

Connecticut Courant,

AND

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Conclusion of remarks relative to the Controversy between Pennsylvania and Connecticut.

NUMBER VII.

FROM the foregoing state of facts, relative to the dispute between Pennsylvania and Connecticut, we may observe, that Connecticut has suffered a very great injury in her charter rights by the decision of the high court at Trenton. But the decree is final and Connecticut must acquiesce; unless it can be proved that there was some misconduct in the proceedings. The loss however of the state, as such, is trifling compared with the losses, the sufferings and the insults sustained by the proprietors and the settlers of Wyoming. The cruel treatment, the barbarous abuses which they received from the troops of Pennsylvania, authorized by the supreme power of that state, and stationed at Wyoming to keep the peace and execute laws among inoffensive farmers, are such flagrant acts of injustice, such a wanton, unprovoked denial of the protection of government, as to fill every friend to liberty and humanity with resentment and indignation.

But however severe have been the losses and sufferings of the inhabitants, they are not wholly without a remedy. Congress have granted them a trial for the right of soil; to which they are entitled upon every principle of justice and equity. The settlers under Connecticut are *bona fide* purchasers of the soil under what they supposed a good title. Whatever might have been done or said to the contrary by the proprietaries of Pennsylvania, the colony of Connecticut supposed, and the best lawyers in the English nation supposed, that the colony had a right to the pre-emption of all lands contained in the limits of her charter. It was not then known that the *last* grant of a tract of land, made by the same grantor to different grantees, gave the *best* title. The discovery of this new doctrine in the alienation of real estates, was reserved for a very modern era, the year 1782, which will be memorable for the first trial of a real action between two of the United States, and the establishment of new principles in our American jurisprudence. Upon these ideas therefore, that the claimants under Connecticut purchased the lands on the Susquehannah for valuable considerations; that they purchased them of the Indians, natives of the soil; that they purchased them under the countenance and protection of the colony of Connecticut, within whose charter the lands were known to lie, and which of consequence had a right to the pre-emption and jurisdiction of the land; upon these ideas the present settlers and owners of lands at Wyoming are certainly entitled to a fair hearing in defence of their possessions. They are not to be considered as men, trespassing upon lands to which they know they have no right; but as honest men who have obtained legal possession. Thousands have sold all their other estates to purchase tracts of land in this uncultivated wilderness; and must they be robbed of the whole without a recompence, merely because they unfortunately made a mistake? or rather because there was a dispute existing which could not be decided, and of which they could not fore-see the event? The laws of every state certainly view every kind of possession, even that which is illegally obtained, in a more favourable point of light. Before the decree at Trenton, the lands on which these people have settled themselves were controverted, and while it was not decided to which state they belonged, the inhabitants of one state had as good right to purchase and improve them as those of the other; and it must be observed that the decree of Trenton did not affect the title of the tenants.

But the state has a very great interest in defending her claim to the western lands. Connecticut and Massachusetts have the same right to lands west of the Delaware that they had originally to the lands which they have settled east of New-York. They claim both under the same authority and the same charter. If Sir Henry Roswell, &c. and Lord Say and Seal, &c. had any right in 1620 and 1636 to purchase and settle the lands at Plymouth and at the mouth of Connecticut river, in preference to others, they certainly had the same right to purchase and settle lands any where in the latitude of Massachusetts and Connecticut, between the Dutch settlements on Hudson's river and the Mississippi or the south Sea. And if the original grantees ever had such a right, their assigns and successors have the same right now. There has been no

relinquishment—no forfeiture—no alienation of their right. If any conveyance in nature is binding upon the grantor, the charters of these states were binding upon the King of Great Britain—and if the charters were good as to one part, they were certainly good as to every part.

This being the state of facts, it is incontestibly just that the states should be allowed the full extent of their charter rights. Other states are locating and selling lands to which they have more doubtful titles. New-York is extending her claims westward and northward upon pretensions to title much more contestible than those of Massachusetts and Connecticut. Pennsylvania asserts her claim to every foot of land contained in the literal construction of the original grant. The grant is of *five degrees of longitude*; a degree of longitude in the latitude of forty, is but about forty-five miles; yet the Pennsylvanians extend the degree to sixty-nine miles and a half, the length of a degree at the equator. This unjust extension of their bounds enlarges the state more than an hundred miles beyond its charter limits. The claims of Virginia and the Carolinas are immense; though a part of their claims are relinquished to the United States on certain conditions.

To adjust all the contending interests of the several states, is a task worthy of the most careful attention of the Supreme Council of America. From the vast tracts of valuable land, which fall within the limits of the United States' jurisdiction, may be derived the most important future advantages. By ascertaining the claims of particular states and leaving the lands to the management of their respective legislatures; and by apportioning out those lands which are not claimed to those small states that have no unlocated territory, these western lands might furnish a resource for the payment of our debts, and funds for the future support of government. But such a separation of interests would eventually destroy our union—it would perpetuate jealousies and produce dissensions between the states.

On the other hand, would all the states consent to cede all their claims to lands unlocated, to the United States for their common benefit, a part of them might be sold to sink our domestic debt, and a part might be reserved at demesne lands, or a perpetual patrimonial estate to defray the necessary expenses of the United States. This would form, at the same time, a strong and permanent bond of union; because it would be equally the property of every citizen of the United States.

It is not the wish of Connecticut to acquire any superiority over her sister states, either in wealth or territorial jurisdiction. But it is her wish not to see any particular state assume such superiority by encroaching upon the rights of her neighbors. Republics, to be well governed, must be small; and among confederated republics, the safety and harmony of the whole, depend on a proper equality in the several individuals. That state therefore that wishes to extend its territory to a great degree beyond that of the others, is an enemy to the union. Ambition is a constant attendant on power; and power is all supplied by property. In order therefore to preserve the union of the several states, there must be such an equality as will prevent all danger from the power of any individual; and some common interest that shall over power the influence of the jealousies and clashing interests of particular states.

DR. PRICE'S OBSERVATIONS, continued.

Of LIBERTY of DISCUSSION.

IT is a common opinion, that there are some doctrines so sacred, and others of so bad a tendency, that no public discussion of them ought to be allowed. Were this a right opinion, all the persecution that has been even practised would be justified. For, if it is a part of the duty of civil magistrates to prevent the discussion of such doctrines, they must, in doing this, act on their own judgments of the nature and tendency of doctrines; and, consequently, they must have a right to prevent the discussion of all doctrines which they think to be too sacred for discussion or too dangerous in their tendency; and this right they must exercise in the only way in which civil power is capable of exercising it, "by inflicting penalties on all who oppose sacred doctrines, or who maintain pernicious opinions."—In Mahometan countries, therefore, civil magistrates have a right to

licence and punish all who oppose the divine mission of Mahomet, a doctrine there reckoned of the most sacred nature. The like is true of the doctrines of transubstantiation, worship of the Virgin Mary, &c. in Popish countries; and of the doctrines of the Trinity, satisfaction, &c. in Protestant countries. In England itself, this principle has been acted upon, and produced the laws which subject to severe penalties all who write or speak against the Supreme Divinity of Christ, the Book of Common Prayer, and the Church Articles of Faith. All such laws are right, if the opinion I have mentioned is right. But in reality, civil power has nothing to do with any such matters; and civil governors go miserably out of their proper province, whenever they take upon them the care of truth, or the support of any doctrinal points. They are not judges of truth; and if they pretend to decide about it, they will decide wrong. This all the countries under heaven think of the application of civil power to doctrinal points in every country but their own. It is, indeed, superstition, idolatry, and nonsense, that civil power at present supports almost every where, under the idea of supporting sacred truth, and opposing dangerous error. Would not, therefore, its perfect neutrality be the greatest blessing? Would not the interest of truth gain unspeakably, were all the rulers of States to aim at nothing but keeping the peace; or did they consider themselves as bound to take care, not of the future, but the present interest of men;—not of their souls and their faith, but of their persons and property;—not of any ecclesiastical, but secular matters only?

All the experience of past time proves that the consequence of allowing civil power to judge of the nature and tendency of doctrines, must be making it a hindrance to the progress of truth, and an enemy to the improvement of the world.

Anaxagoras was tried and condemned in Greece for teaching that the sun and stars were not Deities, but masses of corruptible matter. Accusations of a like kind contributed to the death of Socrates. The threats of bigots and the fear of persecution, prevented Copernicus from publishing, during his whole life time, his discovery of the true system of the world. Galileo was obliged to renounce the doctrine of the motion of the earth, and suffered a year's imprisonment for having asserted it. And so lately as the year 1742, the best commentary on the first production of human genius (NEWTON'S *Principia*) was not allowed to be printed at Rome, because it asserted this doctrine; and the learned commentators were obliged to prefix to their work a declaration, that on this point they submitted to the decisions of the supreme Pontiffs. Such have been, and such (while men continue blind and ignorant) will always be the consequences of the interposition of civil governments in matters of speculation.

When men associate for the purpose of civil government, they do it not to defend truth, or to support formularies of faith and speculative opinions; but to defend their civil rights, and to protect one another in the free exercise of their mental and corporeal powers. The interference, therefore, of civil authority in such cases is directly contrary to the end of its institution. The way in which it can best promote the interest and dignity of mankind (as far as they can be promoted by the discovery of truth) is, by encouraging them to search for truth wherever they can find it; and by protecting them in doing this against the attacks of malevolence and bigotry. Should any attempt be made by contending sects to injure one another, its power will come in properly to crush the attempt, and to maintain for all sects equal liberty, by punishing every encroachment upon it. The conduct of a civil magistrate, on such an occasion, should be that of Gallio the wise Roman proconsul, who, on receiving an accusation of the apostle Paul, would not listen to it, but drove from his presence the accusers who had laid violent hands upon him, after giving them the following admonition:—*If it were a matter of wrong or wicked lewdness, reason would require that I should bear with you. But if it be a question of words and names and the law, look you to it. For I will be no judge of such matters.* Acts xviii. 12. &c. How much happier would the world have been, had all magistrates acted in this manner? Let America learn this important lesson, and profit by the experience of past times. A dissent from established opinions and doctrines has indeed often miserably disturbed society, and produced

Secondly. Religious establishments are founded on a claim of authority in the Christian church which overthrows Christ's authority. He has in the scriptures given his followers a code of laws, to which he requires them to adhere as their only guide. But the language of the framers of church establishments is—“We have authority in controversy of faith and power to decree rites and ceremonies.” We are the deputies of Christ upon earth, who have been commissioned by him to interpret his laws, and to rule his church. You must therefore follow us. The scriptures are insufficient. Our interpretations you must receive as Christ's laws; our creeds as his doctrine; our inventions as his institutions.”

It is evident, as the excellent **HOADLY** has shewn, that these claims turn Christ out of the government of his own kingdom, and place usurpers on his throne.—They are therefore derogatory to his honour; and a submission to them is a breach of the allegiance due to him. They have been almost fatal to true Christianity; and attempts to enforce them by civil penalties, have watered the Christian world with the blood of saints and martyrs.

Thirdly. The difficulty of introducing alterations into church establishments after they have been once formed, is another objection to them. Hence it happens, that they remain always the same amidst all changes of public manners and opinions; and that a kingdom may go on for ages in idolatrous worship, after a general conviction has taken place, that there is but one object of religious worship, namely, the God and Father of our Lord Jesus Christ. What a sad scene of religious hypocrisy must such a discordance between public conviction and the public forms produce? At this day, in some European countries, the absurdity and slavishness of their hierarchies are seen and acknowledged; but being incorporated with the state, it is scarcely possible to get rid of them.

What can be more striking than the State of England in this respect?—The system of faith and worship established in it was formed above two hundred years ago, when Europe was just emerging from darkness and barbarity. The times have ever since been growing more enlightened; but without any effect on the establishment. Not a ray of the increasing light has penetrated it. Not one imperfection, however gross, has been removed. The same articles of faith are subscribed. The same ritual of devotion is practised.—There is reason to fear that the *absolution of the sinner* which forms a part of this ritual, is often resorted to as a passport to heaven after a wicked life; and yet it is continued.—Perhaps nothing more shocking to reason and humanity ever made a part of a religious system than the damning clauses in the *Atanasian creed*; and yet the obligation of the clergy to declare assent to this creed, and to read it as a part of the public devotion, remains.

The necessary consequence of such a state of things is, that,

Fourthly, Christianity itself is disgraced, and that all religion comes to be considered as a state trick, and a barbarous mummery. It is well known, that in some Popish countries there are few Christians among the higher ranks of men, the religion of the State being in those countries mistaken for the religion of the Gospel. This indeed shews a criminal inattention in those who fall into such a mistake; for they ought to consider that Christianity has been grievously corrupted, and that their ideas of it should be taken from the New Testament only. It is, however, so natural to reckon Christianity to be that which it is held out to be in all the establishments of it, that it cannot but happen that such an error will take place and produce some of the worst consequences.—There is probably a greater number of rational Christians (that is, of Christians upon enquiry) in England, than in all Popish countries. The reason is, that the religious establishment here is Popery reformed; and that a considerable body dissent from it, and are often inculcating the necessity of distinguishing between the Christianity established by law and that which is taught in the Bible.—Certain it is, that till this distinction is made, Christianity can never recover its just credit and usefulness.

Such then are the effects of civil establishments of religion. May heaven soon put an end to them. The world will never be generally wise or virtuous or happy, till these enemies to its peace and improvement are demolished. Thanks be to God, they are giving way before increasing light. Let them never show themselves in America. Let no such monster be known there as HUMAN AUTHORITY IN MATTERS OF RELIGION. Let every honest and peaceable man, whatever is his faith, be protected there; and find an effectual defence against the attacks of bigotry and intolerance.—In the United States may RALPHSON flourish. They cannot be very great and happy if it does not. But let it be a better religion than most of those which have been hitherto professed in the world. Let it be a religion which enforces moral obligations; not a religion which relaxes and evades them.—A tolerant and Catholic

* This is an inconvenience attending civil as well as ecclesiastical establishments, which has been with great wisdom guarded against in the new American constitutions, by appointing that there shall be a revival of them at the end of certain terms. This will leave them always open to improvement, without any danger of those convulsions which have usually attended the corrections of abuses when they have acquired a sacredness by time.

religion; not a rage for proselitism.—A religion of peace and charity; not a religion that persecutes, curses and damns.—In a word, let it be the genuine Gospel of peace lifting above the world, warming the heart with the love of God and his creatures, and sustaining the fortitude of good men by the assured hope of a future deliverance from death, and an infinite reward in the everlasting kingdom of our Lord and Saviour.

From the preceding observations it may be concluded, that it is impossible I should not admire the following article in the declaration of rights which forms the foundation of the *Massachusetts* constitution.—“In this State every denomination of Christians demeaning themselves peaceably and as good subjects of the commonwealth, shall be EQUALLY under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law.” This is liberal beyond all example.—I should, however, have admired it more had it been MORE liberal, and the words ALL MEN OF ALL RELIGIONS been substituted for the words every denomination of Christians.

It appears farther from the preceding observations, that I cannot but dislike the religious tests which make a part of several of the American constitutions.—In the *Massachusetts* constitution it is ordered, that all who take seats in the House of Representatives or Senate shall declare “their firm persuasion of the truth of the Christian religion.” The same is required by the *Maryland* constitution, as a condition of being admitted into any places of profit or trust. In *Pennsylvania* every member of the House of Representatives is required to declare, “that he acknowledges the Scriptures of the Old and New Testament to be given by divine inspiration.” In the State of *Delaware*, that “he believes in God the Father, and in Jesus Christ his only Son, and in the Holy Ghost, one God blessed for evermore.” All this is more than is required even in England, where, though every person however debauched or atheistical is required to receive the sacrament as a qualification for inferior places, no other religious test is imposed on members of parliament than a declaration against Popery.—It is an observation no less just than common, that such tests exclude only honest men. The dishonest never scruple them.

MONTESQUIEU probably was not a Christian. NEWTON and LOCKE were not Trinitarians; and therefore not Christians according to the commonly received ideas of Christianity. Would the United States, for this reason, deny such men, were they living, all places of trust and power among them?

Afa Hopkins and Co.

Have for Sale at their Store in HARTFORD, A general Assortment of Drugs and Medicines.

A L S O,	
BRANDY	Verdegrise.
Rum.	Spirits of Turpentine.
Teas.	German Steel.
Loaf Sugar.	Crude and Flower of Sulphur.
Pepper.	Sets of Tooth Instruments.
Allum.	Lancets.
Copperas.	Smelling Bottles.
Crude Tartar.	Common and Flint Phials.
Arsenic.	Large and small Gallipots in nests.
Oil of Vitriol.	Corks.
Litharge.	Sponge, &c.
Prussian Blue.	
White and Red Lead.	
Yellow Ochre.	
Spanish Brown.	

* Cash for Bees-Wax at said Store.

To be Sold at the Auction Room,

To-Morrow, at 2 o'clock in the Afternoon, A Quantity of DRY GOODS, amongst which are, Blankets---Coatings---Calicoes---Forrest Cloth---Calimanco, Barcelona Handkerchiefs, Worsted and Cotton Stockings, &c. Also, Soldier's Notes, Commutation Notes and some State Money.

Wanted, at the above Auction Room, New Emifion Money of the State of New-York, and Massachusetts consolidated Notes, for which a generous price will be given.

Hartford, February 22, 1785.

THE Treasurer of the State of Connecticut, informs the several Collectors of State taxes on the list 1783, that the twentieth part of the tax granted by the General Assembly in May last, of 1^d. on the pound, payable the first day of October 1784, is not abated.

* The several Printers in this state are desired to insert the above in their respective papers.

Treasury-Office, Feb. 11, 1785.

THE subscriber, living at the south end of the Town, wants to purchase a Quantity of Indian Corn and Rye,

For which he will pay solid Coin, if delivered soon. Also, will exchange the best kind of Rock-Salt for Grain, on low terms.

THOMAS TISDALE.

Hartford, February 1785.

CITY of MIDDLETOWN.

A By-Law relative to City Officers and Jurors. BE it ordained by the Mayor, Aldermen and Common Council of the city of Middletown, in Court of Common Council assembled, That any person or persons eligible to office by any by-law of the city, who shall be legally challenged and appointed thereto, and shall refuse to serve in the same, shall forfeit and pay the sum of Twenty Shillings lawful money. And be it further ordained, That any Juror of said city, being duly summoned and returned to serve as a jury-man of any city Court, who shall neglect to attend (not being legally excused) shall forfeit the sum of Ten Shillings lawful money for every such neglect. And all penalties, not otherwise disposed of by law, shall be recoverable by the city Treasurer for the use of the city.

A By-Law for regulating the weighing of Meat and Bread sold in small quantities.

BE it ordained by the Mayor, Aldermen and Common Council of the city of Middletown, in Court of Common Council assembled, That after the twentieth day of March next, no Butcher or Baker in said city shall sell, by Retail, any Meat or Bread in less quantity than forty pounds, but in every instance the weight of such less quantity sold as aforesaid, shall be ascertained by scales and weights, approved by the sealer of weights and measures. And every person who shall transgress this ordinance shall, for every such offence, forfeit and pay the sum of Ten Shillings lawful money, one half to him who shall prosecute the same to effect, and the other half to the city Treasurer for the use of the city.

A By-Law relative to Incumbrances in the Highways.

BE it ordained by the Mayor, Aldermen and Common Council of the city of Middletown, in Court of Common Council assembled, That from and after the twentieth day of March next, no lumber, timber, wood, stones, bricks, carts, carriages of any kind or any other articles, which shall in any measure obstruct or incumbrate the free passage in any of the streets or highways in the city in any part or parts thereof, shall be permitted to be and remain in such streets or highways for more than forty-eight hours. And if any person or persons, after said twentieth day of March, shall put or cause to be put any of the articles aforesaid in any of such streets or highways, and shall suffer the same there to remain for a longer time than forty-eight hours, he or they shall forfeit and pay the sum of Ten Shillings lawful money for each day that he or they shall suffer the same to remain there after such time; which forfeiture shall be one half to the person or persons who shall prosecute the same to effect, and the other half to the city Treasurer for the use of the city.—unless liberty be obtained from the Mayor and Aldermen or the major part of them to continue any of the articles aforesaid in such streets or highways for a longer time than forty-eight hours, which liberty the Mayor and Aldermen are hereby empowered to grant.

A By-law for restraining Swine and Geese from going at large in the City.

BE it ordained by the Mayor, Aldermen and Common Council of the city of Middletown, in Court of Common Council assembled, That after the twentieth day of March next, no Swine or Geese shall be suffered to go at large in any of the streets or highways in said city; and any geese after that time found at large in such streets or highways, shall be forfeited to him or them who will take up and secure the same; and if any swine shall, after that time be found at large in such streets or highways, it shall be lawful for any person or persons to impound the same in any pound within the city; and the owner or owners of such swine shall pay to the pound-keeper, for every swine so impounded, the sum of Three Shillings lawful money. Six pence of which shall be the pound-keeper's fee, and the remainder one half shall be paid to the city Treasurer for the use of the city and the other half to the person or persons impounding such swine. And if the owner or owners of any swine impounded as aforesaid shall not, within twenty-four hours after such impounding, pay the preceding forfeiture, it shall be the duty of the pound-keeper to direct the city-crier to cry such swine through the main street of the city and in the street where the pound is kept; for which service the crier shall receive One Shilling and Six pence. And if the owner or owners of such swine shall not, within twenty-four hours after crying the same, pay the sums aforesaid, it shall be the duty of the pound-keeper to sell such swine at public vendue, first causing notice of such vendue to be given by the crier, and after deducting his own, the impounder's and the crier's fees, he shall pay the remainder to the city Treasurer, who, after retaining the sum due to the city, shall pay the remainder to the owner or owners of such swine if demanded in three weeks after such sale; and if not demanded within that time the same shall remain for the use of the city.

A By-Law to prevent the throwing of Ballast into the river.

BE it ordained by the Mayor, Aldermen and Common Council of the city of Middletown, in Court of Common Council assembled, That if any person or persons shall throw or cause to be thrown any stones, bricks, ballast or any other heavy articles into or upon the waters of Connecticut river or the creek or navigable rivers within the limits of said city, who by the channel or channels thereof may in any degree be filled up, or the free passage of vessels or other water craft therein in any measure obstructed, the person or persons so offending, shall forfeit and pay for every such offence a sum not exceeding Ten Pounds lawful money, at the discretion of the city Court, one half thereof to the person who shall prosecute the same to effect, and the other half to the city Treasurer for the use of the city.

At a meeting of the City of Middletown, holden on the 17th day of January A. D. 1785, the preceding By-Laws were read and approved.

Certified from the Records of said city.

BENJAMIN HENSHAW, Clerk.

NOTICE is hereby given to all persons having any accounts unsettled with the estate of Doctor Niel McLean, late of Windsor deceased, that the subscriber Administrator on said estate will attend at his own house in Windsor, in the society of Wintonbury, to settle with those indebted, or those that have any demands on said estate, on the last Tuesday of February instant, and on the first Tuesday in March and April, and second Tuesday in May next. Those creditors who neglect to exhibit their claims within said time, will by order of the Judge of Probate be legally debarr'd.

JONAH GILLET, Administrator.

Windsor, February 19, 1785.

LAST night the following prisoners made their escape from the goal in this city, viz. Joseph Dickerman, committed for house-burning; Ezra Davis, Abel Kidder, Abel Tillotson and Andrew Brooks, committed for passing counterfeit money. Whoever will return either of said prisoners to the Goal whence they escaped, shall have a reasonable reward and necessary charges paid, by

BZEKIEL WILLIAMS, Sheriff.

Hartford, February 21, 1785.