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Weekly Almanack.

January—1836.	Sun Rises.	Sun Sets.	Moon Rises.	Full Sea.
27 Wednesday - -	7 26	4 34	2 25	6 34
28 Thursday - -	7 25	4 35	3 28	7 45
29 Friday - -	7 24	4 36	4 30	8 45
30 Saturday - -	7 23	4 37	5 28	9 36
31 Sunday - -	7 22	4 38	6 19	10 18
1 Monday - -	7 21	4 39	7 4	10 56
2 Tuesday - -	7 20	4 40	rises	11 30

Full Moon 2d day, 2h. 10m. evening.

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Committee for January:

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The Garland.

METHUSELAH.—BY MRS. SIGOURNEY.

"And all the days of Methuselah were nine hundred and sixty and nine years: *and he died.*"—Gen. v. 27.

And was this all? *He died!* He who did wait
The slow unfolding of centurial years,
And shake that burden from his heart, which turns
Our temples white, and in his freshness stand
Till cedars mouldered and firm rocks turned grey;
Left he no trace upon the page inspired,
Save this one line—*he died?*

Perchance he stood
Till all, who in his early shadow rose,
Faded away, and he was left alone,
A sad, long-living, weary-hearted man,
To fear that Death, remembering all beside,
Had sure forgotten him.

Perchance he roved
Exulting o'er the ever-verdant vales,
While Asia's sun burned fervid on his brow,
Or 'neath some waving palm-tree sat him down,
And in his mantling bosom nursed the pride
That mocks the pale destroyer, and doth think
To live forever.

What majestic plans,
What mighty Babels, what sublime resolves,
Might in that time-defying bosom spring,
Mature, and ripen, and cast off their fruits;
For younger generations of bold thought
To wear their heaviest diadem, while we,
In the poor hour-glass of our seventy years
Scarce see the buds of some few plants of hopes,
Ere we are laid beside them, *dust to dust.*

Yet whatsoe'er his lot, in that dim age
Of mystery, when the unwrinkled world had drank
No deluge-cup of bitterness, whate'er
Were earth's delusions to his dazzled eye,
Death found him out at last, and coldly wrote,
With icy pen, on life's protracted scroll,
Nought but this brief unflattering line—*he died.*

Ye gay flower-gatherers on Time's crumbling brink,
This shall be said of you, howe'er ye vaunt
Your long to-morrows in an endless line,
Howe'er amid the gardens of your joy
Ye hide yourselves, and bid the pale King pass;
This shall be said of you, at last—*he died;*
Oh! add one sentence more—he lived to God.

Miscellanea.

Sir Thomas Picton at the Assault of Badajoz.—A ball had struck Picton on the groin a little above his watch, while leading his soldiers to the foot of the ramparts. A distinguished officer, who was by his side at the time, and to whom we are indebted for much interesting information respecting the events of this night, conceives that this ball had first struck the earth: still the blow was severe. He did not fall or bleed; but being assisted to the glacis, in a short time became extremely faint and almost insensible. He remained in this state for nearly twenty minutes; when, the pain having in some degree subsided, refusing medical aid, he again proceeded to direct the attack. He now saw his men moving amidst the dying and dead, while the incessant fire was still mowing them down; he could also perceive that they had not yet struck a blow in return; for, during this period, the defenders had scarcely lost a man. Picton's soldiers were amazed at the overwhelming fire that was poured upon them; but they heard their general calling upon them in a calm, energetic tone, not to desert him, but to make one effort more. "If we cannot win the castle," cried he, "let us die upon the walls!" This was sufficient; fresh ladders were raised against another part of the battlements, and hundreds rushed forward to scale them, when the struggle again commenced: this part of the wall was not quite so high. Colonel Ridge, of the 45th, who had so greatly distinguished himself at Ciudad Rodrigo, was again foremost: a ladder was dashed against the battlement, when, springing forward, he rushed up, followed on every round by his fearless and devoted soldiers. He had ascended so quickly that, before those on the top could force the ladder back, the weight was too great, and it pressed firmly against the wall. But who could hope to gain the summit? The enemy were now concentrated round the top to pour their fire on each man as he advanced; pikes, bayonets, and the unceasing stream of musketry must be passed before the wall was reached. Ridge still, however, pressed on, his sword guarding his head; and the bayonets of those on the next rounds thrust upwards to protect him. Other ladders were now erected, and with better success; the enemy, in their turn, were paralyzed at the unconquerable resolution of the assailants. Despair of being able to repulse them seemed now to have seized the defenders; it might even be supposed that they were tired of killing; certain, however, it is, that their efforts were becoming more feeble, for Ridge, Canch, and several more gained a footing on the battlements. Then (for the first time during the night) did the tide turn in favour of the assailants. A continued rush of troops now followed up the ladders. The enemy made but a slight resistance when the wall was gained. This conquest had cost the victors much, but the defenders paid a dear and bloody price for the injury which they had done. From men so infuriated with the disappointment of repeated failure, little mercy could be expected: few, very few of those who had assisted in raising the pile of dead that now nearly filled the ditch were left to boast of their deeds. The wound which Picton had received prevented his ascending the ladders to enter the castle, and he was, in consequence, compelled to remain in the ditch, but not inactive; for, calling up the whole of the straggling parties, he ordered them all to ascend the walls, and thus poured in a powerful assistance to co-operate with those already in possession, to resist any efforts on the part of the enemy for recovering the castle.—*Life of Picton.*

Jessie o'Dumblane.—On my visiting Paisley, I heard that Mr. Smith, the composer of "Jessie," was residing there, and I proceeded to his residence; and, nothwithstanding its low situation, its close court entrance, and long flight of stone steps, I felt as much reverence as if I was about to encounter the shade of some renowned hero of antiquity. I knocked at the door with a trembling hand, and found, not Mr. Smith, but Mrs. Smith, most unromantically situated, being in the act of washing the stockings of the composer of "Jessie." I subsequently saw Mr. Smith, a stout, good-humoured looking gentleman, but had not an opportunity of speaking to him. However, I heard that he had prevailed upon Stevenson, a music-seller in Glasgow, to accept the song as a present, for which he owed him nothing; for this was all the remuneration he ever received for it, although Stevens made sufficient by it to enable him to retire from business with an independency. Tannahill, the author of the poetry, was still worse off, having given the song to Mr. Smith, glad that any one should so far honour him as to set his words to music: consequently, he did not gain one farthing by it. Poverty, misery, and disappointment were the portion of poor Tannahill. He was a weaver by trade, and with extreme difficulty supported life. Once he left his native town (Paisley,) and tried his fortune at Bolton, near Manchester, but was equally unsuccessful. At that time "Jessie" was the rage throughout the kingdom, and he frequently met people of all ranks humming the record of his disappointed love, when he had been wandering disconsolate, despised, unknown, and penyless. Poor Tannahill put a premature close to his misery by drowning himself in a canal near Paisley. Tradition assigns various reasons for his committing the fatal act. The generally received opinion is, that disappointed love occasioned it; others affirm that it was in consequence of not being able to finish a song to his satisfaction that, up to the last verse, had surpassed his former efforts. Poverty is assigned as the cause by others, which probably weighed heaviest with him, although his affection for Jessie, which he could not conquer, might have assisted the depression. "Gloomy winter's now awa," and other songs by him, will probably never be forgotten while the Scottish lyre has power to charm.

Juggernaut.—The car of Juggernaut is a monstrous vehicle, gigantic in its dimensions, and associated in the mind with images of horror; it is a sort of platform, forty-three feet in height, and thirty-five feet square, moving upon sixteen wheels, each six feet and a half in diameter; the ornaments with which it is decorated are by no means splendid, its principal attraction being a covering of striped and spangled broad cloth. The neighbouring villagers have their fields rent free upon the condition of attendance at the cars of the idols. This duty, at present esteemed a privilege, is not exclusively confined to those who are so well rewarded for its performance; but before the whole ceremony concludes, the zeal of many of the devotees is so completely exhausted, that the *raths* would scarcely reach their destination were it not for the services which Brahmins can command. It takes 1,500 men to put each of the cars of Juggernaut in motion, and, when the idols are fairly established in their places, the shouts and cries of the frenzied multitude are such as to lead us to fancy that the whole of Pandemonium had been let loose, an idea which is strengthened by the fiend-like figures of the Jogies, Gosseins and other religious mendicants, whose grim visages lighted up with a frantic joy, give them a super-human appearance as they cheer on their insane followers to acts of horror. Though the pondrous wheels of Juggernaut no longer go rushing over the bodies of prostrate victims, the fury and excitement with which the assembled crowd rush to the car, is truly appalling. In places of very inferior note, there is something frightful in the noisy, lumbering progress of the cumbrous *rath,* surmounted by a hideous idol dragged about in honour of the festival; but in the very heart and centre of this abominable superstition, the celebration becomes perfectly terrific, and the senses, over-wrought, faint and sicken at the view. The scenery of the place, its bare sands, the surging of the ocean in the distance, the drenching rains, damp gales, and sudden tempests of the fitful atmosphere, add to the wild horrors of the awful pageant. Each day the exhibition becomes more ghostly, as the wan victims of famine and disease drop exhausted around, making a golgotha of the unhallowed precincts.—*Miss Roberts's Scenes of Hindostan.*

American Orators.—In peeping in upon the proceedings of retired courts of justice, or listening to the harangues delivered right and left for political purposes by the public men of the United States, whether on the stump or in the senate, the Englishman cannot but be struck with the general diffusion throughout the United States of that gift, usually called the "gift of the gab." Nothing can be more provoking than the fluency of the country lawyers in spite of their shabby coats: and to one who would be inclined to consider quantity rather than quality, their unhesitating delivery, command of language, and long-windedness might indeed be a subject of envy. But a little attention will show him that sound and sense are not always companions. He will detect innumerable expletives; sentences without legitimate beginning or end; deductions from nothing; big words meaning little, and out of place, leading to the most astonishing examples of pathos; digressions without end; and, after all, that to extract sense and facts from that wholesale production of words, he must patiently sit down like a searcher after gold dust, and sift bushel after bushel of sand to find the ore. He will find even in the style of eloquence in vogue among the majority of the members of the supreme courts of the country, the same sacrifice of dignity and simplicity evident.—*Latrobe's Rambler in North America.*

Striking Contrast.—Throughout the Eastern States we had been anew struck with the diligence, cleverness, and moral worth of the population of this part of the union. All they do is done with an attention to neatness, convenience, a careful regard to economy of time, and an eye to the present and future profit. This feeling of respect had been, perhaps, increased by the impressions left on the mind from our short tour in the states south of the Potomac—where, even, amidst a high-spirited race of inhabitants, there is so little of the active spirit of improvement discernible. Slavery would seem to blight the energies of the master, whatever may be said of the slave. The beautiful villages of New England, her busy manufactures, her noble public works; her successful improvement of all the capabilities of the country—her attention to social order, education and religious improvement—her charities and humane institutions—and sound political views, all command admiration and respect. These are the coasts which furnish the union with its best and most intrepid mariners, carrying her produce and her flag into every sea and every harbour throughout the globe. Little sloops from these upper ports of the United States under fifty tons burden, and with but three or four hands on board, may be met with thousands of miles from their homes, laden with the produce of their native coast. In their spirit of adventure and speculation many a settler loads his small bay-craft with planks and shingles in the spring of the year, and with two or three hands on board, bears away from the coast and runs down to seek a profitable market to the Bahama islands, or even to the Indies, with no aid but a compass. I remember our surprise, at the very height of a terrific storm in the latitude of Cape Hatteras, when the sea was rolling before the gale, and wreathed with foam; and the sky and water seemed mingling in the heavy mist which hung down on the surface—on descrying one of these buoyant little vessels scudding like a spirit through the mingling storm, with steady sail and dry decks towards the distant Bahamas.—*Latrobe's Rambler in North America.*

Railways.—To no branch of public economy has the attention of the people of this country been directed with more zeal or with greater success, for the last half century, than to the improvement of the public roads. The facilities thus presented to locomotion far exceed those that were ever before enjoyed in any other age or country. It is true, indeed, that the Romans, fourteen centuries ago, constructed roads in Lancashire, and in other parts of England, of inimitable workmanship and of almost imperishable durability; but the Roman roads, for the most part, formed only the principal mediums by which the streams of military operations were conducted to distant stations, while in our more happy times public roads intersect every part of the country, and are made principally to facilitate the operations of trade, agriculture, and commerce. The time has at length arrived, when a new species of road, resembling the roads of the Romans in their lineal accuracy, and as trunks from which vicinal roads are to branch, will be constructed; and the Liverpool and Manchester railway, though not the first of the kind, has given an impulse to modern improvement, that will not cease to spread till all the principal lines of communication throughout the kingdom are furnished with similar means of safe, economic, and expeditious transport. Taking London as the centre, railways will, probably within the present generation, be formed from thence to Edinburgh and Glasgow, to the north; to Bristol and Bath, to the west; to Norwich and Yarmouth, to the east; and to Portsmouth and Plymouth, to the south; each principal road having its branches to the towns in the respective lines of country through which it may pass.—*Baines's History of Lancashire.*

Halley's Comet.—The Comet, which has been so long looked for, suddenly made its appearance here on the 5th inst., between the hours of four and five in the morning; and the servant maids were pretty particularly astonished, when they arose to find that its tail had lighted all their fires, and boiled all their kettles for breakfast. For this piece of service they have christened it the "tail of love."—*American Comic Almanack.*

Queen of Otaheite.—The government of this island is at present in the hands of a young queen, about twenty years of age, niece to the late King Pomare. Her complexion is much lighter than that of the ordinary natives; her hair, of a jetty blackness, flowing in graceful ringlets on her shoulders, is generally surmounted with a tiara of natural flowers: her appearance is altogether extremely prepossessing, if not beautiful, and she forcibly reminded me of Lord Byron's Neuha.—*Nightingale's Oceanic Sketches.*

A splendid steam-ship, of 1000 tons and 300 horses power, to be called the *Auckland,* has been contracted for by Government, at Glasgow, to navigate the Red Sea. The contractor is Mr. Robert Napier. She is to be of the most magnificent description, and to be fitted out as a man of war vessel.—*Liverpool Albion.*

COMMUNICATIONS.

To the Editor of the Observer.

Sir,—Before entering into the merits of the *very gentlemanly and notoriously honest* Mr. Flaherty's heterogeneous Communication in your last week's impression, let me assure you, that I do not write to please him, altho' no doubt he is vain enough to suppose so; nor do I write to defend myself from the foul aspersions of that individual, for even truth (if such were possible) from the very gentlemanly and *notoriously* honest Mr. Flaherty would be considered by all who know him as the malicious effusions of an evil heart; nor should I have taken notice of any thing coming from such a character as Mr. Flaherty, were it not for the purpose of shewing to the public that however mean or unprincipled the individual may be, who from vindictive or personal motives may attack another through the Press, we are bound to answer them. However the notoriously honest gentleman did not expect this when he first amused the public with his mournful tale of having once had to pay an Attorney costs that he had so shrewdly endeavoured to deprive him of, and of his apprehensions of having the like to do again; he supposed his so well known character would be a full bar to any reply;—but when he found himself answered in a way that he did not expect, he was induced to call upon his *legal* friend for the well selected extracts with which his last communication is so copiously interlarded, that he might again appear before the public in all his bitterness. Weak indeed must be the cause, and unprincipled the man who has to use such a subterfuge to protect himself from the detestation of a discerning public. Does he suppose that by mixing his very gentlemanly transactions up with other matters, like a thief in a crowd, they may escape detection? If he does he is astray; for base as he is, I have reason to be thankful for the opportunity so long desired and now afforded me, of thus publicly calling upon him and his legal friend, whoever he may be, to publish the whole of the report in Cummins' case. And let me assure the notoriously honest *gentleman* that if it was either a sin or a folly to have had an interest in a vessel called the Dusty Miller, or serve as a Midshipman in His Majesty's Navy, I am guilty; but those are days which I look back to with respect and satisfaction, and on that account I will spare the *gentleman,* base and mean and unprincipled as he is, by forgetting *his* former days in this City. And now as I have stript his cause before the public of all matters unconnected with it, I will, without any further remarks advert to the question or questions in point. His last Communication he commences by acknowledging that he had the use of his eyes, and "noticed" my communication in a former Observer; and yet, so wonderful was the effect of the affidavits of the men published in that Communication upon the *gentleman's* optics, that in the second paragraph of his select Communication he becomes totally blind, and "confesses" that he cannot see how the case is not *as the sailors stated it,*—(meaning as the *gentleman himself stated it for them* in the letter to which he refers in his first communication,)—"for the circumstances of the affidavit does not (he continues) at all clear up the point, as many of your readers are well aware what an ignorant set of men sailors are with regard to law or affidavits;" that is in plain language if those affidavits had been written *by the gentleman himself on board the Granville,* as the letter was, and witnessed by Mr. Otty, the "ignorant sailors," as he terms them, would understand them; but as they were written by a Proctor and Advocate, *read and explained by the Judge of His Majesty's Vice Admiralty Court of New-Brunswick, and sworn to by the men before him,* they could not possibly understand them. This then is the *gentlemanly* opinion of sailors,—if his notoriously honest self wrote any thing *on board the Granville,* they could understand it very well; but if an affidavit was written by a Proctor and Advocate, and read and explained by a Judge of the Vice Admiralty Court of New-Brunswick, and sworn to before him, unless they were "*cross questioned*" by the Judge they could not understand it!! What an intelligent blind man he is. How wonderful well he understands what he says, and oh, to follow his own reasoning, how much better must he understand what he swears?!! And this gentleman of intellect who "cannot see," has other most extraordinary qualifications—qualifications more suitable by far to his purposes than the powers of Ventriloquism, for the men are now about half way across the Atlantic, where the stentorian voice of even Mr. Flaherty cannot reach them. Yet so extraordinary are his powers, that like puppets on wires he pushes them before the public with magic force to speak as they are moved by the chief juggler of the show—(see the *gentleman's* account *given him by the men,* marked 1st and 2d, and other quotations *from them also* in his last Communication.)—But the "unkindest cut of all" is, when he makes the "ignorant sailors," as he epithizes them, write that letter *on board the Granville while fighting her way under gory courses down the harbour of St. John,*—(see date of letter in the *gentleman's* first Communication)—which he afterwards says "is untrue," and which must be the case, if one part of his Communication *will be allowed* to contradict the other—as but a few lines before he asserts that the men were "committed to jail until the vessel was ready for sea and wind fair," and yet the letter is dated on board the Granville, where the gentleman's own witnesses were, and who all know, that, making fair allowances for the field of action and the assault being all on one side, *Waterloo* or *Vinegar Hill* could not have exhibited a more bloody scene.

And for the "Bail case," as the *gentleman* styles it, he can only say to my assertion, "that he paid the *defendant Robinson* the money himself"—"It is untrue." Probably he means the plaintiff and not the defendant, for although he swore the plaintiff's name was *Robert,* and not *Robinson,* (for he knew the man's name better than the man himself,) and performed many other very active evolutions—such as not paying the money *himself,* but making some other person pay it for him—writing an order for the plaintiff to sign for me to discontinue, which was blended with a receipt for the wages earned in the gentleman's employment—not presenting me the order till the plaintiff was at sea, and then refusing to leave it with me;—these and many other activities which "it stood the *gentleman* in hand to do to clear himself," he got full credit for, and yet His Honor the Recorder decided in open Court that all those wonderfully active exploits were done with a design to deprive the Attorney of his costs.

The above will fully show the very *gentlemanly* and notoriously honest Mr. Flaherty's motives (which are by no means either *vindictive* or *personal!!*) for using so much vituperative abuse of private character without public cause, and abusing that blessing which as British subjects we enjoy—the Liberty of the Press.

I am, Sir,
With every respect, &c.
H. N. H. LUGRIN.

St. John, 19th January, 1836.

FOR THE OBSERVER.

NEW-BRUNSWICK JURY SYSTEM.

"*It is the most transcendent privilege which any "subject can enjoy or wish for, that he cannot be affected either in his property, his liberty, or his person, "but by the unanimous consent of twelve of his neighbours and equals.*"

Mr. Editor.—As the meeting of the Legislature is usually the season of the year in which matters requiring Legislative interference are brought before the public, I hope the prevalence of the custom which has in many instances been attended with salutary effects, and the importance of the subject introduced may be an excuse for my pursuing this practice, and occupying a small space in your columns. I could have wished a more competent person had undertaken the task; but as I write only for the purpose of drawing the attention of abler persons to a matter which so nearly concerns the whole Province, but to which in common with many others they are so indifferent: my object will be obtained if I can induce competent and able persons to turn their talents toward the subject.

I speak of the Jury System of this Province, which I conceive to be attended with many evils, and which if not remedied may eventually prove a curse to the country. It has been a subject of remark, that New-Brunswick Juries do not hold the place, to which as the protectors of our Liberties, and one of the principal components of our Courts, they are entitled; but it will be in vain for us to look abroad among the public for that respect which they have yet to learn to feel for themselves. Instead of esteeming it an honor, and one of the most invaluable privileges of our free and liberal constitution, to be called upon to decide private, nay even public rights, when the property, character, liberty, and even the life of a fellow creature is involved, it is considered an onerous duty, with the performance of which they would readily dispense. It is this prejudice against serving on Juries, which produces the contempt of the public at its character, and this feeling, so different from what should be entertained of that body, must be dispelled, before we can expect ever to see them assume the station which they should occupy. It can be attributed to several causes, two of which it will at present suffice to mention: first, the qualification of the Juror; second the remuneration he receives: the smallness of the latter rendering it a hardship on the poor, and the lowness of the former rendering it no object of ambition to the one who would not feel the expense. It may be necessary here to remark, that the Province have legislated for themselves in this matter, adopting, as far as the nature and state of the country would admit, the English laws, from which with slight alterations, the Province Act seems to have been copied. The only requisite to qualify a person to act as a Petit Juror, (for it is of them that at present I am writing,) is, that "he hath a freehold estate of the "value of twenty shillings a year, or is possessed of "ten pounds personal estate." This qualification—which is in the alternative—is too paltry and insignificant, since it can never be taken as earnests either as to the conduct,—for it can be no test of character—or the property of an individual; for few persons can be found, even among the dregs of society, but have sufficient to satisfy the requisites of the law. If property be necessary to form a good Juryman, should not the qualification be such as to make it a passport for independence, and almost synonimous with integrity? Surely yes! It is certainly too apparent to demand argument; for we know, that when a privilege is enjoyed by all, it is not viewed in the same light, and valued so highly, as when it is in the power of only a few, or when exertion is required to obtain it. And beyond this, the qualification admits to decide, perhaps upon nice and subtle questions of great importance to the public, persons, the smallness of whose property is only exceeded by the greatness of their ignorance. This, if possible, is a greater evil than the other, and the only way of alleviating the disease,—for it cannot be entirely cured in the present state of Education in the Province,—is, by making the qualification more exclusive, and thus rendering Jurors persons of property and increasing the chance of having that situation filled by men of information. The next thing is the pay the Juror receives. By the ordinance of fees established in the Province in the year 1785, a Juror's fee in all civil cases is *one shilling,* to the *whole* amount of which, he is entitled in every case, however tedious, or however simple and short, upon giving his verdict! What profuse prodigality! A shilling for determining a cause, occupying perhaps two or three days! What wasteful expenditure!—But seriously—a Juror should or he should not receive an adequate remuneration. If he should not receive pay, why give him any thing? Why tax litigants with an useless expenditure?—If he should be paid, and it must be for his loss of time and the necessary expenses of travelling to, from, and attending upon the Court; why insult him with the pittance of a shilling? But that he should be reimbursed his actual expenses, (especially as the qualification now stands) every principle of justice and common honesty, demands; since persons (and I appeal to facts) summoned from their homes to act as Jurors have been compelled to sell off necessary farming articles to pay the expenses which they were put to: and in one instance a poor man sold his only milch cow—and perhaps the very thing that qualified him to act—to discharge the debts he had contracted upon a week's attendance at the Court!! It may be thought not inapplicable to observe that he received three shillings for his services as a Juror! This instance in itself is sufficient to excite in any correct mind a dislike to a system which can produce such effects.—In thus advocating a suitable remuneration for the Petit Jurors, I am happy to say that it is not an isolated opinion I am advancing; it is the feeling of this County (at least) generally. The Grand Jury, at the last Sessions in November,—composed of respectable and wealthy persons selected from different parts of the County,—unanimously resolved in the necessity of such a measure, and have drawn up a petition to the House of Assembly, embodying their sentiments on the behalf of the Petit Jury—many of whom they state are called from remote parts of the County, and in circumstances ill qualifying them to leave their homes, far less to bear the expenses of their attendance at the Courts—and earnestly require the interference of the Legislature, in removing a burthen which presses so heavily on individuals unable to bear it. Some may urge that if the qualifications were higher, the necessity of increasing the remuneration would be obviated. This might be used as an argument against all pay, but it certainly can never stand a sound one in support of *the shilling;* and I think it will not be found tenable even as against all pay. Let the principle be carried to the other members of the Court, and hear what they say. Every day we hear the necessity of giving Judges high and permanant salaries, to keep them superior to the influence of bribery and corruption, and to protect them from the power of the Crown on the one hand, and the caprice of the people on the other: the Clerks of some of the Courts have not only their salaries, but fees for services performed: Sheriffs have large emoluments arising from the performance of their duties: the Lawyers too (I must not forget that modest unpretending class) urge, no doubt with purely patriotic intentions, the propriety of not curtailing the ordinance of fees, by the introduction of summary actions, lest the respectability of the profession should be endangered, and the country deluged with a race of pettifoggers. Thus all, whether they act in a public capacity or a private one, claim some share (and a good one two) of the loaves and fishes for what services they perform; and by what mode of reasoning can it be proved that a Juror, because certain qualifications are necessary, should not be paid for his services? Barristers have to be of a certain standing before they can become Judges; Students have to pass a certain apprenticeship—Sheriffs are obliged to give bonds to the King—all have some prerequisites to acquire, and all get paid. Surely the same argument when applied to a Juror, will have peculiar weight, since his office is of greater utility than any of the others, and in antiquity coeval with the constitution itself. By what means they are to be paid, shall be considered when I come to propose the system I think should be adopted. But as my paper is nearly full I shall stop at present, and devote a future number for the purpose of shewing the evil arising from the *manner* in which Jurors are selected. This in my opinion containing one of the greatest absurdities that ever graced an act of Legislation.

County Westmoreland, Bend, January 12th, 1836. } ARGUS.

FOR THE OBSERVER.

MILITIA SYSTEM.

Mr. Editor.—Among the subjects which engaged the attention of the Legislature during its last sitting, few perhaps are of more importance to the Province and none have occasioned more contention and angry feeling than the present System of Militia Training.

The people complain (and not without reason,) of this improvident waste of their time and labour,—they look upon the whole as a grievous tax, without producing any benefit whatever to the country; except it will be called a benefit to gratify the whims of a few individuals who are only interested in its continuance for other ends entirely different from the object of training up men for the defence of their country, and this too at a time when there is nothing in the circumstances of things to justify so unreasonable a burthen.

Were it really necessary that the people of this Province should for a time submit to so oppressive a system, they know too well the benefit of their present institutions (under the mild and protecting care of the Parent State) even to murmur while that necessity continued; but to suppose that they would longer patiently submit to so useless and odious a tax after the occasion which gave rise to its establishment had passed away, would be to imagine a degree of servility in the inhabitants of this Province which I trust the admirers of tyranny and despotism will not long have the gratification to witness; for it would be in fact to argue that the people had no opinion of their own,—that rulers were appointed to govern without any reference to the feelings or interests of the governed,—and that it was only necessary for the powers that be, to call upon the people to follow in a blind and superstitious reverence, the ridiculous and arbitrary dictates of those who may be for the time placed over them in authority.

Perhaps there is no other country on the face of the globe possessed of a free constitutional government, subject to so useless a burthen, and at the same time so odious and degrading to the feelings of the population, as the present Militia Law, part of which is more despotic and tyrannical in principle than any other act that ever stained the proceedings of a free Assembly. I cannot believe that the present system can weather out the next sitting of the Legislature, the people are unanimous upon this point,—they will no longer submit to a system so utterly at variance with the dictates of reason and the best interests of the country, especially at a time when there is nothing to warrant so great a burthen. When the mother country is at peace with all the world, when the most cordial and apparently the most lasting friendship subsists between her and the neighbouring States, under the sanction of existing treaties, which are not likely to be disturbed except by the folly of her own subjects.

How then can we expect our republican neighbours to the West can witness the foolish and ridiculous exhibition on our part (by mustering the whole population of the Province) with any other feeling but that of jealousy, without doubting the sincerity of that friendship which the governments of both countries are so anxious to cultivate. It cannot be our interest if it were our desire to interrupt that harmony which now so happily exists between the two countries. It