POOR COPY

Mechanics' Institute

The Woodstock Journal.

Whatsoever thy hand findeth to do, do it with thy Might.

VOLUME 7. WOODSTOCK, N. B., THURSDAY, OCTOBER 11, 1860. NUMBER 14.

OUR OWN ADVERTISMENT.

The Woodstock Journal is a large eight-page week devoted to the advancement of the industrial, commercial social and moral interests of New Brunswick.

The primary objects at which it aims in the present circumstances of our Province are :—

1. The promotion of immigration, and the settlement of the wild lands.

2. The opening of the country, and the facilitation of intercourse, by the improvement of the means of internal communication.

3. An increase in the Representation in the House of Assembly.

4. A system of Free Education for all,—schools of all grades, from the Parish school to the Provincial University, being open to all without money and without price, and being supported by Direct Taxation.

While the Journal labors for these primary objects it does not neglect many others. It labors to introduce into the arena of politics a generous, sound and manly tone of discussion—to promote sympathy, good feeling and harmony among all classes, creeds, conditions and parties—to establish a system of frank yet genial criticism of men and their words and deeds—to encourage freedom of thought and speech—to develope in our people a sentiment of manly self reliance—and to inculcate the the doctrines of the *New Philosophy*.

The Woodstock Journal is published every Thursday morning at Woodstock, N. B., for Wm Edgar, Proprietor

TERMS.

Single copies,	Two dollars a year,
Clubs of six,	one and three quarter dollars each,
Clubs of ten,	one dollar and a half each.

These terms are in advance; if not paid in advance, $2 1-2, and if not paid until the expiration of the year $3, will be charged.

Clergymen, postmasters, and teachers supplied at a dollar and a half a year.

To any person who makes up a club at the above rates, and sends us the money in advance, we will send a copy of the Journal for one year, *gratis*

No subscription taken for less than half a year.

No paper discontinued until all arearages are paid, until the Proprietor chooses.

TERMS OF ADVERTISING.

BY THE YEAR.

A Column,	$36,	Half Column,	$24
Third of Column,	16.	Quarter Column	14.
Cards, not exceeding four lines,			5.
" " " six			6.
" each additional line			50 cents.

BY THE HALF YEAR

One third less than by the year.

BY THE QUARTER

One half less than by the year.

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Square of 12 lines or less 1st insertion,	75 cents.
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☞ When an advertsement is sent to the office the length of time which it is to be inserted should be marked upon it. When this is not done it will be inserted until ordered out.

N. B.—No advertisments, or "Special Notices," insert in the editorial columns or reading matter.

JOB PRINTING.

The Journal Office being supplied with a good assortment of Plain and Fancy Job Types, Script, Colored and Glazed Paper, Card Paper, &c., Job work of all kinds will be executed neatly, promptly, and cheaply.

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BUSINESS AND VISITING CARDS,
PAMPHLETS,
CATALOGUES,
LABELS, OF ALL KINDS,
CIRCULARS,
BILL HEADS,
BLANK CHEQUES.
ORDERS, NOTES.
RECEIPTS, &c.
PROGRAMMMES,
BILL HEADS. &c.

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☞ All letters on business or otherwise should be addressed

"EDITOR OF THE JOURNAL,
WOODSTOCK, N. B."

and invariably postpaid.

The Journal Office is in the second story of Mr. Abner Bull's three story building, on Queen street, directly over the shop of Vanwart & Stephenson. Entrance at the End.

DOCTOR SMITH

HAS removed his Drug Store and Office to his new building, the second below the Flagstaff, where he is daily expecting a fresh supply of DRUGS MEDICINES, PERFUMERY, PAINTS, OILS, STATIONERY, &c., &c., &c.

Residence at J. C. Winslow's second house below the Free Christian Baptist Meeting House.

Woodstock, May 9th, 1860.

N. R. KIMBALL,
SURGEON DENTIST,

may be found at his office in Dr. Smith's new building.

Woodstock

DEPTH OF THE SEA.—As to the bottom of the basin of the sea, it seems to have inequalities similar to those which the surface of continents exhibits; if it were dried up, it would present mountains, valleys and plains. It is inhabited throughout the whole extent by immense quantity of testaceous animals, or covered with sand or gravel. It was thus that Donati found the bottom of the Adriatic sea; the bed of testaceons animals there, according to him, was several hundred ft in thickness. The celebrated diver Pesecola, whom the Emperor Fredrick II employed to descend in the strait of Messina, saw there with horror, enormous polypi attached to the rocks, the arms of which, being several yards long, were more than sufficient to strangle a man. In a great many places madrepores form a kind of petrified forests fixed at the bottom of the sea, and frequently, too, this bottom plainly presents different layers of rocks and earth.

The granite rises up in sharp-pointed masses. Near Marseilles marble is dug up in submarine quarries. There are also bituminous springs, and even springs of fresh water, that spout up from the depth of the ocean, and in the gulf of Spezia a great spout or fountain of fresh water is seen to rise like a liquid hill. Similar springs furnish the town of Ardrus with their ordinary beverage

On the Southern coast of Cuba, to the southwest of the bay of Xagua, two or three miles from land, springs of fresh water gush up with such force in the midst of the salt, that small boats cannot approach them with safety; the deeper you draw the water the fresher you find it. It has been observed that in the neighborhood of steep coasts the bottom of the sea also sinks down suddenly to a considerable depth; while near a low coast, and one of gentle declivity, it is only gradually that the sea deepens. There are some places in the sea where no bottom has yet been found. But we must not conclude that the sea is bottomless; an idea, which if not absurd, is by no means conformable to analogies of natural science. The mountains of continents seem to correspond with what are caled abysses of the sea; but now the highest mountains do not rise to 50,000 feet.

THE REASON WHY.—In the last number of *Life* was an article headed "Sensuous Selfishness," illustrated with an apt engraving of a miserable, disconsolate "old bachelor," toasting his shins, solitary and alone, by the fire of his dungeon-like home. In that article you say, "Slipshod celibacy toasting his feet at the fender, with attendant skeleton and skulls, solitary meals, and dismal serving-maids, presents an undescribable picture of sensuous, selfishness, and his life counts only a round cipher;" to all of which I say most heartily, *Amen!*

But, dear *Life*, did it ever occur to you *why* there are so many disconsolate homes, or rather *apologies* for homes in our land? and why it is that the number is increasing so rapidly of late? Such a one is truly an "undesirable picture," and therefore is not and cannot be sought for intrinsic happiness or benefit. No man who is a man, and has the soul of a man, naturally seeks or *desires* such a situation. Why then, do so many occupy it? Simply because they cannot reasonably do otherwise. The extravagance and frivolity of our women have become so notorious and wide-spread, that men of moderate means, and still more, those who have to earn their living, *dare not marry*. They know full well—for it is a lesson being daily taught by the sad experience of their friends—that to marry one of the fashonable women of the day is to add to the burdens of life at least an hundred fold. They know that in marrying one of these creatures they get but the semblance of a woman—a painted toy a mere doll-whose temper has been spoiled by want of control on the part of her parents—whose health, if not already ruined, has been sadly injured by the dissipation and excesses of fashionable life and whose mind has been vitiated and her morals corrupted by an artificial and hotbed life. They know that to take one of these women as the mistress of their homes is to drive hence happiness and contentment; to increase their expenses by a thousand foolish demands to supply the arbitary and artificial wants of fashion; to bring into the world a sickly and puny offspring, on whom are entailed the diseases of the mother. They know it is to have their earnings squandered in vain and foolish attempts to out their neighbors in a meretricious glare of show simply; or, if these things be denied her, to turn home into an earthly pandemonium. Is it any wonder, then, that so many remain single, preferring this "undesirable picture" to a still *worse reality?—Life Illustrated.*

A short time ago, a man became so completely "wrapped in thought" that he was tied up, labeled, and sent off on the "train of ideas."

The Woodstock Journal.

Thursday, Oct. 11, 1860.

CARLETON CIRCUIT COURT.

FRIDAY, Sept. 28.

George Connell against *William Lindsay.*

Although this cause occupied in its trial nearly a whole day of the court, it was a very simple affair. The action was for defamation of character, by speaking certain defamatory words. The defendant Lindsay, gave the plantiff, Connell, a written authority in 1849 to commence a suit against Thomas Sutherland, for the recovery of the amount of a promissory note for £45. Although several writs were issued, nothing was collected until 1858, in consequence of Sutherland's residence in the State of Maine. In the latter year Lindsay and Connell agreed that the latter should send the note to an attorney in Houlton to collect, Connell to be responsible for all the costs, and to have a part,—Connell, in his evidence, said one half,—of the amount collected. The note was accordingly placed in the hands of Mr. James C. Madigan, Counsellor at Law, Houlton, who collected the amount. Meanwhile some misunderstanding took place between Connell and Lindsay, and each endeavored to get the money from Madigan, and each threatened him with prosecution if he paid the amount to the other. Connell during this difficulty sent Madigan a copy of the written authority given him by Lindsay in 1849. A great deal passed between the three which it is not necessary to relate here. It was in a conversation between Lindsay and Madigan that the defamatory words were charged to have been spoken. Lindsay asked Madigan why he had not paid the money on an order which he had sent him a few days previous. Madigan's evidence was that he replied to Lindsay that he (Lindsay) had given George Connell a written authority which Connell had sent him. Lindsay asked to see it, Madigan replied that it was only a copy, and searched for it, but could not find it. Lindsay then said that he has given no such authority, and that if Mr. Connell had any such it was a forgery. These were the defamatory expressions upon which the suit was brought.—Mr. Staples, Clerk of the Supreme Court, Houlton, also gave evidence that Lindsay used pretty much the same expression to him. Lindsay, on the other hand, when put on the stand, swore most positively that these expressions were used by him with respect to an order which he understood Madigan to say he (Lindsay) had given Connell to get the money. After Lindsay's testimony was given, Mr. L. P Fisher, his counsel, said that there had evidently been a misunderstanding in the matter, and proposed that the trial should proceed no further, each party paying his own costs. Connell refused; and the case proceeded. The jury brought in a verdict for the defendant.

SATURDAY, Sept. 29.

Thomas Oliver against *Robert Campbell and Francis Eliot.*

This was an action of trespass. It appeared that Oliver and Eliot had "squatted" on a lot of land in the Parish of Wicklow, and had jointly made improvements upon it. Afterwards Eliot obtained from the Crown Land office a grant of the lot, and brought an action of ejectment against Oliver. The case came on for trial at the Carleton Circuit before Judge Wilmot, some nine years ago. At the suggestion of the Judge the parties agreed to leave the matter to an arbitration; a bond to that effect was given, and three of the jurors, Robert Harper, Elisha Baker, and Charles Campbell, were chosen arbitrators They made an award, giving one half the lot to Eliot and one half to Oliver, each to give the other a conveyance of all his right and title to his portion. Under this award the parties divided the land amicably, tossing up for the choice of the half-lots. The southern portion fell to Oliver, the northern to Eliot. They jointly built a line fence between the part of their respective pieces which were cultivated, but no line was run through the wilderness part until the Monday preceding the trial. By the evidence of Oliver and others, it was proved that various kinds of lumber—cedar, spruce, pine, tamarac, and birch,—had been cut on Oliver's half within two years, by some persons; and by Oliver's testimony it appeared that the winter before last he had seen Eliot and Campbell at work cutting and hauling. That this cutting was done on the south half of the lot or on the half awarded to Eliot, and upon which he had resided, had been ascertained by Oliver getting Mr. James Hartley, Local Deputy Surveyor for the County, to go, on the preceding Monday, and run the line between the two halves which was found, so far as the clearing extended, to coincide with the line fence already erected. The lumber cut was all on the south side of this line.

This was the plaintiff's case. On the defence there were put in, first, the grant from the Crown to Eliot, secondly, a deed from Eliot to one Bartholomew Maddox, *dated a few days after the award of the arbitrators:* and, thirdly, Campbell, one of the defendants, was put on the stand, and produced a writted memorandum of agreement between Maddox and himself, in which Maddox sold him the right to cut cedars for shingles off the whole lot, at one shilling a thousand. Campbell swore that under this agreement, he, the winter before last, cut cedars sufficient for twenty thousand shingles, and one pine tree, which proved worthless, and nothing more of any kind, and that he hired Elliot, who was his step father, to assist him four days.

The Chief Justice, after the evidence was all given, proposed to the counsel for the respective parties that as the final result of the case must rest upon a question of law,—the title to the land,—they should allow the jury to assess the damages, and leave the law question to the Court above. The attorney for the defense, however, declined to accede to this suggestion.

The Attorney General, who with Mr. George Connell, was for the defence, contended that the grant to Eliot and the subsequent deed from Eliot to Maddox, carried the title of the whole lot, and that the award of the arbitrators, without the execution of a conveyance from Eliot to Oliver of the part which fell to him, did not affect the title Consequently, Oliver, having no title to the land, could not sustain this action. Even if a title had been made out for Oliver, it was proved that Campbell had got lumber only to the value of twenty shillings; and as this was a joint action against Campbell and Eliot, and as the latter, according to Campbell's testimony, was only engaged four days, the action could be sustained only to the value of lumber taken in the four days.

Mr. Allen, with whom were Messrs. L. P. Fisher and A. N. Garden, argued for the plaintiff that although the title by the grant was in the first place in Eliot, he, by the award of the arbitration, and also by his own acts in consenting to the division of the land, and assisting in it, helping to put up a line fence, &c., was *estopped* from denying the title of Oliver, and that Maddox, holding from Eliot, could stand in no better position than Eliot himself. The cutting of the lumber by Campbell was evidently the result of a scheme between Eliot, Maddox and Campbell to rob and annoy Oliver. The jury in giving a verdict need not confine their consideration to the actual value of lumber cut and carried away, but might and should extend it to the trouble and expense to which Oliver had been put, and to their disapproval of the committal of such trespasses as this.

Sir James Carter said that it would have been preferable had the counsel for the parties consented to the arrangement which he had proposed; but as they had not, he, without holding himself bound for the future by any opinion which he might now give on what was a very nice question of law,—the question whether under the circumstances of this case Eliot, and all claiming from him, were *estopped* by the award, or by his

Otober 4,

NEW
GOODS!
NEW GOODS!!

Robert Brown

WISHES to call the attention of the Public to his importation of

NEW SPRING GOODS,

—WHICH CONSIST OF—

Cloth and Silk Mantles.

Mantle Cloths,

with trimmings to match.

SILKS IN BROCADES,

Plaids Stripes, Black &c

FRENCH DELAINS,
BARAGES,
FANCY PLAIDS,
CHALLE CLOTHS,
COBURGS,
ORLEANS,
ALPACCAS & DELAINE

PRINTED MUSLINS, and CALICOES

PARASOLS; BONNETS and HATS, all new Shapes a splendid assortment of RIBBONS, FLOWERS, and FEATHERS.

Lace and Muslin Collars and under-sleeves, Lace Veils, Fancy Chenille Hair Nets, French Kid Gloves & Gauntlets, Silk & Lisle Thread Gauntlets, Black Lace, Mitts, Hosiery, Laces and Edgings, Lawns, Handkerchiefs, &c. &c.

Ladies Corsets and Skeleton Skirts, improved Styles Linens, Brown Hollands, Grass Cloths, Striped Shirtings and Regattas, Gray & White Cottons, Blue & White Cotton Warps, "warranted first quality," Black Broad Cloths, Cassimers & Doeskins Fancy Tweeds for Trousering.

Blk. & Colored Russel Cords and Alpaccas, Shirts & Skirt Collars, Neck & Pocket Handkerchiefs, neck Ties &c. &c.

Ladies	Boots,	Shoes &	Rubbers,
Misses.	do.	do.	do.
Boys & Youths	do.	do.	do.
Childrens	do.	do.	do.

The subscriber in soliciting the patronage of the Public would remark that heretofore he has purchased his goods in St. John but this year he has imported from England, direct, which will enable him to sell at least fifteen per cent cheaper than before, and also having lost the principal part of his old stock by the recent fire parties may be sure of getting new goods.

ROBERT BROWN.

Woodstock, May 30, 1860.

More Innishowen Whiskey.
One Hhd. Mehan's.

WATERSIDE DISTILLERY, Londonderry Celebrated Irish Malt Whiskey, John Bradley's Importation.

South Side Bridge.

OWEN KELLY.

May 31.

Alcohol, Molasses, Sugar, &c.

2 hhds. fine flavored American Alcohol
1 hhd. Bright Sugar;
2 hhds. Molasses.

Will be sold low for cash.

OWEN KELLY.

May 31.

OWEN KELLY,
Importer and Dealer
—IN—
General Groceries.

WINES, LIQUORS, &c.,

South Side Maduxnakik Bridge,

THE SUBSCRIBERS

WOULD take this opportunity of turning their sincere thanks to people of Woodstock and surrounding country for the liberal patronage given them since their commencement of business in this place, and would remind their friends and customers that they have removed to the new store in

Mr. Abner Bull's
NEW BUILDING

where will be found a choice selection of

DRY GOODS
—AND—
GROCERIES,

with a great variety of other Goods suited for this market, which will be sold most reasonably for cash or Country produce.

VANWART & STEPHENSON.

Woodstock, June 1, 1860.

Steam Boat Landing.

JOHN EDGAR has removed his remnants to the house next below his late store and near the Steamboat Wharf, where he will be happy to wait on his customers New Goods daily expected

April 26, 1860. JOHN EDGAR.