

duced death, proceeded from any mischievous intention, it will be Murder. From the depositions it appears to be a case of involuntary Homicide, and the chief point for attention to be, whether there was sufficient caution used by the party who caused the death. Because, if he did not exercise ordinary care and caution in the circumstances under which he was placed, the law will not absolve him from blame, and the killing, altho' in this instance, not of malice, will nevertheless be deemed unlawful, and amount to Manslaughter. This principle, of the necessity of proper caution, is applicable to all those cases of Homicide, which occur unexpectedly, even at sports under recreations, not in themselves unlawful, or in the exercise of the usual and lawful occupations of mankind; and it is extremely important that it should be well known and thoroughly understood. Thus if workmen threw stones, rubbish, or other things from a house, in the ordinary course of their business, by which a person underneath happens to be killed, if they did not look out and give timely warning to such as might be below, and there was even a small probability of persons passing, it will be Manslaughter. If this be done in a populous town, when the streets are full, it will be Manslaughter, notwithstanding such warning is given, for in the hurry and noise of a crowded street, few people hear the warning, or sufficiently attend to it. So if a person driving a car or other carriage, happen to kill another, and it appears that he might have seen the danger, but did not look before him, it will be Manslaughter, for want of due circumspection. So if he happens to kill another in consequence of driving at an immoderate pace in the streets of a town, it will in like manner be Manslaughter, as it is very difficult, if not impossible, to stop the course of horses suddenly, in order to avoid any person who cannot get out of the way in time; and it is highly culpable to incur such danger. In short, the rule is this, that whoever seeks altogether to excuse himself for having unfortunately occasioned, by an act of his own, the death of another, ought at least, to show that he took that care to avoid, it which persons in similar situations are accustomed and ought to do.

In estimating the degree of caution which ought to have been used in the present case, you will advert to the description of instrument from which the death proceeded. If a man has in hand a deadly weapon, from carelessness and precipitancy in the use of which, fatal consequences may be expected to follow, more care and forethought will necessarily be required of him than if he were dealing with an instrument not likely to produce any bodily harm. The other cases in the Calendar do not present any circumstances to take them out of the class of simple Larcenies or thefts. This is a crime, unfortunately of too familiar occurrence, to require any detailed remarks.

MURDER.—An aged coloured man of the name of Davies, was murdered at Robbinston, last Sunday night. A Coroner's Inquest was held on the body yesterday, but we have not heard the result of their deliberations. Suspicions fall on the man's wife.—*ib.*

The members of the Fredericton District Committee of the Society for Promoting Christian Knowledge, are requested to attend a General Meeting, on Thursday next, the 3d Instant, at 12 o'clock, in the County Court House. His Honor the President is expected to take the Chair. The business being of considerable importance, it is hoped that all, who are not prevented by indispensable engagements, will make a point of being present at the meeting.

BRITISH AND FOREIGN BIBLE SOCIETY.—The Anniversary of the Fredericton Bible Association will be held to-morrow evening 3d instant, at the County Court House, when the proceedings of the past year will be exhibited, and a general view of the present prosperous state of the Parent Society will be submitted, for the favourable consideration and support of the Christian public.

The Chair will be taken precisely at a past 6 o'clock, and a collection will be made on the occasion.

Fredericton, 1st February, 1831.

Mrs. Saunders, Lady Patroness of the Servant Society, requests a meeting of the members of that Society at the Chief Justice's on Saturday the 5th inst. at one o'clock.

SUMMARY.

ONE EFFECT OF STEAM.—The Liverpool and Manchester steam coaches have, we are told, driven 14 horse coaches off the road.—Each of the coaches employed 12 horses, there being three stages, and a change of four horses each stage. The total horses employed by these coaches was therefore 168. Now each horse consumes, on an average, in pasture, hay, and corn, annually, the produce of one and a half acres. The whole would thus consume the produce of 252 acres. Suppose, therefore, "every man had his acre," upon which to rear his family, which some politicians have deemed sufficient, the maintenance of 252 families is gained to these steam coaches. The average number of families is six, that is four children besides the father and mother.—The subsistence of 1512 individuals is thus attained.

It is a remarkable fact, that of late Mr. O'Connell has been violent in his abuse of the Liberals, and most conciliatory in his language towards the Orangemen; and his anti-Union followers have faithfully observed his example. It is obvious that they despised of gaining the Liberals over to their cause, but had great hopes of the Orangemen; from which it may be inferred, that they conceive the former to be men of calm and sober reflection—the latter to be creatures of prejudice and headlong passion. They have been so far mistaken, however, that the Orangemen of the North have, almost to a man, declared against their insane, and most mischievous project of dissolving the Union.—*Londonderry Journal.*

FIRE INSURANCE COMPANY.—We are happy to learn that her Majesty has been graciously pleased to express her intention of appointing that gallant corps, the Scots Greys, to be her escort during their Majesties projected visit to Scotland in the ensuing year.

The Regiment was lately quartered in the neighbourhood of London, and was kept under arms in the Riding School at Pimlico, during the late alarms, for four successive days and nights, during which period neither men nor officers changed their clothes or had a bed to lie down. At the expiration of this disagreeable duty, however, the latter felt themselves amply repaid for all their fatigues, by being introduced into the presence of her Majesty, as they will be proceeded against to the utmost rigour of the Law.

MOSES McNALLY.—We are happy to inform our readers, that orders have been given by the Duke of Hamilton to have his Palace in readiness for the re-

draw up a Petition to the Legislature of the Province, praying for an Act of incorporation; and further Resolved, that Messrs. R. E. Hazen, Benj. Smith, John Kinnear, and L. L. Bedell, be a Committee for that purpose, and that they also get a Bill prepared to send with the Petition.

Resolved, that Books be opened for the purpose of receiving Subscriptions to the Stock; and further Resolved, that Messrs. A. M'Leod, J. Kerr, J. Hammond, H. Blakeslee, and G. D. Robinson, be a Committee for that purpose.

Resolved, that the thanks of the Meeting be given to the Chairman, for his attention while in the Chair.

Adjourned.

We have been requested to state, that Subscription Books are now open at the Stores, &c. of the respective Gentlemen composing the Committee.—*Observer.*

At a meeting of the Subscribers for the purpose of supporting a Reporter, at the House of Assembly the ensuing Session—25th Jan. 1831.

H. Gilbert, Esq. called to the Chair by the unanimous voice of the meeting.

The head of the subscription and the names of the Subscribers, was then read by the Chairman—

On Motion of Dr. Bayard—Seconded by H. G. Kinnear,

Resolved, that a Committee be appointed, who shall have power to make such arrangements as may be necessary, for carrying into effect the object of the meeting.

On Motion of G. D. Robinson—Seconded by I. Woodward,

Resolved, that the person employed shall send the Reports to the Committee, and that it shall be their duty to hand the same to the Publisher of the Paper to be first issued after its arrival; and also to see that every accommodation is given to the other Printers.

On Motion of John Robertson—Seconded by Dr. Bayard.

Resolved, that the following Persons be the Committee:—G. D. Robinson, Esq.; Mr. H. G. Kinnear, Mr. Isaac Woodward, Mr. Wm. Leavitt, and Mr. James Kirk.

On Motion of G. D. Robinson—Seconded by Wm. Leavitt.

That the thanks of this meeting be given to the Chairman for his services—and that the meeting be adjourned.—*City Gazette.*

A boat, with five persons, viz. James wooden, Jas. Baldwin, (a blind man,) Robert Maxwell, his wife and son, left St. Andrews on Saturday evening about six o'clock, for Chamock Island, and have not since been heard of.—*St. Andrews Herald.*

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MOSES McNALLY.—We are happy to inform our readers, that orders have been given by the Duke of Hamilton to have his Palace in readiness for the re-

ception of their Majesties, who are to visit Scotland early in the summer, and will take up their residence while in the west at Hamilton Palace.

By the death of the late Earl of Rocheford, the Duke of Hamilton has, we understand, received an accession to his already great income, of upwards of £3000 a year, derived from landed property, besides a hundred thousand pounds in ready money.

MILITARY COURT MARTIAL.—At a general Court Martial, held at Cork, on and subsequently to the 7th July last, Capt. Joseph Cripps, of the 7th regiment was found guilty of disorderly conduct, in having written, inscribed, insubordinate, and disrespectful letters to Lieut. Col. Mich., his commanding officer, to the prejudice of the service, and subversive of good order and military discipline. For which offence, the Court sentenced him to the loss of military rank, by being degraded and placed at the bottom of the list of captains in the corps, and farther to be publicly and severely reprimanded at such time and place as His Majesty should be graciously pleased to command.

This sentence has been approved and confirmed by an order, dated at the Horse-Guards, September 7th, which concludes as follows:—

"His Majesty has, at the same time, been pleased to take into consideration that it cannot be desirable for the interests and harmony of the 7th regiment, nor conducive to the credit and advantage of the army, that an officer, whose conduct has been found deserving of the sentence adjudged, and the severe reprimand that will follow, should continue to hold the King's commission. Under these circumstances, His Majesty has signified his pleasure, that it be intimated to Capt. Cripps, that he has His Majesty's permission to retire from the service by the sale of his commission."

Married.

At Hopewell on the 13th inst. by John Smith, Esq. Captain Samuel Clark, to Susannah, third daughter of Mr. John Rogers.

At Cornwallis, the 6th inst. by the Rev. Mr. Campbell, Mr. Wm Chipman to Miss Anna Sophia Cogswell,

Died.

At Gondalo Point on Saturday evening last, Mrs. Elizabeth Harris, relict of the late Mr. John Harris, in the 108th year of her age.—Mrs. H. was a native of London, and came to the United States with her husband before the Revolutionary War, after the termination of which, she came to this Province, where she has lived since. Mrs. H. has left behind her to lament her loss, six children, twenty-one grand children, and thirty great grand children—she was a member of the Church of England for upwards of 60 years, and died in full assurance of eternal rest. The neighbourhood in which she resided, will long lament the loss of a kind and hospitable neighbour.

At St. John on the 29th ult. after lingering illness which he bore with patient resignation, James C. Kelly Esq. of His Majesty's Customs.

At Halifax, After a very painful illness, in the 67th year of her age, Mrs. Catharine Moody, widow of the late John Moody, sen. of that town.

At the same place, Captain Charles Loveland, in the 66th year of his age.

At the same place, Mrs. Ann Barnstead, consort of Mr. John Barnstead of this town, aged 47 years, leaving a husband and twelve children, to deplore the loss of an affectionate wife, and mother—and a numerous circle of relations and of a kind and generous friend.

At Passborough, (N. S.) on the 17th inst. after a lingering illness of more than two years, which he bore with patience, and resignation to the Divine Will, Mr. John Williams Hutchison, in the 23d year of his age, beloved and regretted by an extensive circle of relations and friends.

At Kingston, (K. C.) on Saturday last, after a short but severe illness, which he bore with patience and pious resignation, Mr. George Mabee, in the 22d year of his age, a very promising young man, and much esteemed by all his acquaintances.

At his residence at Balle Farm, in the County of Annapolis, on the 15th December last, Robert Fitz Randolph, in his 94th year; he emigrated from New York to this Province in the year 1793.

This morning, a Coroner's Inquest was held on view of the body of Elizabeth McPherson. Verdict—Accidentally drowned by falling into a well.

The circumstances of this case were, that yesterday Mrs. John Craig, residing in the same house was confined, and the deceased was occupied in kindly performing necessary offices for her. About 12 o'clock last night, some water was wanting, and Craig took two buckets to go to a well in the adjoining yard, the deceased voluntarily offered her service, saying she could get it better than he could, and they went both together. After removing the cover of the well, Craig stepped aside to wash her hands, they being cold, the deceased fastened the rope to the bucket, and in throwing it into the well, owing to the slippiness of the ice at the edge of the well, she lost her balance and fell head foremost into the well also.—Craig immediately ran to the well and took hold of the rope, and she having hold of the bucket, he pulled her up some distance when unhappily the rope broke.

He threw the rope again down to her, but she could not hold on by it. He then alarmed the husband of the deceased, who was asleep at the time, a rope was tied round his body, and he was let down; the deceased took hold of his leg but could not hold on, and he also was in danger of drowning, but was saved by being pulled up by the rope. The body was got out with all possible expedition, and medical aid was called in, but it was too late. The deceased was in her 22d year.—*C. Gaz.*

NOTICE.

WE are requested to state, that the first number of the NORTH AMERICAN MAGAZINE and COLONIAL JOURNAL to be published in Halifax, which it was intended should appear on the third Wednesday in January last, will not be issued until the second week of this month.

NOTICE.

THE Subscriber having purchased that Farm adjoining below the Queen's Church in the County of York, formerly owned and occupied by Mr. Michael McNally, all persons are hereby cautioned against trespassing on the said Farm, as they will be proceeded against to the utmost rigour of the Law.

MOSES McNALLY.

Queensbury, February 2d, 1831. 3w*

THE Subscriber has received

ON CONSIGNMENT,
60 Barrels Southern Rye Flour,
4 Puncheons Demarara Rum,
4 Boxes Arrow Root,
6 Boxes Sperm Candles

HE HAS ALSO ON HAND,
20 Drums Turkey Figs,
25 Chests Ten assorted qualities and a general assortment of WINES and LIQUORS, &c. &c.

F. E. BECKWITH.

Fredericton, February 1st, 1831.

3w*

FRANCIS BEVERLY,
BOOKSELLER, STATIONER AND BINDER

HAS received per late arrivals from

BRITAIN, a new assortment of STATIONERY and BOOKS, which he offers

low for cash or short credit, consisting of—Antiquarian, Double Elephant and

Atlas Drawing Papers; Super Royal, Royal, Medium and Demy do; wove and laid Folio Post; thick and thin wove and laid Hotpressed Letter Paper; do Gilt

do black edged; wove and laid note papers; Gilt do; black edged do; embossed

do; super fine thick laid Foolscap hotpressed; superfine Foolscap; common do; fine and common Pott; Visiting Cards; plain do; gilt edge do; do black edge; Ledgers, Journals, Day Books and Cash Books; Ink and Ink Powders; extra superfine black and red Wax; superfine do; common do; English first rate and common Quills; black Lead Pencils and Crayons; improved patent silver Pencil Cases; Desk Seals and Penknives; Card Cases; Portfolios, Bill Books and Pocket Books; Colours in boxes and single cakes; Tooth and Nail Brushes; ebony and ivory Parallel Rules, from 2s. 3d. to 3s.; Mathematical Instruments, from 10s. to 9s. per case; cake and bottle Indian Rubber; Card Racks; Hand Screens, and other fancy articles.

ALSO,

An assortment of Books in LAW PRACTICE; Greek and Latin Classics; Hebrew Grammars; Ainsworth's Dictionary; Murray's Grammar, large and small; Key and Exercises to do; Murray's English Reader;

do Spelling Book; do First Book; Walkingame's Tutor's Assistant; Gough's Arithmetic; do Vosters; Goldsmith's Geography; Dilworth's Spelling Book; Universal do; Walker's Pronouncing Dictionary; Jones' do; Fulton and Knight do; Pocket Bibles and Prayer Books; elegant bindings; Catholic Prayer Books; Works of the most approved English authors; English Classical Literature; the published volumes of Murray's Family Library; Album's; Crocker's LandSurveying; Song Books and Pamphlets; New Brunswick Primer, newly published; a large assortment of Valentines; Single Sets of Chess Men.

BOOK-BINDING done in the neatest

manner. Pocket Books and Portfolios made and repaired. Parchment of different sizes.

Fredericton, Dec. 29, 1830.</