

n common with their rich brethren, the farmers. It has already been hinted, that the petitioners were of the poorer class of the citizens of Newbury, (not less respectable, however, for this.) They are not a body, wealthy; but they are industrious; mostly merchants, mechanics and sea-faring men. They are nearly connected with the citizens of Newburyport; they both have one object in view, and one interest at stake; whatever takes place to the advantage of one, it is the advantage of the other;—in a word, nothing but the line which the statute book describes, separates these brethren from each other. But here is the difficulty. Not that the line of division disturbs the “sleeping ashes of the dead,” but the interest of the living; it separates friends and brethren, who were once citizens of the “old and respectable Newbury,” whose interest is still the same. It has been stated, that the petitioners cannot enjoy their rights equally with their brethren, who are more wealthy. This I think will appear from the following statement.

It is known that towns are by law obliged to raise, annually, a certain sum of money for the support of schools. This is the case with Newbury, but as before hinted, “old respectable Newbury,” is very large in territory, (almost like a county,) and the town must be districted, which is the case, to ten or twelve districts. Some of these districts are very wealthy; in fact in one of them, from their school money, which they receive for teaching their school, and some addition made up in the district by subscription, they not only support a school through the year, but hire a minister of the gospel to preach to them every Sabbath. O could the petitioners only enjoy these privileges, they would cease to look to “little Newburyport, or long for the leeks and onions!”—But our case is far from this. I state a fact when I say, that in one of the districts, (and this district is where the petitioners mostly reside,) that the children receive not a hundred dollars each per year, but less than one hundred cents each, per year; and this is all that is allowed them by the town, from the monies raised for that purpose. I ask for what purpose did the Legislature enact a law, binding towns to support schools? Was it for the rich that they might educate their sons? or was it for the poorer class, who are unable to do it? The enquiry needs not an answer from me. I might name other districts, who receive four times, and even six times the amount for their children, that the children in the district do in which most of the petitioners reside, but the scene is too sickening to pursue it farther. It will easily be seen, who are the “hewers of wood, and drawers of water.”

The petitioners are said to be of the poorer, or middling class of citizens. They are mostly so, but they have some property, and for which they are taxed even to the utmost farthing. Their dwellings are known, every ton of shipping which they possess is known; they cannot (if they were so disposed) hide from the assessors’ knowledge their dwelling houses, as the farmer can with ease his access of land. They must pay for every cent, while the farmer can keep back a quarter and some times more of his access. But this is not all, most of the property in the district, asked for in the petition, is valued much higher than property in other parts of the town, and some for more than it would bring at public sale; in fact, many of the dwelling-houses in the district are taxed more than the mansion house and all the necessary buildings, for a farm of one and two hundred acres. I have not reference to the dwellings in High-street,—there are many to the south of South-street, that are thus taxed. Who then are “hewers of wood, and drawers of water.”

I have said the petitioners cannot enjoy equally the privileges which are common and ought to be equal to every citizen; they are a minority, and no measure that would operate favorably to them can ever be adopted in the town. They have frequently asked the town to open one of their roads, and that only for a few rods, and as frequently have they been denied. Some of the petitioners are so connected in business with the citizens of Newburyport, that they are obliged to pay most of their taxes there, without deriving any benefit from them; in fact more than one-fifth of the taxes paid by the citizens of the district petitioned for, are paid into the Treasury of Newburyport: thus situated they cannot equally participate with the citizens of Newbury or Newburyport.

[To be concluded in our next.]

## MISCELLANY.

### SEPARATION OF NEWBURY.

MR. ALLEN:

It is the happy lot of the citizens of this Commonwealth, to live under a Constitution which secures to them, all the liberty and rights which a reasonable man could wish or desire; and in order to enjoy the privileges which are thus secured to us, and increase the blessings which will naturally flow from the full enjoyment of them, it is the duty as well as the privilege, of all our citizens to use every means which is calculated to promote this great end. Government was instituted to secure the existence of the body politic; and to furnish the individuals who compose it with the power of enjoying in safety and tranquillity their natural rights, and the blessings of life; and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity and happiness. So says the preamble of the constitution of this Commonwealth. Now if this will apply to large communities, I can see no good reason why it will not to lesser ones. The body politic is formed by a voluntary association of individuals; it is a social compact, and so long as each member can participate equally in its privileges with other members, so long are the ends of government answered, and no longer. It has fallen to the lot, Mr. Editor, of a considerable number of your readers, to reside in that old and respectable town, called Newbury, once the residence of the pious Parker, and a host of other worthies; whose ashes still sleep in that “sacred, holy ground,” near the first Parish Church; names, that still are dear to all who call themselves Christians. Now, sir, it is well known that the town of old and respectable Newbury is very large in territory, (almost 40 times as large as “little Newburyport, the town of ‘leeks and onions,’”) and the inhabitants of the town are for the greater part farmers, and they are very wealthy farmers, too. They have their farms of one, two and three hundred acres; their pastures are covered with flocks, and their vallies with corn; their paths even drop fatness, so that the little hills rejoice, they also sing. But not so, Mr. Editor, with another class of the citizens of this old and truly respectable town. “The poor ye shall always have with you,” were the words of the Saviour of the world. This is the class that feels itself aggrieved. Our rich neighbors, instead of being “shoved back into the pastures,” have driven us to the borders of the sea, and exclaimed “go there you old fishermen, you hewers of wood and drawers of water.” Thus their tender mercies are cruelties. That class of the citizens of Newbury, who reside in the immediate vicinity of Newburyport; and joining on the south and west of her, have long been desirous of becoming connected with Newburyport; they have given their reasons, which were considered by them to be sufficient and satisfactory; they still think so, and they believe that there is no candid, impartial man, acquainted with all the circumstances, who would not consider them so. They have, therefore, petitioned the Hon. Legislature, once, and again, and again, to separate the territory on which they reside, from Newbury and annex the same to Newburyport; and as often as they have petitioned, as often they have had liberty to withdraw their petition. To the public, then, it must be obvious, that the petitioners had not good and sufficient reasons, or else the Hon. Legislature would in justice have granted their petition.—It becomes the duty of the petitioners, then, to show that they have not been guilty of trespassing upon the time and notice of the Hon. Legislature, without sufficient reasons. The petitioners say, that their right of acquiring, possessing and enjoying property, is secured to them by the declaration of the rights of the inhabitants of this Commonwealth. This they cannot do, in their present situation,

## SEPARATION OF NEWBURY.

[Concluded.]

Many of the petitioners are not able to educate their children to that degree, which is desirable to every good citizen; they cannot send them abroad to obtain their education, because they are not able to do this, and if they were, perhaps they would be home-sick, as the gentleman who opposed us, said he was. Thus situated, we petitioned to be set off from Newbury and annexed to Newburyport, where the education of children is considered, (as it ought every where to be,) a fundamental principle. This is truly a town of "leeks and onions," and who would not wish to reside within its boundaries. Now, if I mistake not, the gentleman alluded to, obtained part of his education in this little highly favored town. I allude to the study of the theology,—for I must inform your readers, Mr. Editor, that this gentleman was once a Clergyman; and this fact will account for the solemn and impressive manner in which he addressed the Committee on towns, and protested with such earnestness against the passage of a law, which would separate the husband from the wife; the brother from the sister, and the child from the parent. Don't be frightened, reader,—the law in question would only have separated those whom death had long before parted; and the ashes of some of whom had mingled for more than a century with their mother dust. We have petitioned, as before stated, to the Legislature, which, as a duty we owed ourselves, and our children, we were bound to do. We have not asked to be separated from Newbury to her hurt; the separation would prove advantageous to both, could it take place. We had every good reason to suppose that the prayer of the petitioners would be granted; our interest required it; the good of the body politic required it; and no one would be injured by it. We say that our interest required it, and who are better judges in this case, than the party interested; more than five sixths of the citizens were for the separation, and in property more than nine tenths. The district asked for, contains about a quarter of the inhabitants of Newbury, and more than a quarter of all the Town poor, but pays into the treasury of Newbury but little more than one fifth of the tax of the town. The petitioners were willing to leave all the town property, which is more than three thousand dollars. From these, and other facts which we might name, we say that the old town of Newbury would be the gainer by the separation, and we not the loser by it; because Newburyport was willing to receive us on an equal footing with themselves. But, objections were made against this separation, by the Committee of Newbury. We will notice all of them.

The first objection was, that Newbury had been divided twice before. This was admitted; the first was the separation of Newburyport from Newbury, and its incorporation into a new town. This was considered just and necessary by the Legislature of that day, and for the same reasons that Newburyport was set off from Newbury, we wish for a separation. The second was the separation of the two west parishes from Newbury, which were incorporated into a new town, by the name of West Newbury. The principal reasons for this separation, were, I understand, the great extent of territory in the old town, and the difficulty of attending town-meetings. Their petition was readily granted. No commercial interest was benefited by this separation. Now, suppose that ten or even fifteen towns more, had been taken from old Newbury, and she retained her present territory, is it any good reason that another separation should not take place, provided, a part of the citizens can be greatly benefited, and the remaining part not injured?

The second objection was, that the town had located their town-house, in the vicinity of the petitioners, for their accommodation, because the petitioners did not keep horses and carriages, and could not attend the meetings of the town, if the house was located at a distance from them. Now, the truth is, that the town first located their house in Belleville parish, considering that parish as the most central part of the town. About this time the two west parishes petitioned the Legislature to be set off from Newbury, and incorporated into a new town. Now in order to render their reasons more plausible for a separation, they had the craft to tell their brethren in the first and Byfield parishes, we prefer coming to the turnpike, to attend town meeting; we always have business, more or less, to attend to in Newburyport, and we can much better attend meetings at the turnpike, than at Belleville. Now we will join with you, and have the house removed. Here was a temptation which the citizens of Byfield and the first parish could not resist. No sooner said than done. The house was taken down, and erected where it now stands. Now, West Newbury had a good reason for a separation, viz. the great amount of travel they had to perform, in order to attend the meetings of the town. Had the town chosen the most central place for the location of their house, and with special regard to the petitioners, they would have located it near the Clerk's and Treasury office, which the town's committee say is the centre, and even the very vitals of the town. Now, Mr. Editor, it is a fact, that had the separation taken place, the Newbury town-house would be as much in the centre of the town, as it regards travel, as it now is, and could not be moved to accommodate all the citizens for the better.

The third objection, offered against the separation was, that if the Legislature should grant the prayer of the petition Belleville parish would petition to be set off from the town, and where would old respectable Newbury, be. Now, sir Belleville did petition the Legislature, no long since, to be incorporated into a new town, and the town of Newbury said by their votes, heart and hand, go; we are willing you should go. They also told us you may go, too, if Belleville should succeed; but we cannot let you off, if Belleville should remain with us; we must keep you for a balance;—comment here is unnecessary.

The fourth reason was, that the valuation of Newbury was only twenty-five

cents of the dollar, while Newburyport was sixty-five. Now, it must be obvious to every man, that there is not this difference in regard to property, in the two towns. This was the valuation of the property at the time of separation, and if it was a correct one at that day, I cannot believe it is at present. The citizens of Newburyport will do well to look at this thing,—fair play is a jewel. But, admitting it is so, what good reason could it be against the separation? It would not in the least, diminish the value of the remaining part, nor increase its expense.

The fifth reason was, that several water privileges would be taken from the old town of Newbury. What are they? Where can they be? On enquiry they were found to be two or three landing places, where our sea-faring men haul up their boats, and which are as free for the use of any town in the county as for Newbury. They might as well have said, you will deprive us of Water Street, on which we have expended several thousands of dollars.

The sixth and last reason was, that the town had purchased a large farming establishment for the poor, and it would not be wanted, if the separation should take place. Here, citizens of Newbury, look at this! See what you would have gained had you been willing to have parted with us as friends. So few poor would you have had with you, that you would not have needed your Alms-house. Now, the truth is, that if the establishment was too large for the poor of the town after the separation, it might be easily reduced, on terms advantageous to the town. This was declared in town meeting, by a number of respectable gentlemen, who reside in the vicinity of the establishment. But, sir, on the other hand, it is a fact that cannot be denied, that should the town remain together as it now is, the town must, of necessity, expend large sums of money to erect suitable buildings for the accommodation of their poor; or enlarge the present one, which is well known to be only a house of ordinary dimensions for a farm of two hundred acres.

Thus, Mr. Editor, I have given our reasons for the separation, and all the objections that were made against us. The public may judge whether they were sufficient to induce the Legislature to grant the petition. They have, also, the objections made against the separation, and can judge what weight ought to be attached to them. For ourselves we feel aggrieved; we think that justice has not been done us. But we must content ourselves to be hewers of wood and drawers of water.—We are required to deliver the tale of bricks, and the straw is kept back from us. Our task-masters are exact, but we will not repine. Pharaoh will not let Israel go. Heaven, therefore, must send her judgments; then they will drive us out with a strong hand. JUSTICE.