The Weekly Observer.

Established in 1818. Under the title of "The Star." } Whole No. 1060.

ST. JOHN, TUESDAY, AUGUST 21, 1838.

Vol. XI. No. 8.

PUBLISHED ON TUESDAYS, BY
DONALD A. CAMERON.
Office in Prince William-street, near the Market square, over the Marine Assurance Office.
Terms—15s. per annum, exclusive of postage, half in advance.
Printing, in its various branches, executed with neatness and despatch, on very moderate terms.

Weekly Almanack.

August—1838.	Sun Rises.	Sun Sets.	Moon Rises.	Full Sea.
22 Wednesday	5 10	6 54	7 55	1 7
23 Thursday	5 11	6 53	8 15	1 32
24 Friday	5 12	6 51	8 32	2 0
25 Saturday	5 13	6 50	8 51	2 29
26 Sunday	5 14	6 48	9 14	3 2
27 Monday	5 15	6 46	9 42	3 47
28 Tuesday	5 16	6 45	10 20	4 46

First Quarter, 28th, 4h. 10m. morning.

BANK OF NEW-BRUNSWICK.
Robert F. Hazen, Esq., President.
Director this week, ... L. H. Deveber, Esq.
Discount Days .. .. *Tuesdays* and *Fridays*.
Hours of Business, from 10 to 3.
Bills or Notes for Discount, must be left at the Bank before three o'clock on the days immediately preceding the Discount Days.

COMMERCIAL BANK OF NEW-BRUNSWICK.
Charles Ward, Esq., President.
Director this week, ... D. J. M'Laughlin, Esq.
Discount Days .. .. *Tuesdays* and *Fridays*.
Hours of Business, from 10 to 3.
Bills or Notes for Discount, must be lodged at the Bank before one o'clock on Mondays and Thursdays.

CITY BANK.
Thomas Leavitt, Esq., President.
Director this week, ... James T. Hanford, Esq.
Discount Days .. .. *Mondays* and *Thursdays*.
Hours of Business, from 10 to 3.
Bills or Notes for Discount, must be lodged at the Bank on Saturdays and Wednesdays before one o'clock.

BANK OF BRITISH NORTH AMERICA.
SAINT JOHN BRANCH.
R. H. Liston, Esquire, Manager.
Director this week, ... James Kirk, Esq.
Discount Days .. .. *Wednesdays* and *Saturdays*.
Hours of Business, from 10 to 3.
Notes and Bills for Discount to be left before three o'clock on the days preceding the Discount Days.

SAINT JOHN SAVINGS' BANK.
D. Jordan, Esquire, Cashier.
Office hours—from 1 to 3 o'Clock on Tuesdays.
Acting Trustee for August.—Thomas Barlow, Esq.

NEW-BRUNSWICK
FIRE INSURANCE COMPANY.
Office open every day, (Sundays excepted,) from 11 to 1 o'clock.
JOHN M. WILMOT, ESQUIRE, PRESIDENT.
Committee for August:

☞ All Communications by Mail, must be post paid.

NEW-BRUNSWICK
MARINE ASSURANCE COMPANY.
Office open every day, (Sundays excepted,) from 10 to 3 o'clock.
James Kirk, Esquire, President.
Directors this week:
William Leavitt, and William Walker, Esquires.

☞ All applications for Insurance to be made in writing.

Poetry.

THE SISTERS.—By a Lady.

Our's was a happy home, Mary,
And children gay were we,
No care was on our brows, Mary,
When by our mother's knee:

Or wandering up the glen, Mary,
To pull the scented thyme;
Alas! these days are gone, Mary,
The days for which I pine!

Nor will they come again, Mary,
For altered sair are we;
Nor will we smile again, Mary,
Beside our mother's knee.

To a brighter world than this, Mary,
Her gentle spirit's gane:
Our griefs, too, and our cares, Mary,
Now we maun share alane!

Ye canna feel like me, Mary,
The past by you's forgot;
Ye're happy wi' your bairns, Mary,
Tho' humble be your lot.

We were of different mould, Mary,
You were the gentler star;
My spirit roamed abroad, Mary,
And sighed for things afar.

Life is a transient stay, Mary,
A smile, and all is o'er;
A burning tear, and then, Mary,
Our voice is heard no more!

And mine will soon be still, Mary,
But ah! ere I depart,
With all thy former love, Mary,
O press me to thine heart!

And when the silent eve, Mary,
Spreads silence o'er the plain,
And the stars are twinkling lone, Mary,
Come to my grave alane.

Recall there all our loves, Mary,
And o'er my silent grave,
Shed the warm tears of love, Mary;
No dearer boon I crave.

Miscellaneous.

Modern Poets.—Of the poets of whom the [illegible] has been proud, how many have completed their mortal career: Shelly, Keats, Byron, Göthe, Scott, Crabbe, Coleridge, and his [illegible] Chas. Lamb, have departed from us. [illegible] us be thankful their works follow not. [illegible]nes Montgomery, Moore, Southey, Wordsworth, Rogers, Campbell, still survive—nor are all their voices stilled with age. Of the better sex Mrs. Hemans is no more, and Joanna Baillie is now in the climax of her reputation—fame she always had. When we review these names, and the productions to which they have been attached, can, we repeat, the sentiment remain unfelt, or the opinion unexpressed, that a cycle of poetic genius has closed, and that a new one has commenced? All that excited the old has gone—the French revolution with its atrocities—the war, the rulers and the vanquished. Napoleon is a shade, and Waterloo a name! The reign of order, construction, follows on the chaos made by the events, and so forcibly expressed in the poetry of Byron and Shelley. Let us hail the coming years! We think that there is healing in their wings.—*Fraser's Magazine for June.*

Late Scenes.—All men come home SOME TIME. Many men find their chief delight there, even those who do not lead the most regular lives, still find repose and refuge under their own roof, and if they find intelligence, good temper, and graceful demeanor, adorning the same scenes of existence, they will gradually be drawn to their fireside, not merely as a refuge from trouble and care, but a delightful arena for the enjoyment of those virtuous pleasures which at once embellish and sweeten life.

Five Facts.—A firm faith is the best divinity; a good life is the best philosophy; clear conscience the best law; honesty the best policy; temperance the best physic.

The curious and important operation of transfusion of blood was recently performed with perfect success by Mr. John Wilson and Mr. Richard Ripley, of Whitby, on the person of Mrs. Hartley, who was rapidly sinking under violent hermorrhage. The pulse was gone and not even by the application of a mirror to the mouth of the patient could it be perceived that she breathed; but by the injection into her veins of a large quantity of blood taken from those of her sister and husband, the patient was gradually withdrawn from the very jaws of death, and is now approaching convalescence.—*Sunderland Herald.*

Cure for Diarrhœa.—The following is said to be a certain cure for the Diarrhœa. It should be cut out and preserved.

Parch half a pint of rice until it is perfectly brown; boil it down as is usually done, and eat it slowly, and it will stop the most alarming diarrhœa in a few hours.

A Worthy Schoolmaster.—Mr. Squeers looked at the little boy to see whether he was doing any thing he could beat him for: as he happened not to be doing any thing at all, he merely boxed his ears, and told him not to do it again. Hereupon Mr. Squeers began to ruminate, when the little boy gave a violent sneeze. "Holloa!" growled the schoolmaster,—"what's that, sir?" "Nothing, sir," replied the little boy. "Nothing, Sir?" "Please, sir, I sneezed," rejoined the little boy, trembling like an aspen leaf. "You sneezed, did you?" retorted Mr. Squeers; "then what did you say nothing for, sir?" In default of a better answer to this question the little boy screwed a couple of knuckles into each of his eyes and began to cry; whereupon Mr. Squeers knocked him off his seat with a blow on one side of his face, and knocked him on again with a blow on the other.—*Nicholas Nickleby, by Boz.*

Preserving Roots.—After potatoes and other roots are put into a cellar, they should be kept from the light and air. Some cellars are provided with glass windows, by which they are kept light through the winter, but roots of all kinds will not keep so well in such cellars unless they are put up in close casks, boxes, bins, or pens, and covered up closely. If there be a small quantity of live earth with roots in general when they are put into the cellar and thrown on the ground, without becoming dry, they will remain sweet and good, but if dry and exposed to light or heat they lose their sweetness and good qualities. Last fall we put beets, carrots, and turnips in close casks with earth—first a layer of earth, then a layer of roots, and they kept well, and were as good in May as they were in the fall. These roots were of such kind as do not usually keep without some care. They were the early turnip-rooted beet, early horn carrot and the common English and early garden stone turnip. We used pure live earth a foot or so from the surface, that it might be free from manure and other impurities.—*Yankee Farm.*

For the Observer.

NORTH EASTERN BOUNDARY.

REMARKS

Upon the Question in dispute between Great Britain, and the United States respecting the North Eastern Boundary of those States.

(Continued.)

The Province of Quebec continued to claim, and, in some instances, to exercise jurisdiction down to the Great Falls of the River Saint John, until the year 1792, as will appear from the following documents.

1. *Proceedings in the Court of Common Pleas at Quebec.*

"*Province du Bas Canada,* }
"*District de Quebec.* }
"COUR DES PLAIDOYERS COMMUNS.
"Terme de Septembré,
"*Lundi,* 14 *Septembre,* 1789.

"Présent, ADAM MABANE, PIERRE PANET, Ecuiers.

"*Anselme & Michael Robichaux,* v. "*Augustin Dubé & Pierre Duperé, de Madouaska.* }

"Le Sheriff fait son retour du service de la sommation, Mtre. Panet paroit pour les demandeurs, et "a filé trois Licences et une lettre citée dans sa déclaration, Mtre. Cugnet, comparoit pour les défendeurs, la Cour ordonne, que le Défendeur prendra "communication des pièces filés par le demandeur et "fournira ses défenses sous trois jours.

"17 *Septembre,* 1789.

"Mtre. Cugnet, pour les défendeurs a filé ses défenses, la Cour ordonne, que le demandeur en prendra communication et fournira ses repliques sous "trois jours.

"28 *Septembre,* 1789.

"Mtre. Panet pour les demandeurs a filé ses repliques, la Cour ordonne, que le défendeur en prendra communication.

"30 *Septembre,* 1789.

"La Cour du consentement des parties a mis en délibéré.

"*La Cour, en procédant au deliberé de cette cause, "ayant remarqué, que les défendeurs ont allegué dans "leurs écrit de défenses, qu'il ne sont pas de la jurisdiction de cette Cour, mais domiciliers de la Province de "Brunswick, auquel allegué les demandeurs n'ont pas "repondu dans leurs écrit de repliques, ordonne, que "les demandeurs déclareront et feront inscrire sur le "registre de cette Cour s'ils admettent l'allegué des défendeurs ou non.*

"9 *Janvier,* 1790.

"Mtre. Panet, Avocat des demandeurs, *a declaré, "en conformité du jugement de cette Cour du quatre "Janvier der. qu'ils soutiennent, que les defendeurs ont "été assignés dans la Province de Quebec, et que l'assignation est suffisante de laquelle déclaration cette "Cour a donné acte, et a fixé à Lundi pour entendre "la cause.*

"11 *Janvier,* 1790.

"*Après avoir entendu les parties, la Cour ordonne "qu'elles feront preuve respective Vendredi prochain, "si Madouaska et le Grand Sault sont dans la Province de Quebec ou non.*

"14 *Janvier,* 1790.

"Sur la motion de Mtre. Panet la Cour ordonne, "que les preuves seront peremptoirement entendues "et reçues Vendredi prochain.

"18 *Janvier,* 1790.

"Mtre. Panet a dit, *qu'il n'a d'autre preuve à produire en conformité du Jugement du onze de ce mois, "que les licences des demandeurs filées, et la regle du "14 Septembre, pour fournir les défenses, Mtre. Cugnet demande jusqu'au terme prochain pour faire "preuve, de son allegué en ses défenses:* la Cour parties ouies mets en deliberé.

"22 *Mars,* 1789.

"*La Cour ayant considéré les Plaidoyers des parties, et après en avoir délibéré, est d'opinion que les "défendeurs ne se sont pas conformés à l'article onzieme des règles de cette Cour, ayant du lors du "jour de retour des sommations filé leur exceptions, "soit peremptoires, dilatoires ou declinatoires, que le "même jour, auquel Mr. Cugnet, leurs Avocat filât "sa comparation il fut ordonné, qu'il fournirait ses "défenses et non en écrit intitulé mal à propos, défenses, qui cependant est une exception declinatoire, "que les défendeurs n'ayant aucunement prouvé "ainsi qu'il lui étoit permis, de le faire par le jugement interlocutoire de cette Cour, que les assignations à eux données ont été signifiées hors de la jurisdiction de cette dite Cour, ils en sont forclos d'après ces considerations, la Cour deboute les défendeurs de leurs exception declinatoire qu'ils ont justifiée de defenses avec depens occasionés par la dite "exception, et ordonne qu'ils fourniront leurs defenses "au merite de la cause sous trois jours."*

* * * * * * * * *

2. *Extract from the Quebec Gazette, of 10th November, 1791, of a Sheriff's Notice of the Sale of Lands of Pierre Duperé, at Madawaska, at the suit of Anselme and Michel Robichaud.*

"District of Quebec.

"By virtue of a Writ of Execution issued out of "His Majesty's Court of Common Pleas for the said "District, at the Suit of Anselme and Michel Robichaud, merchants, residing at *Riviere des Caps*, "against the moveable and immoveable property of "*Augustin Dubé, heretofore of Madouaska,* now of "Isle Verte, *and Pierre Duperé, merchant at Madouaska,* to me directed, I have seized and taken in "execution—

"I. A piece of land of two arpents and two perches "in front, by forty-two arpents in depth, situate in "the Parish of St. John, in the Seigniory of Isle "Verte, bounded in front by the River St. Lawrence, "and behind by the lands of the said Seigniory, joining on the south-west side to Mr. Lecour the Pilot, "and on the north-east side to the heirs of Rioux, "the same belonging to the said Augustin Dube, one "of the defendants.

"II. *A piece of land* belonging to the said Pierre "Duperé, the other defendant, containing six arpents "in front *on the River St. John, at Madouaska,* by a "league in depth, ending at the ungranted lands, "joining on the north-east side to François Albert, "and on the south-west side to ungranted lands; together with an old house thatched with straw, 15 "feet by 30, a store house of cedar logs, roofed with "bark, 18 feet by 30, with arable land for sowing "three bushels and a half of grain. Now I do hereby give notice, that the first-mentioned piece of land "will be sold and adjudged to the highest bidder, at "the church-door of the said Parish of St. John, on "Thursday, the fifteenth day of December next, at "eleven o'clock in the forenoon, and the second piece "above described *situate at Madouaska,* will also be "sold and adjudged to the highest bidder, *at the door "of the House or Chapel where the inhabitants meet "for Divine Service at Madouaska aforesaid, on Friday, the sixteenth day of December next, at eleven "o'clock in the forenoon,* at which respective times and "places, the conditions of sale will be made known "by Ja. Shephard, Sheriff.

"All persons having claims are to shew them at his Office in *Quebec,* before the day of sale.

"Quebec, 10th August, 1791."

3. *Extract from the Minutes of the Executive Council of the Province of Quebec, relative to the Temisquata Road, 7th July,* 1785.

"*Thursday, 7th July,* 1785.

"At the Council Chamber in the Bishop's Palace;

PRESENT,

"The Honourable HENRY HAMILTON, Esq., Lieutenant-Governor and Commander-in-Chief,

"Hugh Finlay, Henry Caldwell,
"Edward Harrison, François Baby,
"Adam Mabane, Samuel Holland, Esquires.
"J. G. C. Delery,

"The Council resumed the consideration of the "Post Master-General's Proposition relative to *the "Road from Kamouraska to Lake Temisquata,* and "having examined Mr. Danbourgess's Report of the "expense of carrying this plan into execution, which "exceeds considerably the calculations formerly made "by Messrs. Finlay and Collins, were of opinion, that "the whole should be as soon as possible transmitted "to His Majesty's Secretary of State, that His Majesty's pleasure may be known thereon; and, in the "mean time, that Mr. Danbourgess should be directed "*to proceed with the fifty men already employed by "him on this service;* that wood should be cut in proper season for building the bridge over the River du "Loup, and the necessary preparations made *for opening the communication agreeable to the plan proposed:* from which the Council were of opinion, *many "advantages are to be expected to this Province as "well as Nova Scotia and New Brunswick, particularly in time of war, when an easy and speedy "communication, independent of the States of America, becomes absolutely necessary; and when in "times of peace from the inconvenience of sending "Government and other despatches by way of New "York, which is every day more apparent, the American Post-Master having lately refused the Post-"Master-General here to allow the couriers from this "Province to pass through their territories, insisting "that all letters shall go by their mails only, which can "never be complied with by us.*

"Ordered, That copies of this minute be transmitted to the Governors of Nova Scotia and New Brunswick."

4. *Extract from the Minutes of the Executive Council of the Province of Quebec, 9th July,* 1787.

"*Monday, 9th July,* 1787.

PRESENT,

"His Excellency the Right Honourable GUY, Lord DORCHESTER, Governor.

"The Honourable HENRY HOPE, Esq. Lieut.-Governor.

"William Smith, C. J. Le Comte Dupré,
"Hugh Finlay, Edward Harrison,
"George Pownall, J. G. C. De Lery,
"Henry Caldwell, William Grant,
"P. R. De St. Ours, Francis Baby, Esquires.

"His Lordship intimated the propriety *of ascertaining the limits between this and the Province of "New Brunswick,* and that the Surveyor-General of "that Province would soon meet Mr. Holland for "that purpose; and as it was absolutely requisite towards opening and sustaining the land communication between the two Provinces, that the lands on "both sides of it should be settled, his Lordship "proposed, and the Council concurred in authorizing "Mr. Holland to give assurances to all persons desirous "to settle there, and *especially the Acadians in that "vicinity, of the favourable intentions of this Government to issue grants in their favour* for three hundred acres to the head of every family out of the "waste lands of the Crown in that quarter; and it "is for that purpose recommended to them to explore "the places fit for cultivation on both sides of the "route, and apply, by petition, in the usual course, for "grants to be made, agreeable to Royal Instructions."

5. *Report of the Committee of Council appointed to consider the Boundary between the Provinces of Quebec and New-Brunswick, and the means of encouraging the communication, and settle the lands in that vicinity.*

"*To his Excellency the Right Honourable Guy Lord "Dorchester, Captain-General and Governor in "Chief of the Province of Quebec, Nova Scotia and "New Brunswick, &c. &c. &c.*

"The Committee of Council appointed to report "as well upon *the Question of the Boundary between "the Province and that of New Brunswick,* as the "most eligible means of encouraging the communication and the settlement of the lands in that vicinity, "have the honour to observe, that Mr. Holland's Report to your Excellency has been duly considered "by the Committee, who likewise paid thorough attention to the description of the Boundaries of the "Provinces of Quebec and New Brunswick, as exhibited from your Excellency's Commissions as Captain-General and Governor in Chief, and on the "whole they beg leave to remark, that *if the Province "of New Brunswick may of right claim the sources "of rivers that take their rise on the height of land "which divides the Rivers that empty themselves into "the St. Lawrence, from those which fall into the Atlantic Ocean, the ancient limits of this Government "will be curtailed towards New Brunswick, and "seigniories under Canadian Grants as far back as "the years 1623 and 1683 be taken into that Province; besides, the Acadians already settled above "the Great Fall of Saint John's River, and such "people as may chuse hereafter to settle there, would "be accommodated if those parts should be included in the province of New Brunswick.* Their commerce will be with this country, for they "must, from their situation, be supplied with European and West India commodities from Quebec.

"The Committee most humbly submit to Your "Lordship, whether it would not be for the advantage of both Governments *that the Province of Quebec be separated from that of New Brunswick by a line running along the highlands which extend "from the head of Chaleurs Bay to the foot of the "Great Fall of St. John's River, and from thence "crossing the River (so as to include the whole of "the Portage or carrying place) and continuing in a "straight line towards the sources of the River "Chaudière, which rise on the highlands that commence at the said head of the Bay of Chaleurs, "and extend all the way to the north-westernmost "end of Connecticut River.*

"With regard to *settling the new road to Lake "Temiscouata, along that lake and so down the Madawaska,* the Committee beg leave to represent "that the soil in that lengthy tract is poor in general; "yet there's many parts through its whole extent fit "for cultivation, though not of a quality to induce "people to settle so far removed from assistance in "their country labours, without good encouragement.

"From information the Committee report, that "some Canadian Settlers may be had on the following terms:

"To obtain a grant of two hundred acres of land, "free from quit-rent, for twenty years, paying a sou "annuel.

"To have four acres cleared, and a log-house built "thereon, consisting of two apartments, and to have "a out-house of logs to serve as a stable and barn, "with three years provisions for each family.

"The Committee have further been informed that "Englishmen will set down on that tract on the following conditions:

"That each family have a grant of land (200 acres) free from quit-rent, for ten years.

"Twenty-five pounds to be advanced, to stock the farm; the lands and improvements to be security "for the money shall be repaid in ten years, but "without interest. That each family be conveyed "to the land allotted to them without *expense.* To "have two years provisions allowed them, and delivered at their settlements.

"The lands from the mouth of Madawaska down "to Fraser's Ferry, with the shores of the River St. John, in the Province of Quebec, contained in the "Returns of the Parishes in the Province of Quebec, with the dates of their erection, the number of Seigniories, parts of Seigniories, and Fiefs, lying within each Parish, the Quantity of Land in each Parish, the Population, the Quantity of Land granted, the Quantity of Land improved, the Quantity of Land granted and improved, the Quantity of Land granted and improved in proportion to the Quantity of Land granted, the Quantity of Land granted and improved in proportion to the Quantity of Land granted, the Quantity of Land granted and improved in proportion to the Quantity of Land granted