

Independent of the observations I have made from the wording of the proposition, and the circumstances under which it was made, the nature of the subject is sufficient to shew, that it never could be intended to be set up as a negative or surrender of the rights of the people; for it must be clear, that the inherent or constitutional rights of the people cannot be destroyed or surrendered in this manner, if the declaration or proposition was ever so explicit; but the circumstance of the instrument being *doubtful*, would of itself be sufficient to defeat the end, which the writer supposes was meant to be attained by it. I want terms sufficiently strong to paint the ridiculous figure any senator would make, in attempting to set up the proposition, which has been stated, as a negative or surrender of the people's rights to dictate to both branches of the legislature.—So far from the proposition being made with design to settle the question of the people's right to instruct, that this question never was, to my knowledge, discussed in the senate, or at the meeting at Mann's tavern—I never intimated, nor did I to my recollection ever hear any other senator declare, any thing which indicated an intention of opposing the will of the people, and if the senate, or any of its members, were to set themselves in opposition to the great body of the people of this state, I should think them rather objects proper to be confined for insanity than dreaded as tyrants.

It may be contended, that supposing the conclusive words of the proposition restrict the preceding general words, yet that the effect of the proposition taken altogether, would be to deny or destroy the right of the people to interfere whenever the circumstance of a difference between the two houses happened—I answer, that as it is clear, from the circumstances under which the proposition was made, the nature of the subject, and the language used, that its object was to restrain a practice of the legislature, and not to affect the rights of the people; it never could have been fairly set up by the senate as a negative to these rights in any case, because this would be to make a proposition intended for one purpose, to serve for another and different purpose.—There is no doubt but senators, if they were inclined to expose themselves to ridicule, might set up constructions the most absurd, and claim the most visionary, but I go upon the supposition, that acting like men endowed with some share of reason, they would not found a claim upon an instrument which all mankind would agree gave not the least colour to the pretension.

With the design and for the purpose I have explained the proposition to have been made, it was rational, and if agreed to, would have effect. For the purpose and with the design imputed by this writer, it was both ineffectual in its nature, and absurd in its composition; let the candid and sensible determine which construction ought to be made.

It is said by this writer, "That when men of erudition express themselves in a vague indeterminate manner, their candour and intention may be justly suspected." This appears to me to be a very harsh sentiment; and I do not remember to have met with it before, except from a writer in the Baltimore paper, sometime ago, who alleged, that the lawyers who were concerned in drawing laws, ought to be suspected of intending to produce disputes, and by which they get fees, because the expressions in our laws were doubtful and vague—many circumstances ought to concur, none of which exist in the present case, to justify so severe a judgment against any fellow citizen, upon a ground so slight as want of precision in expressing ideas.—Laws are penned by men of erudition, they frequently are doubtful; it will not follow that the legislature, or any member of it, intended to deceive or create disputes.

The proposition does not intimate, nor was it intended to convey, the idea that it was the design of the house of delegates, or any of its members, to destroy the present constitution, or any part of it.—The injury to part of the constitutional legislature, was apprehended to be the consequence of a practice the senators wished to restrain; and therefore the preservation of every part of the constitution, was properly connected with the mode to be adopted for discountenancing the practice.—Every one in the least acquainted with the history of mankind must know, that precedents are often set by men without any improper motive; and yet such precedents have produced great mischiefs, by being applied by others to purposes not designed by those who originated them, and often contrary to their unavailing opposition.

Several circumstances are mentioned in the pieces alluded to, of which I know nothing, and therefore shall not notice; nor do I think it necessary to say any thing to the *felter* and *subterfuge* which the writer has been pleased to make for the senators.

Whether I am a friend or an enemy to public liberty and the principles of the late revolution, I must submit to be determined from my public conduct; if this will not decide the question in my favour, it cannot be expected that my professions will have much weight, and I do not apprehend the suggestions of others will have influence to induce an unfavourable opinion, if contradicted by my actions.

As it was my duty to be informed of our constitution and the rights connected with and derived from it, I have used every endeavour in my power to acquire this knowledge; and if I am still ignorant, it is my misfortune, not my fault; it is freely confessed, that I am ignorant of many things which I have endeavoured to know, and I should be wanting in candour not to declare, that every day's experience

convinces me of the fallibility and weakness of my judgment; but that I ever designedly injured, or attempted to deceive, the people of this state, cannot be admitted, because it is not true.

I neither profess power or influence, nor do I desire them; so far from looking to a permanent public station, and wishing to annex to it independent powers, and of course troubles and difficulties, that I consider the office I now hold to be much too arduous and weighty for my abilities, and I feel that it impose on me a burthen the greatest of my life, and shall rejoice when the time arrives, that I can, with propriety, quit a station, in which I am not so vain as to suppose I can render services to the public in any degree equal to the sacrifice of quiet, health and interest, which necessarily attends the execution of public trust by a man in my situation.

As an American I deeply regret the divisions which have taken place among men intrusted with public concerns in this and other of the United States. Would to Heaven it was in my power to remedy an evil, which every well informed friend to this country must see and lament; that I have always endeavoured to compose differences, and have not in any degree contributed to those which now distract the councils of this state, is true; but this is poor consolation to a man who is bound to live in, and anxious for the prosperity of, a country, where those who ought to unite, are endeavouring to wound and destroy each other, while those who are in principle its enemies, with exulting pleasure are viewing the contest, and are ready to seize any favourable opportunity to involve the whole in ruin.

T. STONE.

Annapolis, March 28, 1787.

V I E N N A, November 29.

LETTERS from Aquila mention, that between the 12th and 18th of October, they had 137 shocks of an earthquake, 59 of which were in one day;—that on the 17th and 18th the whole atmosphere appeared as if on fire, and a noise arose from the earth like the driving a number of chariots along the streets. When the post came away the noise was increasing, and the inhabitants were much terrified.

S A L A, (in Africa) October 29.

The flag of the United States of America dare not appear in the Mediterranean, as they cannot avail themselves of the English flag with impunity, for the Algerines at present, board all the ships without distinction.

T O R T O I S E, December 25.

A woman named Rose Four, wife of one John Agramune, being with child, and hearing that one of her children had been apprehended with some disorderly persons and sent to prison, she was so affected as to be instantly taken in labour, and delivered of five children, four girls and a boy. This woman, who is of a very strong constitution, has had 14 children at four births, two the first, three the second, four the third, and now five, all of whom are living and in good health.

L O N D O N, December 25.

On the 7th ult. the whole town of Muniagen, in Saxony, was consumed by fire.

Jan. 3. By Monday's French mail we received an account of the following atrocious event, recorded in a letter, dated Paris, December 24: Advice from the Cape of Good Hope import, that "the ship *Rosetter*, that left Bourdeaux in April last, arrived about midnight in sight of Table-bay, on the 12th of August following; as she was intended to carry on the coasting trade in India, the captain had on board a large sum, all in piastres. Unable at his departure to complete his crew with French seamen, he had been compelled to take on board two Italian sailors, then at Bourdeaux, whose names were Pelasco. These two brothers being of a turbulent seditious disposition, swore vengeance against the captain, who had ordered the eldest of them to be put in irons. On the night of the 12th of August, as the commander and his mate retired to rest, after the fatigue of the day, the two Italians found means to gain over to their party the carpenter and cook; they altogether made up to the boatswain, and with one blow, almost severed his head from his body, without his uttering a single groan. The sleeping officers were the next victims to their rage; the mate was presently dispatched, but the captain got up, defended himself, followed the assassins upon deck, but there he was stabbed by one of them, and instantly thrown overboard. The *Sieur Bois*, master, was the only man who could oppose them; his death was resolved upon; but at his earnest solicitation, they spared his life, provided he would engage to kill the cabin-boy, who, in his fright, had fled for safety to the hatches. The bloody monster called him up in the mildest terms, assuring him he had nothing to apprehend: but the too credulous youth no sooner appeared, than Bois plunged a dagger into his heart. He himself did not remain long unpunished for this act of cruelty, the cook perceived, and advised his accomplices, that Bois had privately seized upon the captain's chest. Alarmed at this intelligence, the murderers offered to shoot him; but he begged to be thrown into the sea; in hopes, no doubt, that, as he was a good swimmer, he could easily reach the shore, which was at no considerable distance. His request was complied with, but the Pelascos perceiving that he attempted to swim, took

to the boat, and jointly struck him with their oars till he sunk to the bottom. They then returned to the ship, loaded the boat with every thing valuable, and then bored a hole in the bottom of the former to sink her, providentially, however, the vessel bore up by the tide, entered the port.—The French commissary, *Monf. Bergerin de Monchy*, had the ship visited, and judging from the blood on the deck and other parts, partly the truth of what had happened, took such measures that the murderers were found out lurking about the country, brought back to the Cape of Good Hope, and there confined till they can be brought to their trial, and undergo the punishment due to their treacherous perfidy."

B O S T O N, March 1.

A resolve has passed the general court for admitting to bail, such of the rebels now in confinement, and who were not apprehended on state warrants, whose liberty shall not be thought dangerous to the public safety, on their procuring sufficient sureties of their appearance at the supreme judicial court next to be holden in the county to which they severally belong.

March 3. A letter from camp of a late date, says, "A circumstance that occurred while the horse were at Colerain, may be worth mentioning,—it is this— one of the insurgents on taking the oath of allegiance, on being ordered to deliver up his arms, produced an old musket (if a thing may be called such, which had neither stock nor lock who) but which he said was all he had, and that it was the same he had with him when with Shays, and though search was made no other arms could be found. However, it afterwards appeared, that on the approach of the horse he had thrust his gun into a mow of hay in the barn, that it cocked in the action of doing it, and that when drawing it out it snapt, and the powder in the pan took fire. He however went into the house and was making much sport on the deception he had so successfully played off at the horse, when happening to call his eyes towards the barn he discovered it to be flames, which in a short time consumed the same, and all its contents—the just reward of his duplicity."

General Ethan Allen, we are informed, lately declared, in presence of several gentlemen of this state, that he never had any communications with Shays or his adherents, directly or indirectly; but that he heartily despised both them and their cause.

We hear that the celebrated Chapman, and one Jonathan Facit, a representative to the assembly of Pittsford, were lately upon an embassy to lord Dorchester, to seek supplies of men, money, &c. for the rebels. As they reached St. John's, they found themselves too low in pocket to proceed further without assistance; but impressed with the great importance of their mission to the English nation, they had no doubt but, upon the first intimation, the British commander at that post, would immediately advance guineas by handfuls—when alas! he laughed at them and their cause, and communicated their profound secret to the people. The young apprentices constructed a wooden horse, and determined to honour those rebels with a ride.—Facit escaped without his saddle-bag.—Chapman was missing, and we do not know but he has taken an airing upon the British Rosinante.

S P R I N G F I E L D, March 13.

By a gentleman who left Boston last Saturday noon, we are informed, that the honourable major general Lincoln, Samuel Philips, jun. and Samuel Allyne Otis, esquires, are appointed by the general court, a board of commissioners, who are immediately to repair to the counties of Hampshire, Worcester and Berkshire; and there to hear, try and grant, in part or full, pardon to all persons that have been concerned in the late insurrection and rebellion, excepting those who have been proscribed by proclamation, and others that have fired on, or killed any of the good subjects of this commonwealth.

We are also informed, that the general court, during the present session, have been extremely unanimous and decisive, and discovered no disposition to be sanguinary or oppressive—but on the contrary wish to alleviate the burthens of the people as far as is consistent with the general good.

N E W - Y O R K, March 14.

Saturday evening his excellency governor Clinton, accompanied by colonel Fish, adjutant-general, and colonel Willet, returned from the northward. On Tuesday his excellency had an interview with general Lincoln at New Lebanon, with whom he afterwards went to Pittsfield (Massachusetts) in order to concert measures for the immediate suppression of the insurgents, should any again dare to assemble in arms. In consequence of the governor's appearance the magistrates and military officers of the country held themselves in readiness to take the most active part therein; but happily no occasion offered for exertion, as there was not (nor is there at present) the smallest appearance of disaffection in any of the inhabitants there, although from the injurious reports in circulation respecting them, many were led to imagine, that several there were strongly inclined to countenance and support the insurgents immediately on their first appearance. The fact is, that the people there did not conceive it their duty to take any part on the occasion, until they should be made acquainted with the sense of government; which was no sooner communicated to them by his excellency's

proclamation, than the most readiness to perform of their ability, in co-operation. In consequence of the abandoned disaffection they flattered themselves to occur, dispersed, a to escape from a state of dacious insult; nor of them to be seen in territory.

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