

**INTELLECTUAL CHARACTER OF THE AFRICANS.**—Notwithstanding so great a deficiency, [the absence of a written language among them;] the African must not be imagined as sunk in entire mental apathy. The enterprise of a perilous and changeful life develops energies which slumber amid the general body of the people in a civilized society. Their great public meetings and *palavers* exhibit a fluent and natural oratory, accompanied often with much good sense and shrewdness. Above all, the passion for poetry is nearly universal. As soon as the evening breeze begins to blow the song resounds throughout all Africa; it cheers the despondency of the wanderer through the desert; it enlivens the social meeting; it inspires the dance; and even the lamentations of the mourner are poured forth in measured accents. Their poetry does not consist in studied and regular pieces, such as, after previous study, are recited in our schools and theatres; they are extemporary and spontaneous effusions in which the speaker gives utterance to his hopes and fears, his joys and sorrows. All the sovereigns are attended by crowds of singing men and singing women, who, whenever any interesting event occurs, celebrate it in songs, which they repeat aloud and in public. Flattery, of course, must be a standing reproach against this class of bards; yet from this imputation their European brethren are not exempt; while from Major Laing's report, it appears that there is often present a sable *Tyrtæus*, who reproaches the apathy of the Prince and the People, and rouses them to scenes of valour. Specimens are wanting of the African muse; yet, considering that its effusions are numerous, inspired by nature, and animated by national enthusiasm, they seem not unlikely to reward the care of a collector. The few examples actually given favour this conclusion. How few among our peasantry could have produced the pathetic and affecting lamentation which was uttered in the little Bambarra cottage over the distresses of Park! These songs, besides, handed down from father to son, contain evidently all that exists among these nations of traditional history. From the songs of the Jilimen of Soolmani, Major Laing was enabled to compile the annals of this small kingdom for more than a century.—*Edinburgh Cabinet Cyclopædia.*

## AMERICA.

### COLONIAL.

An Act to repeal the Acts now in force regulating the exportation of Lumber, and to make other provisions in lieu thereof.

*Passed 31st March, 1831.*

Whereas the Laws now in force for the regulation of the Lumber Trade are found inconvenient;

I. Be it therefore enacted by the President, Council and Assembly, that an Act made and passed in the ninth and tenth years of his late Majesty's Reign, intituled 'An Act to regulate the exportation of Lumber, and to repeal all the Acts now in force relating to the same,' be and the same is hereby repealed.

II. And be it further enacted, That from and after the passing of this Act, no lumber of the descriptions herein after mentioned shall be shipped for exportation from this Province, until the same has been surveyed and measured, under a penalty, for every offence, not exceeding fifty pounds nor less than five pounds, currency, to be forfeited and paid by the person or persons who knowingly shall have shipped, or caused the same to be shipped, for exportation, without having been so surveyed and measured.

III. And be it further enacted, That it shall and may be lawful for the Justices of the Peace in each County, at their first General Sessions annually, to appoint a sufficient number of fit persons in their respective Counties to be Surveyors of Lumber in each County, Town or place where such may be necessary; which persons so appointed, shall enter into bonds to His Majesty, his heirs and successors, in the sum of one hundred pounds with two good and sufficient sureties in the sum of fifty pounds each, conditioned for the due performance of his duty as surveyor of lumber, to be filed in the office of Clerk of the Peace in such County; and shall take and subscribe the following oath, before one of his Majesty's Justices of the Peace, or before

the Clerk of the Peace for the County in which he may be appointed, either of whom is hereby authorized and required to administer the same, without any fee; that is to say, 'I do solemnly swear, that I will faithfully, truly and impartially, to the best of my knowledge skill, and ability, execute, do and perform the office and duty of a surveyor of lumber according to the true and intent meaning of an Act, intituled 'An Act to repeal all the Acts now in force regulating the exportation of lumber, and make other provisions in lie thereof, and that I will give a true and faithful account of the number, dimensions, or measurement of all such lumber as may be submitted to my inspection, according to the best of my knowledge, and that I will not survey any lumber in which I may be directly or indirectly interested otherwise than for the compensation prescribed in this Act, and that I will not change any article of lumber that may be delivered or entrusted to me for the purpose of being so surveyed, and that I will not survey any lumber for any person or persons in whose employment I may be either buyer or seller;' which affidavit every surveyor so appointed and sworn shall deliver unto the Clerk of the Peace for the County in which he shall be appointed, together with the private mark which he shall adopt; and the said Clerk of the Peace is hereby required to grant a certificate to every such person, of his having taken and subscribed the said oath, and of his having filled the said bond, and to furnish him with a copy of this Act, for which copy so furnished he is to receive one shilling from the sessions of said County; and it shall be lawful for them to survey lumber in any part of the County in which they shall be appointed, and it shall be their duty respectively, personally, diligently and carefully to ascertain the qualities of the articles submitted to their inspection, and after rejecting all such as in their opinion may appear objectionable under this Act, of which each surveyor is hereby required to provide himself with, and retain a copy, they shall when required furnish the buyer and seller each with a true and faithful account in writing, of the number, length, dimensions or measurement of the articles they shall respectively find to be merchantable; and every such account duly certified under the hand of a surveyor shall be final and conclusive between the buyer and seller: Provided always, that when any dispute shall arise between the buyer or seller and any of the surveyors, or between the buyer and seller of any article of lumber, and a re-survey shall be required,—when such dispute shall arise between the buyer and seller and the surveyor, it shall and may be lawful for the party requiring such re-survey and for the said surveyor respectively to choose one disinterested surveyor, duly appointed under this Act, which two surveyors so appointed shall choose a third disinterested surveyor, duly appointed under this Act, whose duty it shall be to examine and re-survey the said lumber, and the decision of the said three surveyors, or any two of them, as to the said re-survey shall be final and conclusive; and should the original survey be confirmed, then and in such case the expences of the said re-survey shall be paid by the person requiring said re-survey, who shall and is hereby authorised to recover the same again from the first surveyor: Provided also, that if any surveyor shall pass any article of lumber contrary to the provisions of this Act, such surveyor so offending shall be liable to the party injured for all damages sustained by him or them, and be subject to the following penalties, namely, For every forty cubic feet of timber so passed the sum of 2s. 6d.; for every thousand superficial feet of plank, deals, boards or scantling the sum of 5s.; for every spar the sum of 1s.; for every thousand shingles the sum of 2s. 6d.; for every thousand staves the sum of 5s.; for every cord of lathwood the sum of 2s. 6d.; and if any surveyor appointed under this Act shall at any time wilfully change any article of lumber, submitted to him for inspection or to be surveyed, by substituting any other article of lumber, he shall upon due conviction thereof incur a penalty not exceeding fifty pounds nor less than five pounds, to be recovered as is hereinafter prescribed in the ninth section of this Act. Provided also, that if any surveyor shall at any time be found guilty of wilful neglect of duty, or of partiality in the execution of his office, or of wilfully given a false account of the article or articles submitted to him for inspection, or of knowingly marking or shipping, or

causing to be marked or shipped, any article of lumber surveyed by him of unmerchantable size, quality or manufacture, or in any manner contrary to what is required by this Act for exportation, he shall be dismissed from his office as surveyor, and shall be ever after incapable of holding such situation or employment.

IV. And be it further enacted, That all Square Timber for the British Market shall not be less than ten inches square, nor shorter than sixteen feet (lathwood excepted, which may be twelve feet long, if not less than twelve inches square) to be square and smoothly hewed, and free from knotty tops, plugs, rots, rotten or concave knots, decayed sap and worm holes, to be square butted, and the taper not to exceed one inch for every eighteen feet in length; the wane not to exceed one inch on each and every corner where the square is under sixteen inches, and from sixteen to twenty inches square, on each and every corner two inches wane, and from twenty one inches square and upwards, three inches wane on each and every corner; and in order to ascertain the contents of such timber, the surveyor shall girth or measure the same at the middle of the stick, and the difference of the squares between any two of the sides, shall not exceed two inches; and no leg shall have a sweep unless it has two straight sides, and such sweep shall not exceed the rate of five inches to every forty feet in length; Provided nevertheless, that all pine timber over sixteen inches square, smoothly hewed and free from the knots and defects aforesaid, shall be deemed merchantable if over twelve feet long; all merchantable boards shall be seven eighths of an inch thick; and all boards, planks, deals and scantling, shall be square edged with the saw; no board or plank shall be deemed merchantable if split at both ends, or have one continued split of more than two feet at one end, that is less than twelve feet long, and nine inches wide, and that is not sawed of any equal width and equal thickness throughout: all merchantable boards, plank, deals and scantling, shall be free from rots, bad or large knots (not exceeding two of two and a half inches in diameter,) rents, shakes, worm holes, wane and auger holes; and purchasers shall not be obliged to take planks with boards, unless by special agreement; and the breadth of boards, plank, and scantling, to be taken at the middle for measurement; clear boards may be sawed out of the round log without being edged (optional with the party manufacturing the same) to be free from rots, knots, rents, shakes, worm holes, and auger holes, the width of which for measurement to be taken at the centre inside of, and not including the wane and dark sap. Masts shall not be less than three feet and one fourth of a foot in length to every inch of diameter, to be hewed smoothly, and reduced sufficiently to show the real wood, free from sap, on the centre of all the four sides at the partner, to be as small at the butt as at the partners, and of proportionate and full size at the top, to be straight, free from rot, ring shakes, butt rots, concave or rotten knots, large knots at the top, bark on the wanes, auger holes and other defects, to be square butted, the diameter for measurement to be taken at the partners, one third from the butt, exclusive of sap. Spars shall be of straight growth, free from large knots, rots and other defects, to be of proportionate size at the top with the butt, to be square butted, and the diameter for measurement to be taking one third of the length from the butt, exclusive of bark, and to be four and one half feet in length for every inch of diameter, where the spar exceeds nine inches in diameter, and five feet at least for all spars under nine inches diameter. Lathwood shall be of straight rift, free from bark, hearts, knots and rots, to be measured by the cord of four feet high and eight feet long, and piled as close as it can be laid. Pine Shingles shall be eighteen inches long, not less than four inches wide, and three eighths of an inch thick at the butt, free from sap, rot and worm holes, to be put up in bundles not less than twenty-five tiers, or courses of twenty inches wide, four of which bundles shall be reckoned a thousand; cedar shingles for exportation shall be twenty-two inches long, and half an inch thick at the butt, the said thickness to be continued three-fourths of the length and shaved from thence to the point, to be from four to four and one half inches in width, and the account shall be taken by tale of ten hundred to the thousand; and that all pine shingles manufactured in the same man-