

Shamshire Gazette.

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

[Vol. X.]

WEDNESDAY, NOVEMBER 4, 1795.

[NUMB. 479.]

POETRY.

The Gloom of Autumn:
As **EMBLEM** of OLD AGE.
Hail, ye fighting tows of towers,
View with me the autumnal gloom;
Lovers from hence your fate to-morrow,
Dead perhaps—laid in the tomb.

See all nature fading dying,
Scent all things seem to morn;
Life from vegetable flying,
Meads us of wool-velling ure.

Of in Autumn tempests rising,
Makes the lofty forests nod;
Scene of nature, how surprising,
Read in nature, nature's God.

See our foreign Gode Creator,
Lives eternal in the sky;
While we mortals yield to nature,
Bloom awhile, then fade and die.

Nations die by dread Bellona,
Through enraged tyrannic Kings;
Just as plants by pale Pomona,
Fall to rise in future springs.

Mortal fere, when vegetation
Dies by frost, or worms devour;
Doubly mortal when a nation
Dies by neighbouring nations power.

Death and war my mind deceiver,
Autumn hews my own decay;
Calls to mind my past distresses,
Warns me of my dying day.

Autumn gives me melancholy,
Strikes depression through my soul;
While I mourn my former folly,
Waves of fortune o'er me roll.

Hallow winds about me waiving,
Noisy waters round me rise;
While I sit my fate deploiring,
Tears fall streaming from mine eyes.

Want to me are Autumn's treasures,
Since I know no earthly joy;
Larg I love all youthful pleasures,
Times my youth and health destroy.

Pleasures once I fondly courted,
Proving as the Muffling joy;
As I to be where once I sported,
Now embitters all my joys.

Age and sorrow face has hidled,
Every youthful pleasing dream;
Quivering age with youth contrasted,
Oh, how short our glories seem.

Former friends, how oft I've sought 'em,
Till I see their drooping head;
But they're no more to be met,
Driv'n before the dreary wind.

When a few more years are waded,
When a few more Springs are o'er,
When a few more griefs I've tasted,
I shall fall to bloom no more.

Faith my Sen of life declining,
Soon will fit in endless night;
But my hopes pure and refining,
Rest in future life and light.

Cease, this feating, trembling, fighting,
Death shall break this fallen gloom;
Soon my spirits flaring, flying,
Maid be borne beyond the tomb. S. G.

Commonwealth of Massachusetts.

By the GOVERNOR:

A Proclamation.

For a DAY OF PUBLIC THANKSGIVING AND PRAISE.

FORASMUCH as the occasional meet-
ings of a People for the exercise of
Piety and Devotion towards God, more
especially of those who enjoy the Light of
Divine Revelation, has a strong tendency
to imprint their minds with a sense of their
Dependence upon HIM and their Obligations
to HIM.

I have thought fit, according to the an-
cient and laudable Practice of our renewed
Ancestors, to appoint a day of Public
"Thanksgiving to God," for the great bene-
fit which he has been pleased to bestow
upon us, in the Year past. And I do by
this my strict and entire of the Council,
appoint THURSDAY, the *Nineteenth* day
of NOVEMBER next, to be observed as a
DAY OF PUBLIC THANKSGIVING
AND PRAISE throughout this Common-
wealth: Calling upon the Ministers of the
Gospel of all Denominations, with their
respective Congregations to assemble on
that Day, to offer to God, their unfeigned
Gratitude, for his great Goodness to the
People of the United States in general,
and of this Commonwealth in particular.

More especially in that he hath in his

Good Providence united the federal States
under a National Compact, formed by
themselves, whereby they may defend
themselves against external Enemies, and
maintain Peace and Harmony with each
other.

That internal Tranquillity hath been
continued within this Commonwealth; and
that the voice of Hezrah is in generally
heard in the habitations of the People.

That the Earth has yielded her increase,
to the Labours of our industrious Hus-
bandmen have been abundantly crowned
with Plenty.

That our Fisheries have been so far pro-
spered—Our Trade notwithstanding ob-
structions it has met with, has yet been
profitable to us, and the works of our
Hands have been established.

That while other Nations have been in-
volved in War, attended with an uncon-
formable profusion of Human blood, we in
conformity of Divine Providence, have been
preferred from so grievous a Calamity,
and have enjoyed to great a measure of the
Blessing of peace.

And I do recommend that together with
our Thanksgiving, humble Prayer may be
offered to God, that we may be enabled, by
the subsequent obedience of our Hearts
and Manners, to testify the sincerity of
our professions of gratitude, in the sight of
God and man; and thus be prepared for the
Reception of future Divine Blessings.

That God would be pleased to Guide
and Direct the Administration of the Fed-
eral Government, and those of the federal
States in Union, so that the whole Peo-
ple may continue to be safe and happy in
the Constitutional enjoyment of their
Rights, Liberties and Privileges, and our
Governments be greatly respected at Home
and Abroad.

And while we rejoice in the Blessing
of Health bestowed upon us, we would
sympathize with those of our Sister States,
who are visited with a Contagious and
Mortal Disease; and fervently supplicate
the FATHER of Mercies, that they may
speedily be restored to a state of Health
and Prosperity.

That HE would in his abundant Mer-
cy regard our Fellow Citizens and others,
who are gazing and sighing at Slavery, in
Algiers, and direct the most effectual
measures for their speedy Relief.

That we would graciously be pleased to
put an end to all Tyranny and Usurpation,
that the people who are under the Yoke
of Oppression, may be made free and that
the Nations who are contending for Free-
dom may fill be secured by His Almighty
Aid, and enabled under his influence, to
complete wise Systems of Civil Govern-
ment, founded in the equal Rights of Man,
and calculated to establish their permanent
Security and Welfare.

And Finally that the Peaceful & Glorious
Reign of our Divine Redeemer, may be
known and enjoyed throughout the whole
Family of Mankind.

I do I do recommend to the people of
this Commonwealth, to abstain from all
feich Labour and Recreation, as may not
be consistent with the Solemnity of the said
day.

GIVEN at the Council-Chamber, in Bos-
ton, the fourteenth Day of October, in
the Year of our LORD, One Thousand
seven Hundred and Ninety-five, and in
the Twentieth Year of the Independence
of the United States of America.
SAMUEL ADAMS.

True Copy—Attest,
JOHN AVERY, jun, Sec'y.

GOD save the Commonwealth of Massachu-

setts!

Andrew Wood,
HEREBY informs his customers, that
last week ended the last quarter—
He therefore calls on all persons indebted
for six months, or more, to make payment
immediately.

OG. 24, 1795.
LOS I don't sit still, in Northampton,
a brose, CIT, artificial marks, if
any, unknown. Whoever will give in-
formation where the may be had, shall be
handomely rewarded, by
NATHANIEL PHELPS.

Northampton, OG. 20, 1795.
BROKE into the inclosure of the sub-
scriber on the 6th of Sept. last, a year
old HEIFER, with a half crop on either
side of the right ear. The owner is desired
to prove property, pay charges and take
her away.
SILAS WILLCOX.
Conwar, OG. 12, 1795.

Broke into the inclosure
of the subscriber, two HEIFERS fuppel'd
to be two years old, half spring, one lined
back and bug'd horns—the other brown,
flank made.—The owner is desired to
pay charges and take them away.
REUBEN PELTON.
Northampton, October 7, 1795.

Commonwealth of Massachusetts.
By the GOVERNOR:
A Proclamation.

FORASMUCH as the occasional meet-
ings of a People for the exercise of
Piety and Devotion towards God, more
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to imprint their minds with a sense of their
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AND PRAISE throughout this Common-
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Gospel of all Denominations, with their
respective Congregations to assemble on
that Day, to offer to God, their unfeigned
Gratitude, for his great Goodness to the
People of the United States in general,
and of this Commonwealth in particular.

More especially in that he hath in his

Commonwealth of Massachusetts.

A Court of Common Pleas begun and
held at Lenox, within and for the county
of Berkshire, on the second Tuesday of
Sept. Anno Domini 1795.

THE PETITION of SAMUEL TOL-
MAN and SIMON HODGES,
both living on a tract of Land in said
county, known and called by the name of Bul-
lock's Grant, shewing that they are each of
them, (with others known to them,) inter-
ested in and seized of several tracts of Land
lying in said Bullock's Grant, to the several
lots of land laid out to the original rights
number forty-two and forty-six, in manner
following, that is to say, the said Samuel
of one undivided eighth part of said rights,
and the said Simon of one undivided
eighth part thereof—and that they the
said petitioners now hold and being inter-
ested in said lands as tenants in common as
aforesaid, are desirous of having and im-
proving their several parcels, parts and
portions of the same, with the privileges
thereof, in severalty, &c. praying that the
same may be divided, and that they may
each hold their shares in severalty, &c.—
is now read and considered by the Court,
who thereupon order that the substance of
the said petition, as aforesaid, be publish-
ed in the Independent Chronicle, at Bos-
ton, in the Star, at Stockbridge, and in the
paper published at Northampton, three
times successively: the last publication in
each to be three weeks previous to the first
Tuesday in January next; that all persons
interested in the said lands, or in any com-
mon Pleas to be holden at Lenox, in said
county, on said first Tuesday of January,
do thereto, as if any day they have, wherefore
the prayer of the said petition should not
be granted.

Attest, H. W. DWIGHT, Clerk.
HAMPSHIRE, H.

To the Honorable the Justices of
the Supreme Judicial Court, holden at
Northampton, within and for the county
of Hampshire, on the fourth Tuesday of
September, 1795.

HUMBLY shews TRYPHENA
HEWICK of Hatfield, in said
county, that on the seventeenth day of May,
in the year one thousand seven hundred
and sixty-eight, she was married to NATHANIEL
HERRICK, late of said Hatfield
town, and has ever since that time con-
tinued the faithful wife of the said NATHANIEL,
but the said NATHANIEL since
the marriage aforesaid, hath often violated
the marriage covenant, and has committed
adultery with divers persons, and on the
twentieth day of October last past, the said
NATHANIEL left the Libellant, and volun-
tarily absented himself, and has not since
been heard of—Your Petitioner therefore,
humbly prays your Honor, that by a de-
cree of this Court, she may be divorced
from the bond of her marriage with the
said NATHANIEL, and that such part of
the estate of the said NATHANIEL may be
assigned to her for her support, as your hon-
ors shall think fit; and as in duty bound
she prays TRYPHENA HERRICK.
September Term at Northampton, 1795.

Upon the Libel aforesaid, ORDERED,
that the said TRYPHENA HERRICK, do
appear at the next Supreme Judicial Court,
to be holden at Northampton, within and
for the county of Hampshire, on the 15th
Day of April next, by publishing an
affidavit copy of the libel aforesaid there-
on, three weeks before the said next Su-
preme Judicial Court, in the HAMP-
SHIRE GAZETTE printed at Northampton,
by WILLIAM BUTLER, the last publica-
tion to be at least three months before the
sitting of said Court, that he may then and
there show cause if any he has, why the
prayer of the said TRYPHENA HERRICK,
the Libellant should not be granted.

JOHN TUCKER, Clerk.
Attest—JOHN TUCKER, Clerk.

WANTED apprentices to the
Tanning business, 2 or 3 fine
active BOYS.—Enquire of
WILLIAM EDWARDS.
Northampton, OG. 14, 1795.

Wanted immediately, a
JOURNEYMAN Blacksmith, one that
understands the business.—Enquire of
SETH WOOD.
Montague, Sept. 9, 1795.

Taken up in damage, in
Hadley Great Meadow, on the 20th of
September, inst, three MULES. The
owner is desired to prove property, and
pay the expenses, and take them away.
OLIVER SMITH, jun.
Hadley, Sept. 27th, 1795.

The person who took a
BAG, from under an apple-tree, in Reim-
ford, is requested to leave it with the PATR-
ONER hereof immediately—it is well
known who he is.
October 12th, 1795.

Take Notice.

THE subscriber will sell to any
quantity of land for a town called N. P.
4th range: in Grande comitee, about 18
miles from Cambridgeport, and situated
on the lake of that name. The land is good
and well fitted for farms. The town
contains about 200 inhabitants, and a grist
and saw mill are erected and do business.
The land is well watered, and the timber
excellent, particularly the pine, which has
a ready market and commands a great price.
The communication with the lake by a
creek sufficient for boats and rafts, will
render the present sale a valuable object,
either for settlement or speculation. The
terms of payment shall be easy, and may
be paid, by installments, the last sum to
be paid in 1799. A complete title will
be furnished at the time of sale, or on final
payment as that be convenient.

THOMAS GOLD,
County of Berkshire, Pittsfield October
12, 1795.

For Sale,
THAT large, commodious, and well
suited Dwelling HOUSE, in Hatfield,
standing on the east road from Northham-
pton to Deerfield, in possession of the sub-
scriber, together with a STORE, BARN, and
other convenient Out Houses—with the
House Lot, an Orchard, and elegant Gar-
den adjoining. The situation has a com-
manding prospect, and lying near the cen-
ter of the town, is well calculated for trade
of a tavern, or for a gentleman of any oc-
cupation. Also a Farm of six acres near
said prospect, fulling given next May—
As the house is to remove from here next
Spring, he will sell the house on remark-
able low terms. For particulars enquire of
JOHN HART on the premises.

N. B. Those indebted to said Hart, are
requested to make immediate payment, or
on failure by the first of Dec. next, their
Names and Accounts will be left with an
Attorney at Law.

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From the WESTERN STAR.

THE intention of the friends of a Re-
form, by a Circuit Court of Com-
mon Pleas, is to abolish the old System,
which is become inadequate, and to erect
a Court to be composed of men of great
abilities as that the community may rely
safely, on their determinations, as on
those of the Supreme Judicial Court. In
order that, by fastidious a very considerable
part of the business in the Circuit Courts,
the number of causes should be lessened
on the Dockets in the Supreme Judicial
Court, so that after completing the trial
judicials, the civil cause of larger value
may in each term, in each county, be
settled, without the small amzeing number
of controversies now take place annually
in said Courts.

But a writer in the Chronicle of the 5th
of June last, under the signature of *Salem*,
who objects a Circuit Court of Common
Pleas, says "that the original of the present
mode of delay is not in the Courts of
Common Pleas, and does not arise from
any defect in the present arrangement, as
against the proposed arrangement of a
"Supreme Judicial Court. He says that
"the salaries of the Judges to be added to
"the Supreme Judicial Court will not
"bear the shadow of comparison with the
"support of the twelve proposed Judges;
"and that it appears as set off, a first
"people, who have hope in the executive
"of their time out of mind, may become
"nearly under a just a reformation.—As
this is a summary of every argument that
has been made use of against the Circuit
System, except one, made last winter in the
House of Representatives, "that unless
"the Supreme Executive would appoint
"men of talents as Judges, we should be
"worse off under this System, than the old
"one, and he knew of no security that we
"could rely on, that such men would be
"appointed." I will devote this number
and my next to an answer to *Salem*.

I will not necessarily repeat any thing
offered in my former numbers. But as I
have therein attempted to show, why I ad-
vocated this position, that the evils origin-
ate in the several Courts of Common Pleas,
and there fore, I must refer the reader to
No. 2; and here only add, that the sole
cause of all the difficulty arises from the
want of law talents in the Judges of the
County of Common Pleas—that in conse-
quence of this want of talents, the people
have no confidence in the judgments rendered
by the Courts of Common Pleas, and conse-
quently, these are the value of $\$4$, and
hence the Dockets in the Supreme Ju-
dicial Court are so crowded as to cause 90
continuances therein in one year. It is a
fact that there are not more than one re-
view out of four causes carried thither by
Demurrer, and settled in the Supreme Ju-
dicial Court, where there might be: Why
is this? Because the verdicts, given un-
der the careful examinations had in that
Court, (when the cause are not so much
burdened, from the multiplicity of business)
and where the rights of the parties are
settled by the Courts of Common Pleas are
composed of Judges of equal talents, would
not the effects be the same? and if so,
would not the greatest part of the business be
completed in those Courts, and so justice be
administered more promptly, and with an
immediate saving of expense? I can ex-
pect that the emolument of the Judges of
the Courts of Common Pleas, under the
present system, will induce men of law
talents to go there? Why do we give the
Justices of the Supreme Judicial Court
three hundred and fifty pounds a year? I
submit this to induce men of ability to go
to that bench.

If the origin of the present evils is not
where I have placed it, I ask *Salem* to set
it out—and let him show if he can another
country under heaven where the inferior
Courts of Justice are composed of
Judges who know nothing of law. We
are told, that the Patriarch was informed,
that if five righteous persons could be found
in the cities of Sodom and Gomorrah,
they would not be destroyed by the fire of
heaven; and if *Salem* will pick out of the whole
Salem eight Judges, who now fill the bench
of the Courts of Common Pleas in this
Commonwealth, two men, that are
of a full, men of accurate law learning,

I will agree never more to advocate an
alteration. It is a fact, that in two of the
wealthiest counties in this Commonwealth,
it has become a practice to carry all causes
that are to be disposed from the County
Pleas to the Supreme Judicial Court by
Demurrer; and the former are so fully re-
solved of the utility of a trial in the
County, that they are fastidious with this
arrangement, although it is agreed that, in
one of those counties, they have the most
respectable Court of Common Pleas in the
whole Commonwealth, the Judges of
which, although not men of law talents,
are endowed with all those virtues, accom-
plishments, and abilities, which render
them amiable in domestic life, and respect-
able in the General Court, and had they
devoted their lives to the study and prac-
tice of law, would, (like most of them)
have done honor to the Bench of the Su-
preme Court.

It is a fact, that the Justices of the Courts
of Common Pleas have not weight of tal-
ents sufficient to control the elder prac-
titioners at the bar; and whenever the
elder Attorneys in some of the counties
appear to be employed on the same side,
the cause is fore to go as they would have
it: whenever they are divided, and are
employed against each other, the Court are
generally in the situation of the Asses and
the two parties of lawyers.

I was present at a Court of Common
Pleas, in May last, when the Court, in the
face of the country, called on the two eldest
Attornies, to inform them, what was the
law, in a case that had been moved by a
younger Attorney. The gentlemen called
on were divided, one had an opinion, and
the other doubted, whereupon the Court
were left in the clouds, and would do nothing
in the cause. At the same term, on a
petition in the Sessions, the preceding
Judge, who was a Judge of the Court of
Common Pleas, called on his brethren to
determine the petition, and after there-
upon it should be "corporal or penal,"
and when the Court had determined it,
he informed the Clerk, that the defendant
was to receive fifteen milled shipes on his
back. At the last term, the same Court
told the Jury, who sat at difficulty in a
preparing on a verdict, "that as their jurif-
diction was not full, it was of no conse-
quence how the Jury found the verdict;
the main chance is to give to a verdict on
one side or the other, and the party who
loses will be expelled." At the last term,
accordingly came to trial a person first
to another that, the preceding jury was
found to be "corporal or penal" before,
and they shall be sure to be before,
and go into and take to wife her youngest
sister, who is a virgin, so shall not elyza
be suffered to enter, and the lady first
preferred pure and undisturbed in it. The
old man the father was dragged at to frange
a marriage, but the prophet assured him that
God would give him a sign, viz, on their
going to the next plantation, the first living
creature they should see there, should be
such a one, as a huff hopper or hog; which
accordingly came to pass, and immedi-
ately the old man took his youngest daugh-
ter by the hand, and gave her to his
youngest wife, and he went in unto her to
play with her without any further ceremony,
pursuant to his revelation; and thus they
continued in open and notorious adultery
and incest till the fatal period, we now
come to mention. So far passed were

these persons with a consent of their own
business, and of the impurity and wicked-
ness of others, what they would give no
assistance to in their guiltiness, nor to
say of the laws and edicts of men,
and accordingly refused to comply either
with the militia law (an practice that God
had revealed to them not to bear arms), or
the law for repairing highways. After
long forbearance, Justice Symmes, a worthy
magistrate and Capt. of the militia in
those parts, saw it necessary to issue his war-
rants for levying the penalties of those
laws upon them. And as by this time
Justice Detamore, the prophet's revelation
was filled with child, their wayward
conduct, and their refusal to be governed
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