

to the recent amendments in the British Law made by the Acts 7 W. 4, and 1 Victoria, c. 85, 86, 87 and 89, with which they agree very closely. I observe however that where the British Statute has the punishment of transportation for life or imprisonment for not more than three years, the Colonial Act substitutes *imprisonment for life*, or not less than three years.

I do not find in the English Act any clause corresponding to the 10th of 1425, which provides that every punishment by this Act imposed on any person maliciously committing any offence, shall equally apply and be enforced, whether the offence be committed from malice conceived against the owner of the property in respect of which it shall be committed, or otherwise. The intention of this clause appears unexceptionable, but it is not very precisely worded. I apprehend it was intended that if the offence be committed from malice conceived against any persons, it shall be immaterial whether that person be the owner of the property or not; but as it is worded it would seem to imply that malice is not essential to the offence, which is at variance with both common justice and the letter of the foregoing enactments.

I have, &c.

(Signed) STANLEY.

(Copy.) Fredericton, N. B., 15th November, 1842.

SIR,—I have the honor to return the enclosed extract from a Despatch of the Right Honorable Lord Stanley, under date of 30th August, 1842, to the Solicitor General and myself, in your note of September 22d, containing His Excellency's commands for a further report on the Acts in question.

As those Acts were prepared to be presented to the Legislature under the particular direction of his Honor the Chief Justice, I consider it most advisable to communicate your letter with the extract from Lord Stanley's Despatch to him, and I have now the honor to enclose the observations which the Chief Justice has made relating to the same, which I presume will preclude the necessity of anything more from the Solicitor General or myself on that subject.

(Signed) CHAS. J. PETERS, *Att. Gen.*

A. Reade, Esq. &c. &c.

(Copy.)

The British Statutes referred to by Lord Stanley impose the punishment of transportation for life, or for a period not less than a specified number of years, generally fifteen, or imprisonment for not more than three years. The Provincial Acts under consideration, drop altogether the punishment of transportation, and substitute imprisonment, and in analogy to the provision of the British Statutes in respect to transportation, it was thought expedient, with regard to the higher offences, to limit the discretion of the Court to a term of imprisonment below which there would be no power to reduce the punishment.

The 10th section of the Act No. 1425, also commented upon by Lord Stanley, is copied from an enactment in the Canadian Act, relating to the malicious injuries to property, passed in 1841, under the administration of the late Lord Sydenham, (4 & 5 Vic. cap. 26, sec. 25,) and it is conceived that the necessary construction of the clause would be to consider malice as an essential ingredient to the offence, but not to confine it to malice conceived against the owner of the property.

#### ACTS ON THE HIGH SEAS.

(Circular.) Downing Street, 16th December, 1842.

SIR,—The attention of Her Majesty's Government has been recently called to various Laws enacted in the British Colonies, for the prevention, regulation or punishment of acts done on the High Seas or on the Seas within one league of the Colonies in which such Laws have originated. After consultation with the Queen's Advocate and the Attorney and Solicitor General, Her Majesty's Government have adopted the following conclusions on the subject.

When the operation of a Colonial Act is confined to a range not exceeding one league from the shore, and relates to matters of local interests, the regulation of which by local enactment is indispensable to the welfare of the Colony, no objection will be made to such an Act, on the ground that the local range and extent of its operation exceeds the limits of the jurisdiction of the local Legislature; examples of such Acts are those relating to Pilotage, to Quarantine, to Custom Duties, and to Fisheries.

But if a Colonial enactment be made to take effect on the High Seas at a distance exceeding three miles from the shore of the Colony, that is, if it shall purpose to regulate, to prevent or punish any acts done on shipboard beyond those limits, such enactments will be null and void. In what manner acts of that kind may be disposed of by Her Majesty is a question on which no one inflexible rule can be laid down, but it may be stated as a general rule that the Queen will in no case be advised to confirm or sanction any such enactment.

I have thought it necessary to impart this information to you, that in the enactments of Laws in the Colony under your government, your authority or influence may be used to prevent the infringement of the general principles to which I have adverted.

I have, &c.

(Signed) STANLEY.

Lieutenant Governor Sir William Colebrooke, New Brunswick.

**EXTRAORDINARY FARM PRODUCE.**—Perhaps the most successful example of what land is capable of under proper management, in Ireland, and what immense crops can be raised, may at present be seen on the national model farm, under the Board of Education, of Glasnevin, near Dublin. This farm is conducted strictly on the improved system of green cropping and horse feeding. The farm contains fifty two statute acres, is conducted on a scientific rotation; on it are kept during the year twenty two head of cattle, with three horses. It supplies on an average ninety persons during the year with farm produce, such as milk, butter, potatoes, vegetables, &c. &c., and the farming establishment with pork, besides a number of private families, in the above articles. A considerable quantity of vegetables are carried to market, and all kinds of grain, which is abundant. There is at present a crop of oats upon the farm, the produce of fourteen and a half British acres. It is secured in eight stacks, and is estimated by the best judges to be equal to the average produce of fifty acres. It stood perfectly close upon the ground, averaged six to seven and a half feet in height, the head and ear corresponding. The other crops, potatoes, turnips, Italian rye grass, &c. &c., of like quality. The manager conducts the farm on his own account, pays £257 7s. 8d. per annum of rent, besides other expenses, amounting in all to upwards of £400 per year; and we are informed and believe that he realises a very handsome annual sum from it besides. He labours and manages it almost exclusively by a number of boys, agricultural pupils, and teachers, who are there in training in the science and practice of agriculture.—*Farmer's Magazine* for November.

#### LONDON MONEY MARKET, DECEMBER 13.

The announcement of the Canada Loan, which was inserted in the *Times* of to-day, was also posted up at the Stock Exchange, according to custom, and copies were sent to the Bank of England. The members were not in the least taken by surprise, as since the passing of the Act by which the loan is authorized, the appearance of such an announcement has been almost daily expected. The time of such appearance is generally admitted to be remarkably well chosen. At the present low rate of money anything like a profitable investment, guaranteed by the British Government, will probably be caught at with avidity, and the present stock, which bears 4 per cent. interest, will at the price of 106, yield about 3½. Hence, though the price that will be tendered is merely a matter of conjecture, it is believed that the tenders will range tolerably high. But, besides the abundance of unemployed capital, there is another cause for supposing that the present time is particularly opportune for bringing forward a stock bearing a high rate of interest. This is the belief which pretty generally prevails, that a reduction of the 3½ per cent. is contemplated by the Government. Should such a measure take place, the Canadian 4 per cents., which will not be redeemable till 20 years have elapsed, will be the only Government stock in the market commanding an interest above 3 per cent. The fear of a fluctuation in the value of money, which might render it just as scarce as it now is plentiful, will, it is believed, be the only check on the eagerness with which the new loan will be sought. The sum to be raised not exceeding £300,000, it is thought no disadvantage will arise by making the loan an open one, instead of disposing of it by contract, though had it been for a large amount, difficulties might have arisen. According to the advertisement, bonds representing the loan will be "redeemable" in 20 years. The capitalists, who are regarding the value of the stock as a banking investment, observe that there is a little ambiguity in this expression, as it does not point out whether it shall be obligatory or optional on the part of the Government to redeem at the end of the specified time.—*London Times*.

While the American press are deploring the decay of their national credit in foreign lands, it is a gratifying reflection for the Canadians, that, through the generous interposition and security of the British Cabinet, this Colony is enabled to borrow money upon better terms, and at a lower rate of interest, than any Continental or American power.

The English Mail to meet the sailing of the Steamer on the 3rd March next, will be made up at the Post Office, on Monday the 27th instant, at half past 7 P. M.

#### Died.

At Fredericton on Friday the 3rd inst. Mary, wife of Mr. Michael O'Connor, Deputy Land Surveyor. She was enabled to manifest, during a tedious and trying illness, the utmost meekness and resignation, and until her last expiring moments was reconciled to the will of God. She has left a large family who deeply deplore the loss of an affectionate wife, and a kind and tender parent.

#### Central Fire Insurance Company, OF NEW BRUNSWICK.

THE Annual Meeting of the Stockholders of this Company, will take place at this Office, on Tuesday the 7th day of March next, at 12 o'clock, noon, for the purpose of electing nine Directors to serve for the ensuing year, pursuant to the Act of Incorporation, and for the transaction of such other business as may be brought forward.

B. WOLHAUPTER, *President*.

Fredericton, 14th Feb., 1843.