

by the tyranny of the house of Tudor, and the folly of that of Stuart, and an attention to which alone rendered the revolution a blessing, we must define an English citizen to be a freeman, who is to owe his protection, and the security of his family and property, to a civil government, of which he is an essential member.

"You will observe, Sir, that I confine myself to one object or one part of our constitution, which provided for the safety of individuals and the preservation of order by the following regulations, still existing in names and forms, the revival of which would be the most beneficial and popular act of government which can well be imagined.

"The whole kingdom was, as it is now, divided into counties, hundreds, and tithings. Ten families were associated, their names entered, their occupations defined; the males in them, from eighteen to fifty or sixty years of age, pledged themselves for the security of the tithing, and to obey the summons of the decennary, or tithing-man, on the least apprehension of danger. They were furnished with such arms as the times afforded.

"The perfect knowledge which every neighbourhood had of its inhabitants, the concern which every man had in the security of every man, and the obligation which every decennary was under to be answerable for his tithing, either prevented all violations of peace and order, or corrected them at their first origin.

"All the decennaries, or tithingmen, were chosen by the people once a year, and this is an essential circumstance in the institution.

"The ten tithingmen of every district, called a hundred, because it contained a hundred families, chose a person to preside over the hundred, to whom they made their appeals, and who had a power of calling them out. All these were amenable to the earl or count who governed the county, and he was amenable to the king, who, either by the earl or by the sheriff, both of which were of his own appointment,* could call out the whole force of a county, or of any number of counties, as the public exigencies required, while the internal peace and order of each district was provided for without his interference, and in a manner perfectly consistent with his general authority and influence.

"Nothing has ever been imagined more simple in its construction, or more effectual in the execution, than this part of the English constitution. The several powers of it, which in most cases are in eternal discord, are here so happily blended, that the people are secure and free; the king's power extends to everything but mischief, and is, in reality, greater than can be obtained on any other plan.

"These regulations might be easily restored and rendered as effectual as ever. The prepossessions of the people are strongly in their favour, and, perhaps, no others can be contrived which will not set the body of the people at enmity with government, which will perfectly allay their apprehensions and jealousies, will make them the ministers of their own security, while the power of the king reaches every individual of them by a chain, every link of which is effectual, and will not interfere with the prerogative of the king in other departments of the state, however the business of them may be administered.

"If you mean that it is impracticable," says he, in Letter III., "because the inhabitants of this country are too far advanced in luxury, too indolent, too effeminate, to enter on any plan of security, which will require the least trouble, or put them to the least inconvenience; and if you can ascertain this fact, I have no answer to make; but the trouble and inconvenience are such as would not be complained of by women. What is it but an amusement to learn the common use of arms? what inconvenience to submit to such regulations as may bring together a neighbourhood, a parish, the ward of a city, a town, a district, &c., to clear them of vagabonds, occasionally to assist the civil magistrate, and to lay the basis of a general security, confidence, and strength, where it ought to be laid, in the whole body of the people?"

"I will venture to affirm, that there is no other method by which disturbances, riots, and insurrections can be prevented, without debasing the people into the condition of brutes; and there is no other method by which a king may hold every man in the nation in his hands, while every man in the nation would feel and know himself to be as free as it is possible he should be in society.

"Hints have been thrown out of acts of Parliament which render such associations as I recommend illegal, but the acts are not specified. I know there are laws forbidding a man's going armed in a time of tranquillity and peace, without leave from a magistrate, and specifying such assemblies of people as are dangerous and seditious; but without the most distant reference to the right which every man has, from nature, from the connivance of the most despotic governments, and from the express provisions of the English constitution, to provide for his own defence and that of his family; and to unite with his neighbourhood, under the eye and direction of the supreme magistrate, for the general peace and order of the community.

"If there were such laws as you mention they could not possibly have effect, against not only a necessary right of nature, but an essential principle of the English constitution. If a law were made, that, because it is possible an English elector may become venal, therefore all electors must relinquish the right of voting,—would this constitute an obligation? Will any man say that the legislature is competent to the making of such a law?—how much less to

*The worthy author in this point is mistaken: the sheriff, as well as the earl and heretoch, were, in ancient times, chosen by the people.

annihilate the first and most important principles of human society, by awarding, that, as it is possible men may make an improper use of their limbs, or their arms, which may be as necessary as their limbs, they must therefore suffer them to be taken off.

"The power of the legislature, like every power in human society, is limited by certain and accurate bounds; it may exceed these bounds, and commit absurdities, and even offences. The English legislature is just as competent to make a law, by which every Englishman may be banished to the Oakneys, or put to death, as it is to enjoin the people to give up the right of self-defence and preservation, by the use of their limbs or by the use of their arms.

"The apprehension that associations will produce commotions and riots, instead of preventing them, must be pretended only; and all the arguments for depriving the people of the right of associating, because they have often assembled for mischievous purposes, are delusive. Cardinal de Retz says, that all numerous assemblies are mobs; and I will add, that all mobs are mischievous. Let the people who might form such assemblies be divided into small bodies, and, though the individuals be not improved, they will act reasonably and well. The design of associations is, to prevent large and tumultuous assemblies; to arrange the people under the eye of government, as accurately as an army, without diminishing their constitutional independence and liberty; to increase the difficulty of misleading them, and to destroy all ideas of appeals to them.

"Here I beg to be understood, not as aiming at any of the rights of the people; but the idea of an appeal to them has been borrowed from the government of Rome; in England it is, like the introduction of military force, a thing that negligence or mismanagement may render necessary, but the constitution is perfect without it; no supposition is made of the possibility of having any occasion to make it, and whenever it is made, the remedy may be as hazardous as any evil it can be designed to remove. A whole nation, like the human body, in order to act with harmony and pleasure, must be divided into small parts, each having its local power, subject to the direction and control of the general will."—p. 38 to 44.

ERRATUM.—In the Supplement of last Saturday, the 20th inst., the Despatch of His Excellency Sir W. Colebrooke, dated 28th June, 1842, in page 161, after the word "doubt," at the end, ought to have read thus:—"The disposal of Lands, otherwise than by public sale, has at no time entered into my views for the settlement of the Colonies."

Died.

On Monday morning, at half past five o'clock, Caroline Elizabeth, infant daughter of William J. Weeks, aged 11 months.

On Tuesday morning last, George B., youngest son of Mr. Thomas Creighton, in the 6th year of his age.

At Saint John, on Thursday last, Frederick W. C. Ford, infant son of Lieut. C. E. Ford, Royal Engineers.

At Amherst, Nova Scotia, on Sunday the 21st instant, much regretted by all who knew him, SAMUEL WILSON, Esquire, M. D., and M. P. P. for the County of Westmorland, in the 32d year of his age.

AN ACCOUNT OF THE CONSTITUTIONAL ENGLISH POLICY OF CONGREGATIONAL COURTS, WITH TWO TRACTS ON COLONIZATION.

By the late GRANVILLE SHARP, Esq., and now revised and adapted to the altered circumstances of the country, with a short Memoir of the Author, by J. I. BURN, Author of *Letters on Emigration*, &c. London—John W. Parker, West Strand, 1841; price 5s. Shillings.

*The above work may be had of the following persons:—

Messrs. BEVERLY and BEEK,	Frederickton.
Mr. ALEXANDER M'MILLAN,	Saint John.
Mr. J. A. PIERCE,	Miramichi.
Mr. ADAM SMITH,	Saint Andrews.

To be Sold or Leased for a Term of Years.

THAT large and commodious Dwelling HOUSE, with the extensive range of Out Buildings appertaining thereto, belonging to and at present occupied by the Honorable the Attorney General, in the Town of Fredericton.—The situation of the Premises is generally so well known that a particular description thereof is not deemed necessary.

The House contains thirty two Rooms, besides Pantries, Store Rooms, and a most extensive range of Cellars, under the whole Building. The Stabling and Out Buildings are large and conveniently arranged, with a spacious Garden annexed.

Early the next Spring, a NEW STREET will be opened from Waterloo Road to the Road leading to the College; whereby the House will be situated on a corner, fronting on Waterloo Road and the said New Street.

The Premises are eminently calculated for an extensive Public Hotel, an accommodation greatly wanted in Fredericton.

In case of Sale, the Terms of Payment will be made very easy. Possession may be had on the first day of November next, if required.

Fredericton, August 18, 1842.—4w.

WANTED

BY an Officer of the 52d Light Infantry, stationed at Fredericton, two HORSES, matches, in condition and fit for immediate work, trained to Saddle and Harness. Any person having such to dispose of, will, (provided they are approved of,) meet with a ready sale by applying to the quarters of Major FRENCH.

Fredericton, August 22, 1842.

[Courier 2w.]