever more behold the comfort of my soul?

Was she not all my fondest wish could frame?
Did ever mind so much of heaven partake?
Did she not love me with the purest flame?
And give up friends and fortune for my sake?
Though mild as evening skies,
With downcast, streaming eyes,
Stood she stern frown of supercilious brows,
Deaf to their brutal threats, and faithful to her vows.

Come then, some Muse, the saddest of the train
(No more your bard shall dwell on idle lays),
Teach me each moving melancholy strain,
And oh distard the pageantry of phrase:
Ill suit the flow'rs of speech with woes like mine!
Thus, haply as I pant
The source of my complaint,
My soul may own th' impassion'd line;
A flood of tears may gush to my relief,
And from my swelling heart discharge this load of grief.

Forbear, my fond officious friends, forbear
To wound my ears with the sad tales you tell;
How good she was, how gentle, and how fair!"
In pity cease—alas! I know too well.
How in her sweet expressive face
Beam'd forth the beauties of her mind,
Yet heighten'd by exterior grace,
Of manners most engaging, most refin'd.

No piteous object could she see,
But her soft bosom shar'd the woe,
While smiles of affability
Endear'd whatever boon she might bestow.
Whate'er th' emotions of her heart,
Still those conspicuous in her eyes,
Strange to every female art,
Alike to feign or to disguise:
And, oh the boast how rare!
The purest in her faithful breast repos'd
But ne'er with lawless tongue dissolv'd,
In secret silence long'd inviolate there.
Oh foolish Youth! wealth to express
Her matchless virtues, or my own distress!

Relentless death! that, hard'd to human woe,
With mortal aim hast deal'd havoc on mankind,
Why (cruel!) strike this depreciated blow,
And leave such wretched multitudes behind?
Hark! grim-some wing'd on every breeze!
The sons of grief prefer their ardent vow,
Oppress'd with torrow, want, or dire disease,
And supplicate thy aid; as I do now:
In vain—perverse, this on th' unweeting head
'Tis thine thy vengeful darts to shed;
Hope's infant blossoms to destroy,
And drench in tears the face of joy.

But oh, fell tyrant! yet expect the hour
When Virtue shall renounce thy pow'r;
When thou no more shalt blot the face of day,
Nor mortals tremble at thy rigid sway.
Alas the day! where'er I turn my eyes,
Some sad memento of my loss appears;
Hy the fatal house—suppress my sighs,
Resolv'd to dry my unavailing tears:
But, ah! in vain—no change of time or place
The memory can efface
Of all that sweetness, that enchanting air,
Now lost, and nought remains but anguish and despair.

Where were the delegates of Heaven, oh where!
Appointed Virtue's children safe to keep?
Had Innocence or Virtue been their care,
She had not died, nor had I liv'd to weep:
Mov'd by my tears, and by her patience mov'd,
To free her force th' endearing smile,
My sorrows to beguile,
When Torture's keenest rage the prov'd;
Sure they had warded that untimely dart,
Which broke her thread of life, and rent a husband's heart.

How shall I e'er forget that dreadful hour,
When, feeling Death's resistless pow'r,
My hand she press'd, met with her falling tears,
And thus, in fault'ring accents, spoke her fears!

"Ah, my lov'd lord, the transient scene is o'er,
"And we must part, alas! to meet no more!
"But, oh! if e'er thy Emma's name was dear,
"If e'er thy vows have charm'd my ravish'd ear;
"If, from thy lov'd embrace my heart to gain,
"Proud friends have strown'd, and fortune snail'd in vain;
"If it has been my sole endeavour still
"To act in all obligations to thy will;
"To watch thy very smiles, thy wish to know,
"Then only truly blest when thou wert so;
"If, I have doated with that fond excess,
"Nor love could add, nor fortune make it less;
"If this I've done, and more—oh then behind
"To the dear lovely babe I leave behind.
"When time my once lov'd mem'ry shall efface,
"Some happier maid may take thy Emma's place,
"With envious eyes thy partial fondness see,
"And hate it for the love thou bor'st to me:
"My dearest Shaw, forgive a woman's fears;
"But one word more—I cannot bear thy tears—
"Promise—and I will trust thy faithful vow
"(Oft have I tried and ever found thee true)
"That to some distant spot thou wilt remove
"This fatal pledge of hapless Emma's love,
"Where safe thy blandishments it may partake,
"And, oh! be tender for its mother's sake.
"Wilt thou?—
"I know thou wilt—sad silence speaks assent;
"And in that pleasing hope thy Emma dies content."

I, who with more than manly strength have bore
The various ills imps'd by cruel Fate,
Sustain the firmness of my soul no more,
But sink beneath the weight:
Just Heaven! I cried, from Memory's earliest day
No comfort had thy wretched suppliant known;
Misfortune still, with unrelenting sway,
Has claim'd me for her own,
But, oh! in pity to my grief, restore
This only source of bliss;—I ask—I ask no more—
Vain hope—th' irrevocable doom is past
Ev'n now the looks—the sighs her last—
Vainly I strive to stay her fleeting breath,
And, with rebellious heart, protest against her death.

When the stern tyrant clos'd her lovely eyes,
How did I rave, untaught to bear the blow!
With impious wish to tear her from the skies,
How curse my fate in bitterness of woe!
But whither would this dreadful phrenzy lead?
Fond man, forbear,
Thy fruitless sorrow spare,
Dare not to task what Heaven's high will decreed;
In humble rev'rence kiss th' afflictive rod,
And prostrate bow to an offended God.

(To be concluded in our next.)

War-Department.

AUGUST 6, 1792.

INFORMATION is hereby given to all the Military Invalids of the United States, that the sums to which they are entitled for six months of their annual pensions, from the 4th day of March 1792, and which will become due on the 5th day of September 1792, will be paid on the said day by the commissioners of the loans within the States respectively, under the usual regulations, viz.

Every application for payment must be accompanied by the following vouchers.

1st. The certificate given by the state, certifying that the person possessing the same is in fact an invalid, and ascertaining the sum to which as such he is annual entitled.

2d. An affidavit, agreeably to the following form:

A. B. came before me, one of the Justices of the county of in the State of and made oath that he is the same A. B. to whom the original certificate in his possession was given, of which the following is a copy (the certificate given by the State to be recited.) That he served, (regiment, corps or vessel) at the time he was disabled, and that he now resides in the county of and has resided there for the last years, previous to which he resided in.

In case an invalid should apply for payment by an attorney, the said attorney, besides the certificate and oath before recited, must produce a special letter of attorney agreeable to the following form:

I. A. B. of county of State of do hereby constitute and appoint C. D. of my lawful attorney, to receive in my behalf so my pension for six months, as an invalid of the United States, from the fourth day of March, one thousand seven hundred and ninety-two, and ending the 5th day of September, one thousand seven hundred and ninety-two.

Signed and Sealed
in presence of

} *Witnesses.*

Acknowledged before me.

Application of executors and administrators must be accompanied with legal evidence of their respective offices and also of the time the invalids died, whose pension they may claim.

By command of the
President of the United States,
H. KNOX,
Secretary of War.

THE Partnership of GOODMAN & DANA, is by mutual agreement, *this day* dissolved.—All persons indebted to said Partnership are notified to call on the subscribers in South Hadley, to settle the same.

TITUS GOODMAN.
SIMEON GOODMAN.

SEPTEMBER 29, 1792.

LOST, OUT of a drove on the 11th instant, between Landlord Wait's, in Williamsburgh, and Hatfield, a large red white faced STEAR, four years old past, of the English breed of Cattle, whether he has any artificial mark is unknown. Whoever will take up said Stear and return him to the owner shall receive a generous reward.

BENJ. SMITH.

Hatfield, September 29, 1792.

RUN away from the subscriber on 25th ult. SILAS THAYER, between 17 and 18 years old, black hair, dark complexion, had on when he went away, a brown or mixed coloured coat, check'd or brown tow cloth overalls. All persons are hereby forbid harbouring or trusting said boy. Whoever will take up said Runaway and return him to his master shall have a handsome reward.

JONAH WILLIAMS,

Goshen, October 2, 1792.

COMMONWEALTH of MASSACHUSETTS.

Treasury-Office, Sept. 25, 1792.

THE Legislature having directed the Treasurer of the Commonwealth, to enforce the Collection and payment of the Public Taxes: The Treasurer in obedience to that direction, gives notice to the collectors of taxes, that the demand against the Commonwealth, requires that the balances due on Taxes prior to tax No. 9, should be paid on or before the 20th day of *November* next, and that the balance due on Tax, No. 9, should be paid into the Treasury, on or before the first day of *January* next.

The Treasurer, feels a confidence that the general disposition of the People to comply with the calls of Government, and their wish to support the Credit of the Commonwealth, will enable the Collectors, at the periods above-mentioned, to pay their respective balances, and thereby save to themselves the expence of an Execution:—but should any fail to comply with this Request, Execution will issue for the balances that may then be due.

THOMAS DAVIS, Treasurer.

NEW GOODS!

Sherman & Peck,

HAVE just received from NEW-YORK, and are ready for sale at the STORE formerly occupied by Doctor SHEPHARD, a NEW supply of

GOODS,

Among which are the following—viz.

Callicoes, Chintzes, Broad Cloths, Forfescloth's, Women's and Men's Cotton Hose, Shalloons, Moreens, Durants, Taborcens, Wildbors, Calimancoes, Settincts, Velenties, Velvets, Plain and Striped Muslin, Muslin and Lawn Handkerchiefs, Modes, Cambricks, Lawns, White, Green, Pink, and Black Sattenets, Irish Linens, Brown and Check Linen, Tailors Jean and Muslin Vest Patterns, Barcelona and Cotton Handkerchiefs, Black Tiffany, Silk and Twift, Silk Mitts, Hair Ribbon, long and short gloves, Ladies Fans, Women's and Men's Shoes, Chip Hats, Plated and Metal Shoe-Buckles, Cut Nails, Knives and Forks, Tobacco and Snuff-boxes, Penknives, Scissars, Razors, Pins, and Needles, Indigo, Coffee, Ginger, Pepper, Tea, Snuff, Tobacco, Gin, a general assortment of Glass and Queens Ware. All kinds of Hat Trimmings such as glaz'd Linens for Linings, by the yard, ready cut, red Leather, round and flat looping, Hat looping, Hat buttons, Naping Brushes, coarse and fine Bowstrings, and many other articles which they will sell very low for Cash, or wool kinds of Country produce.

They also carry on the HATTING business, and will supply customers with Beaver, Castor, Rorum, or Felt Hats, of 20 good quality, and on as reasonable terms, as can be bought in the Country.—They likewise pay CASH and the highest price for all kinds of Hatting Furs.

NORTHAMPTON, OCTOBER 10, 1792.

CASH and SALT, exchanged for

FLAX-SEED,

And the *highest* price given.

WANTED, a quantity of BEEF CATTLE, for which good pay will be made in hand, and a generous price allowed—by

DANIEL BUTLER.

NORTHAMPTON, OCTOBER 10, 1792.

FOR BOSTON.

THE new SLOOP, LUCINDA, WILLIAM WILLIAMS, Master, will sail by the 15th inst. For freight or passage, apply to John Caldwell, Nath. Blake, & Co. or the master on board.

Hartford, October 3, 1792.

THE Subscribers being by the Hon. Judge of Probate of Wills &c. for the County of Hampshire, appointed to receive and examine the claims of several creditors to the estate of Phinehas Lyman, late of Hadley, deceased, represented insolvent, (nine months being allowed for that purpose.) Hereby give notice that they will attend that business at the house of Mr. Elisha Cook, inholder, in said Hadley, on the first Wednesday of November next, and on the first Wednesday of each succeeding month, until said commission expires, from 10 o'clock, A. M. to 5 o'clock, P. M. on each of said days.

OLIVER SMITH.
ENOS NASH.
J. E. PORTER.

Hadley, Sept. 29, 1792.

LIST of LETTERS in the POST-OFFICE NORTHAMPTON.

REV. Timothy Allen, Chesterfield; Rev. John Taylor Deerfield Mr. George Barnard, do.; Mr. John Wealch, Belchertown; Capt. Gideon Stebbins, do.; Mr. Joseph Eastman, Granby; Messrs. Hopkins and Mather, Northampton; Messrs. King and Howe, Chesterfield; Mr. Hugh Searls, Southampton; Mr. James Beard, Glasgow; Capt. Moses Cook, Amherst.

CASH GIVEN FOR CLEAN COTTON AND LINEN RAGS, AT THIS OFFICE.

Hampshire Gazette.

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

Vol. VII.] WEDNESDAY, OCTOBER 24, 1792. [NUMB. 321.

Extract from *Burlow's* ADVICE to the PRIVILEDGED ORDERS.

On the administration of Justice.

[CONTINUED FROM OUR LAST.]

TO proceed through all the forms, to the end of a suit in Chancery, would be to write a commentary on many volumes of practice, and would be calling the patience of the reader to a trial from which it would certainly shrink. But there are parts as much worse than what we have described, as this is worse than common sense. Strip from the administration of justice the forms that are perfectly useless and oppressive, and counsellors will have much less to do; while the whole order of attornies and solicitors will fall to the ground. If the mysteries of nonsense were out of the way, a counsellor who was called upon to hazard his reputation on the manner of conducting his client's cause, would no more have it prepared and brought forward by an attorney, than a man of business would hazard his fortune by sending that business through an ignorant agent, while he could more easily do himself. The quantity, of writing, really necessary, in a simple and dignified system of practice, is so small, as to be perhaps incredible to those who are acquainted only with the English process.

I have seen the mode of conducting this business in a country, where the common law of England is the general rule of decision, and where the adjudications of Westminsterhall are authorities, as much as they are in Great Britain. But the laws of that country have stripped legal process of its principal follies; and the consequence is, that the whole profession of attornies and solicitors have vanished. The counsellors does the whole business of his client; and so simple is the procession, that a man may with safe commence, and very through every stage, to final judgement and execution, five hundred causes in a year.

And the whole proceedings in all these small not affordwritings enough to employ a single clerk one hour in twenty four. The proceedings and judgements in the hundred causes in this country, would fill a warehouse. And yet in that country, every allegation as necessary in their declaration and pleadings, which is necessary in Westminster-hall. As they are not paid by the line, their declarations have but one Count, and in that Count there is no tautology. And so little is the expence of suits, where no more in done than is necessary for justice; that judgement, in a case where there is no defence, may be obtained for less than ten shillings; and every person employed be fully paid for his service."

Men who are habituated to the expence incurred in law-suits in England, will scarcely be persuaded of the extent to which a reform would be carried, on a general destruction of abuses. But let them reflect, that when law proceedings are stripped of every thing, but what the nature of the subject requires, there is no mystery left. The rational part that remains is soon comprehended, and easily retained in memory. This would doubtless augment the number of suits; for it would open the courts to vast multitudes of people against whom they are now effectually shut. But in proportion as it increased the number of law suits, it would diminish the quantity of *law business*; and the number of lawyers would dwindle to one tenth of what it is at present, in the country above alluded to, the number of men supported by this profession is to the whole population, as one to 4,500. Reduce the lawyers here to that proportion, and there would be left about three thousand in the Kingdom. It is affirmed, (I know not on what ground) that the present number is thirty thousand. Allowing it to be true, an army of twenty seven thousand lawyers, on this reform would find some other employment. But whether the reduction would amount to the number here supposed, or to half of it, is a question of no moment. Saving the expence of maintaining twenty or thirty thousand men in a useless occupation, and leading them to profitable business, however important the object may appear, bears but a small proportion to the advantage of opening the door of justice to the people, and delivering them to an easy and well known method of demanding their rights.

There is a strange idea prevalent in England, (it has had its day in America) that it is good policy to raise the expences of legal proceedings above the reach of the lower classes of people; as it lessens the number of suits. This kind of reasoning appears too absurd to support its own weight for a moment; and it would be beneath our serious notice, were it not for the reflection, that men of superficial research are perpetually caught by it. The human mind is fitted, from its own indolence, to be dazzled by the glare of a proposition; and to receive and utter for truth, what it never gives itself the trouble to examine. There is no paradox among all the enormities of despotism, but what finds its advocates from the very circumstance. We must not therefore scorn to encounter an argument because it is foolish. The business of sober philosophy is often a task of drudgery; it must sometimes listen to the most incoherent clamours, which would be unworthy of its attention, did they not form a part of the general din, by which mankind are deafened and misled.

For a man to bring into court a suit that is manifestly unjust, is a crime against the state; to hinder him from bringing one that is just, is a crime of the same kind against him. If it is poor disciplinant on the wife down of a nation to suppose that no method can be devised for preventing the first of these evils, without running into the last; and the first is certainly the greatest of the two. The French who appear to have been destitute of every thing else in the world, by the wisdom of their new institutions, as well as by the folly of their old, have found the secret of imposing a small fine on a vexatious plaintiff; and of establishing many other regulations on this subject, which effectually shut the door of the tribunal against the oppressor, while it easily opens to the feeblest cry of the oppressed.

They have likewise established a method of communicating the knowledge of the laws to every human creature in the kingdom, however ignorant he may be in other respects. They are printed and pasted up on public buildings in every town and village, and read & explained by the curate from the pulpit in every parish. It is in contemplation likewise to institute a general system of public instruction, on a more useful and extensive plan than has ever yet been devised." Several enlightened philosophers are busied in these researches; and several societies are formed, whose object is to discover and bring forward the best concerted plan for this important purpose. In their whole system of distributing *knowledge* and *justice*, they seem to be aiming at a degree of perfection which promises success.—With all my partiality for the institutions of the United States, I should quote them (in comparison to those of France) with less confidence on the subject of this chapter, than of any other.

In the administration of justice, the Americans are too much attached to the English forms which serve to increase the expence and to mystisicate the business, to a degree that is manifestly inconsistent with the dignity of a true republic. But in respect to public instruction, there are some circumstances which deserve to be mentioned to their praise. I am going to speak only of the particular state with which I am best acquainted. How many of the others are better regulated in this respect, and how many are worse, I am not accurately informed. This state (which contains less than 240,000 inhabitants) is divided into about one hundred towns. These are sub-divided into small portions, called school-districts, suitable for the support of small schools. Each of these districts has a drawback on the state-treasury for a sum which bears a proportion to the public taxes paid by the inhabitants of the district, and which is about half equal to the support of a school-master. But this sum can be drawn only on condition, that a school is maintained in the district.

The following remarkable consequences seem to have resulted from this provision: There is not perhaps in that state, a person of 21 years old and of common intellects, who cannot read; and very few who cannot write and cast accounts.—Besides the useful books that are found in every family, it is computed that there are in the state about three hundred public libraries, which have been formed by voluntarily subscription among the people of his districts and the parishes; first about the year 1768, which was more than one hundred and thirty years after the settlement of that state, no capital punishment, as I am informed, had been inflicted within its jurisdiction, nor any person convicted of a capital offence since that period. very few have been convicted, and those few are generally Europeans by birth and education; there is no extreme poverty in the state, and no extraordinary wealth accumulated by individuals.

It would be absurd to suppose, that Public Instruction is by any means carried to the perfection that it ought to be, in the universe. But this experiment proves, that good morals and equal liberty are reciprocal causes and effects; and they are both the parents of national happiness and of great prosperity.

All government that in any degree is repugnant to equality or justice have pestilential maxims of *ex post facto laws*, or laws made after the performance of the action, constituting that action a crime, and punishing the party for a thing that was innocent at the time of its being done. Such laws would be so flagrant a violation of natural right, that in the French and several of the American State Constitutions, they are solemnly interdicted in their declarations of rights. This prohibition is likewise considered as a fundamental article of English liberty, and almost thepoly one that has been habitually violated, within the present country. But let us resort to reason and justice, and all what is the difference between a violation of this article, and the observance of that tremendous maxim of jurisprudence, common to all the nations above-mentioned, *Ignorantia legis neminem excusat?*

Most of the laws of society are positive regulations, not taught by nature. Indeed, such only are applicable to the subject now in question. For *ignorantia facti* can have reference only to laws arising out of society, in which our natural feelings have no concern; and where a man is ignorant of such a law, he is in the same situation as if the law did not exist. To read it to him from the tribunal, where he stands arraigned for the breach of it, is no more actually the same thing as it would be to ordain it at the same time by the same tribunal, for the express purpose of his condemnation. The law till then, in relation to him, is not in being. He is therefore in the same predicament that the society in general would be, under the operation of an *ex post facto* law. Reason we ought to conclude that, as it seems difficult for a government to dispense with the maxim above mentioned, a free people ought, in their declaration of rights, to provide for universal public instruction. If they neglect to do this, and mean to avoid the absurdity of a self-destroying policy, by adhering to a system of justice which would preserve a dignity and inspire a confidence worthy the name of liberty, they ought to reject the maxim altogether; and insert in their declaration of rights, that instruction alone can constitute a duty; and that laws can enforce no obedience, but where they are explained.

It is truly hard and sufficiently to be regretted, that any part of society should be obliged to yield obedience to the laws to which they have not literally and personally consented. Such is the state of things; it is necessary that a majority should govern. If it be an evil to obey a law to which we have not consented, it is at least a necessary evil;—but to compel a compliance with orders which are unknown, is carrying injustice beyond the bounds of necessity; it is absurd, and even impossible. Laws in this case may be avenged, but cannot be obeyed; they may inspire terror, but can never command respect.

[We have a request from another county, to insert the following piece from the CENTINEL.]

TO THE FREE ELECTORS OF THE THREE FIRST DISTRICTS.

FELLOW CITIZENS,

WITH a right idea of the delicacy of the measure, but with a fincere reliance on your known candor, I beg the indulgence of mentioning the

Hon. DAVID COBB, Esq.

as a candidate for your suffrages, as a Representative in Congress, for the three districts at large. To many of you his personal character, and political abilities, are well known—and your representatives have, frequently testified to his independence and impartiality by repeatedly and unanimously electing him Speaker of the House of Representatives.

Lengthy encomiums are useless—you may place dependence on the assertion, that he will have many votes in this part of the Commonwealth; and if you, Gentlemen, should concur with us, the State will gain a Representative that will do it ample justice and credit in the Councils of the United States.

BOSTON, ——1792. AN ELECTOR.

ON THE INDIAN WAR.

THAT a pusillanimous state of credit is apt, on this occasion, as on individuals, sometimes to work ill effects, by leading them into hazardous and unjustifiable enterprizes, the subject we are considering sufficiently evinces. *Before the reformation of the Frontiers of the Union,* ALL WAS PEACE; or if it was disturbed by any temporary and fugitive alarms, they subsided, by the necessity of forbearance on the one side, or of moder-