

make remarks, reflecting on the conduct of the Executive. The Executive consider them libellous, and order the Attorney General to prosecute; the Editor defends, and asks for a trial by Jury. The Sheriff of the County receives a writ requiring him to summon a Jury to try the question at issue. The Executive are extremely anxious for a conviction,—it is the first offence, and the offender must be made an example of to deter others. The acts of the Government must not be questioned; oh no! that must be left to the Representatives of the People; the Press must be silenced. The annual officer hears all this—the office he has just received does not make him immaculate—he is still but human, and human nature, we know is weak—he has nothing to fear or hope for from the poor Editor, but everything from the prosecutors; he will be again appointed on the first Tuesday in March, or his name will be omitted on the list. The Jury are chosen, summoned and sworn, and the unfortunate Defendant reads their verdict in their countenances before the Attorney General has opened his case. He is found guilty—fined and imprisoned; and the next year the Sheriff has the gratification of again seeing his name Gazetted for another year;—and where is the Editor that would be foolishly enough again to advocate the liberty of the People at so great a risk of his own.

The same objection to this unlimited power may be made in cases between individual suitors—we are not very clear that human nature has undergone any very great change within the last 250 years—and we know at that time it became necessary to alter the law in England relative to Juries, in consequence of Sheriffs receiving bribes. We are aware that the streams and fountains of Justice are now much more pure than they were in those days, but "what has happened may again happen;" and it should be the study of our Legislators to endeavour to keep them from being again polluted.

We hope some person capable of undertaking the task, will turn his attention to this important subject; and that our Legislature will pass such a law as will secure the liberty of the subject, and at the same time relieve Sheriffs from the present onerous duty of choosing Jurors, which to them, we feel persuaded, will be a great relief.

The following is a copy of Mr Carman's Petition:—

To the Honourable the House of Assembly of the Province of New Brunswick, in General Session assembled:

The petition of WILLIAM CARMAN, of Chatham, in the County of Northumberland, Barrister at Law—

Respectfully Sheweth,

That one of the greatest privileges we enjoy by that glorious constitution under which we happily live, a privilege of great antiquity, and ever esteemed in all countries of the highest and most beneficial nature, justly styled the principal bulwark of our liberties, the pride and boast of all Englishmen, is trial by Jury.

This privilege, this bulwark, this our pride and boast, is fast sinking into public estimation, from many recent occurrences. The great evil, your petitioner believes to arise from the want of sufficient qualification of Jurors, and the mode of choosing them.

Your Petitioner would respectfully suggest, that the amount named for the qualification of a Juror be increased, and that the present mode of choosing and summoning Jurors be altered. The High Sheriff of each County, who is generally aware of what causes stand for trial, has the power of summoning whosoever he sees fit to serve on Juries; the law thereby giving him the power to choose, in fact, persons to arbitrate between the Plaintiff and Defendant; and this power, in many cases, is delegated by him to his Deputies;—such a power, your Petitioner submits, should not be vested in any man.

There are various modes that suggest themselves to your Petitioner, by which lists of persons fit to serve on Juries may be made out, and handed to the summoning officer to summon as Jurors; but he does not presume to enlarge into detail, well knowing that there are many in your honorable House much more capable of doing so than he is. The present law requiring Sheriffs to make out annually lists of persons fit to serve on Juries, is in many instances disregarded, and if regarded, would be productive of little benefit, as the person who makes the list chooses the Juries from it.

In thus exercising his right to Petition your

honorable House, on a subject in which all are deeply concerned, your petitioner feels he is subjecting himself to the charge of presumption; but having, during nineteen years' practice, seen the impropriety, and frequently felt the inconvenience, of the present system, and satisfied in his own mind, that it is a serious and growing evil, and fully sensible that your honorable House regard the Trial by Jury of vital importance to the liberty of the subject; and that you only require to have your attention drawn to an evil to cause its removal; he deems it unnecessary to offer an apology in thus bringing this important subject under your consideration, and trusts he will not be considered presumptuous in doing so.

Your Petitioner therefore respectfully prays your honorable House to take the subject into your consideration, and alter the existing law "regulating Jurors and declaring their qualification."

**SETTLING OF WILDERNESS LANDS.**—We have always been of opinion that the present system of disposing of Wilderness Lands in this Province, is very defective, more particularly, as it holds out no inducements to parties desirous of procuring the same for immediate settlement.

We have been favoured with the following scheme, and we feel persuaded, if it were adopted, a very great change would speedily take place, and many valuable settlers be secured to the Province, who otherwise will seek elsewhere a home.

That the Legislature pass a Law, authorising the Lieutenant Governor in Council, to order the disposal at Auction, whenever he may deem necessary, every alternate Lot of Wilderness Land, in blocks, that are laid off, or that may hereafter be laid off, to the person who would make the greatest extent (but not less than 80 rods for 100 acres, except where heavy bridges or causeways are required) of good Turpike Road not less than 22 feet wide, in such places as the Legislature or Government shall point out; and in cases where the Great Roads require repairs, the same plan might be adopted, only fixing a greater distance; and on a certificate being obtained from a person authorized to give the same, that the work was completed, a Grant to issue for the 100 acres. The remaining lots in the blocks, to be sold for Cash, only, at an upset price of £20, or 4s per acre, and persons having money, would rather pay that sum when there is a good road, and settlers, than £12, as at present, where there is none. Most poor settlers, particularly those who have sons, would rather make 80 rods of good road, which would cost the Province from £20 to £25, than pay £5 in money, and can do it easier, for in the distant parts of the Province there is very little Cash in circulation. By this plan, the Province would receive, in cash, as much for the half of the lots after the roads were made, free of expense, as for the whole, under the present system, and would be likely to sell more lots for cash, than they now do, as the fact that there were roads leading through the blocks, would encourage settlers to go where the land is good; at the same time saving the Province from £80, to £100 for making the same, besides rendering large tracts of land now in a wilderness state and entirely useless, valuable.

There are districts, (reports the projector of the above scheme) in this county, where roads could be extended through fine tracts of land, for eight or ten miles in a line, which would be settled immediately, if individuals could procure lots on the terms named above, but have not the means of purchasing under the present system. The same gentleman says, that he has no hesitation in stating, that from three to four hundred persons would take up land within two years, were they enabled to procure the same, by paying it in labour.

Since the above remarks were penned, we have obtained the Head Quarters of Wednesday last, from which we clip the following paragraph. The House, it appears, feel disposed to do something towards opening the country; but it is only a partial measure, being confined to a particular location. We trust before another session passes over, that some more general scheme will be adopted.

"Yesterday the Bill to enable the Executive Government of this Province to give free Grants of Land to those who settle on the new line of Road, which the British Government have in contemplation to make between Halifax and Quebec, was brought before the House. The principal difference of opinion which was expressed during this discussion, was about the frontage which should be allowed to settlers getting their lands free of expense. One party contended that free grants should be restricted to fifty rods front, another that it should be eighty; and a third that there should be no restriction at all. Those who were in favor of the larger space fronting on the road, accused their opponents of illiberality towards the Bri-

tish Government. The Speaker, who was in favour of restricting the breadth of the lots, rebutted that charge, by showing that the narrower the front which was granted, if the lot contained 100 acres, the more land would be surrendered. The object of the House was evidently to devise the best means which they could to facilitate a rapid settlement of the country through which the road would pass; and the only difference of opinion was with regard to the best means of effecting that object."

**INCREASE OF REPRESENTATION.**—We perceive by the papers and Journals of the Assembly, that the County of King's is to have an increase in its representation; and that Westmorland is to be divided into two counties, which are to be represented by five members—making an increase of one member. We hear nothing about the increase of Representation in this county, which, when we consider the number of its population, the various interests she has at stake, and above all, the heart burnings and local jealousies which would be allayed by allowing the inhabitants on both sides of the river to be represented, we consider has greater claims to an increase in the number of her Representatives, than any other county in the Province. We leave this matter with the constituency, who we feel persuaded, will have some pertinent questions to ask of the members on the subject, when they return home.

**PROCEEDINGS OF THE LEGISLATURE.**—The late hour at which the Fredericton mail came to hand (yesterday afternoon) has prevented us from making our usual copious summary of Legislative news. The Journals in our possession are to the 1st of the month. On that day we perceive that £12,000 were voted to His Excellency towards the encouragement of Parish Schools; £400 to the Madras Academy; £300 towards the Wesleyan Academy at Sackville; £200 to the Baptist Academy; £50 to the Newcastle Grammar School.

The latest paper from the seat of Government, is the Head Quarters of Wednesday last. How is it, that the Loyalist does not reach us until it is ten days old? The proprietors, for their own interest, ought to see the cause of delay corrected.

**PUBLIC BALL.**—The first subscription Ball for the season, under the patronage of the Vice-Presidents of the Highland Society, came off at Mitchell's Hall, on the night of Tuesday last. The company, which was numerous, after partaking of tea and coffee, retired to the ball room, which was neatly decorated, when dancing commenced at 8 o'clock, and was kept up with much spirit and animation until two. The music was excellent, and the professional individuals were occasionally assisted by several gentlemen amateurs. While the instruments were filling the ball room with stirring and melodious strains, and the younger branches of the party enjoying themselves on the "light fantastic toe" in contra dances, quadrills, cotillions, reels, &c. no jarring sound was heard to mar the concord of harmony and good feeling which pervaded the company congregated in the ante-rooms. All went smoothly along, each one enjoying himself in his own peculiar way, without let or hindrance, and the night passed off "As merry as a marriage bell."

The supper table was most amply supplied with substantial, and very many luxuries. The company were much indebted to the Managers, whose kind attentions to their individual wants—their urbane and gentlemanly deportment—added considerably to the conviviality of the entertainment, by spreading around a healthful and cheering influence, in which all seemed to participate.

We could not help remarking the great and happy change which has of late years taken place in the conduct and bearing of parties assembled on festive occasions. Formerly there was much drinking, riot-

ous mirth, and too frequently, (under the artificial excitement of the moment) many angry words spoken, which was a source of regret to the company, and more particularly to the parties themselves, when reason resumed her sway. Now the scene is changed—while liquor is still amply provided, you seldom see a person so far forgetting himself as to become inebriated, and the happy effect is, that our convivial meetings pass off, (as we trust they ever will do) with good feeling and harmony.

**THE ROADS.**—The roads to the north, and towards Fredericton, the Couriers, report to be in a most wretched condition. Those to the southward are much better.

**Marriages.**

On Tuesday last, by the Rev. John McCurdy, Mr. William Hay, Jun., to Miss Margaret Gilliss, both of the Parish of Chatham.

At Mill Branch, Richibucto, on the 3rd inst. by the Rev. James Hanney, Mr. Robert Hannay, to Miss Mary Hudson, both of the Parish of Welford.

**NOTICE.**—The stated Quarterly Meeting of the Board of Education, in the County of Northumberland, will be held at the Office of the Clerk of the Peace, on TUESDAY, the 25th inst. at 12 o'clock, noon.

JOHN McCURDY, Secretary.  
March 10, 1845.

**Caution.**

I hereby Caution all persons from purchasing A NOTE OF HAND, drawn by the Subscriber, in favour of WILLIAM IDEAR, or order, for FIVE POUNDS, dated the 16th April, 1844: no Value having been received by me for said Note. GEORGE KNIGHT.  
Nelson, 5th March, 1845.

**LOST.**

This morning, between the residence of William Carman, Jun., Esquire, and the Hon. Thomas H. Peirce, a new, lined,

**BUFFALO SKIN.**

any person finding the same and will please leave it at the store of Joseph Cunard & Co., will be rewarded for their trouble.  
Chatham, March 4, 1845.

**ASSESSORS NOTICE.**

The subscribers having been appointed, and duly sworn to the Office of Assessors of the Parish of Chatham, Public Notice is hereby given, that they are ready to receive any, or such information as persons liable to assessment may think fit to give, relative to their Income, Property, and value thereof, previous to FRIDAY, the 11th April next.

JAMES CAIE,  
WM. CARMAN, Sen. } Assessors.  
JAMES KERR,  
Chatham, 11th March, 1845.

*In the matter of William McMaster, an absconding Debtor.*

NOTICE is hereby given, That we, the subscribers, have been appointed Trustees for all the Creditors of William McMaster, late of the parish of Nelson, in the county of Northumberland, Lumberer, an absconding Debtor, and have been sworn to the faithful execution of the said trust, pursuant to the directions of the acts of the General Assembly in such case made and provided; and we do hereby require all persons indebted to the said William McMaster, to pay to us, or some one of us, on or before the first day of May next, all such sum or sums of money or other debt, duty or thing, which they owe to or are chargeable with, by the said William McMaster; and we do further require all persons whatever, having her charge, custody or possession, of any goods, chattels or effects, belonging to the said William McMaster, to deliver the same forthwith to us, or to some one of us as aforesaid; and we do further require all the Creditors of the said William McMasters, to deliver to us their respective accounts and demands against the said Debtor, on or before the said first day of May next, in order that right and justice may be done agreeably to the form of the said Acts of Assembly.

Given under our hands, at Newcastle, the tenth day of January, in the year of our Lord one thousand eight hundred and forty five.

Thomas C. Allan, } Trustees.  
Alexander Foster, }  
Niel McLean, }

STREET & DAVIDSON, Attorneys on the Estate

**CAUTION!**

ALL Persons indebted to WILLIAM McMASTER, late of the Parish of Nelson, in the county of Northumberland, Lumberer, an absconding debtor, are hereby cautioned and forbid paying to, or making any arrangement with William McMaster, junior, or any other person except the subscribers, or one of them, or Messrs. Street & Davidson, their Attorneys, who alone are authorized to receive the debts due the said William McMasters, or grant discharges therefor.

Thomas C. Allan, } Trustees.  
Alexander Foster, }  
Niel McLean, }

Dated the 10th day of January, AD. 1845.