

ROYAL GAZETTE.

FREDERICTON, MAY 4, 1831.

ALMS HOUSE AND WORK HOUSE.
Commissioner for next week,
Hon. F. P. ROBINSON, ESQUIRE.

Saving's Bank.
TRUSTEES NEXT WEEK.
HENRY G. CLOPPER, ESQ.
JAMES TAYLOR, ESQ.
HENRY SMITH, ESQ.



By Authority.

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, intitled "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the exportation of Lumber, and to repeal all the Acts now in force relating to the same," be and the same is hereby repealed.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 intent and meaning of an Act, intitled "An Act to repeal the Acts now in force regulating the exportation of Lumber, and to make other provisions in lieu 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 charge 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 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 filed 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 said Lumber, and the decision of the said three surveyors, or of any two of them, as to the said re-survey shall be final and conclusive, and when such dispute shall arise between the buyer and seller, it shall and may be lawful for the party who shall have had the choice of the first surveyor to choose one disinterested surveyor, and for the other party to choose two disinterested surveyors, which said three surveyors so chosen shall proceed 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 person requiring said re-survey shall pay the expenses thereof; and should the said original survey not be confirmed, then and in such case the expenses of the said re-survey shall be paid by the person requiring such re-survey, whose name is hereby authorized 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 Lumber so passed, a sum of two shillings and six pence; for every thousand superficial feet of plank, deals, boards

or scantling the sum of five shillings; for every spar the sum of one shilling; for every thousand shingles the sum of two shillings and six pence; for every thousand staves the sum of five shillings; for every cord of lathwood the sum of two shillings and six pence; 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 herein after 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 giving 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 incapable of holding such situation or employment.

IV. And be it further enacted, That all square Lumber for the British Market shall not be less than ten inches square, nor shorter than sixteen feet, (hardwood excepted, which may be twelve feet long, if not less than twelve inches square) to be square and smoothly hewed, and free from knots, 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 Lumber, 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 log 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 Lumber 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, plank, 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 saved 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 diameter,) rents, shakes, worm holes, wane and auger holes; and purchasers shall not be obliged to take plank 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 saved 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 top, 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 wane, 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 taken 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 manner for exportation shall be subject to the like rules and regulations; the whole of which cedar and pine shingles for exportation to be free from the defects above mentioned relative to shingles. Hoghead staves shall be forty-two inches long, three fourths of an inch thick on the thinnest edge, and not exceeding one and one eighth inches thick on the back, and shall also be from three and one half to five and one half inches wide; barrel staves shall be thirty-four inches long, half an inch thick on the thinnest edge, and not exceeding seven-eighths of an inch thick on the back; the whole to be of good rift, free from twists, fairly split and free from knot holes, rotten knots, worm holes and shakes, and the account shall be taken by tale of twelve hundred to the thousand.

V. And whereas certain articles of Lumber are measured afloat, and cannot conveniently be inspected; Be it therefore further enacted, that when such Lumber, or any part thereof, shall prove unmerchantable, it shall be the duty of the purchaser or purchasers of such Lumber to give the seller or sellers, or his or their Agent, ten days' notice that such Lumber has so proved unmerchantable, in order that the same may be removed; and if the seller or sellers, or his or their Agent, shall not within the time of such notice given as aforesaid apply for such Lumber and remove the same from the possession of such purchaser or purchasers, then the said purchaser or purchasers shall and he or they are hereby required to call upon the surveyor who first measured such Lumber, which surveyor shall examine the said Lumber so found defective and take an account of the marks and contents of the same, and the purchaser shall put or cause the said Lumber to be put in merchantable order under the superintendence of such surveyor, by having the same overhauled, lined, hewed, sawed or repaired in any way that may be thought advisable by such surveyor, or, and the purchaser or purchasers shall be at liberty to charge the seller or sellers of such Lumber with the expense of putting the same in order as aforesaid, and with any deficiency thereon; which said expenses and deficiency shall be kept account of and estimated by such superintending surveyor: Provided always, that no purchaser or purchasers of any Lumber shall be allowed to have the same repaired or re-surveyed at the risk or expense of the seller or sellers after he has had the same in possession more than twelve months: And provided also, that the seller or sellers of any Lumber, in order to avail himself or themselves of the provisions contained in this section, if he or they reside more than twenty miles from the place where such sale is made, shall at the time of making sale of any such Lumber nominate and appoint an agent or agents to attend to such unmerchantable Lumber, and the person or persons so nominated and appointed agent or agents shall be made known to the purchaser of such Lumber, at the time of such sale and purchase.

VI. And whereas some evil disposed persons are in the habit of plugging or wedging timber and masts for the purpose of passing such timber, masts or spars, by such deceptions, as merchantable; Be it therefore enacted, that any person or persons convicted of plugging any timber, spars, or masts, when any defect is covered by such plugging or wedging, shall be liable to pay a fine of five pounds currency for each and every such offence.

VII. And be it further enacted, That each of the surveyors so appointed shall mark of score, in large and legible figures or characters, on one of the sides near the butt end of each piece of Lumber inspected by him, his own mark, the length, the purchaser's mark, and the contents, and shall at the place of girthing the same, mark or score the girth thereof for measurement; masts and spars shall be marked in the same manner, having instead of the contents, the diameter at the partners: Provided always, that any person or persons adopting or using the private mark of any surveyor of Lumber under this Act, by placing the same upon any piece of timber, scantling, mast, spar or other article of Lumber, other than such surveyor of Lumber, shall be for each and every such offence liable to the penalty of five pounds currency, to be sued for and recovered as is prescribed in all penalties of the like amount in this Act.

VIII. And be it further enacted, That the persons so appointed surveyors as aforesaid shall respectively be entitled to ask, demand and receive, for their skill and labour in surveying and re-surveying, at and after the following rates; that is to say, For every forty cubic feet of Lumber four pence; for every thousand superficial feet of deals, plank, scantling and boards one shilling, and three pence for marking the same; for masts under seventeen inches diameter one shilling and six pence each, and if larger two shillings each; for spars under six inches diameter two pence each, being nine inches diameter and upwards four pence each; for lathwood one shilling and three pence per cord; for pine shingles nine pence per thousand; for cedar shingles one shilling per thousand; for hoghead staves three shillings per thousand; and for barrel staves one shilling and six pence per thousand: which rates for the survey of merchantable Lumber shall be paid by the first buyer after the survey, provided it be purchased within four months, and should it not be purchased within that time, the Surveyor to be paid by the person who employed him; and the seller shall remove or cause to be removed at his own expense whatever may obstruct or prevent the Surveyor from ascertaining with facility the measurement, manufacture, or quality, of any article of Lumber, and when required the same shall be called, and should the seller or sellers refuse or neglect to do the same, it shall and may be lawful to do so, or cause it to be done, and to charge the seller with the necessary expense of the same; which expense to be sued for and recovered in any Court competent to try the same.

IX. And be it further enacted, That one half of the forfeitures or fines arising by virtue of this Act, shall be paid to the person or persons who shall sue for the same, and the other half to the overseer of the poor of the Parish in which such forfeiture shall have been incurred, for the use of the poor of said Parish; and where any of the penalties imposed by this Act, shall not exceed five pounds, they shall be recovered together with the costs of prosecution before any one of His Majesty's Justices of the Peace of the County in which the offence shall be committed; and where the same shall be more than five pounds and shall not exceed ten pounds, before any two of His Majesty's Justices of the Peace, on the oath of one or more credible witness or witnesses, by warrant of distress and sale of the offender's goods and chattels, which warrant to be under the hand and seal of such Justice or Justices, and for want of sufficient distress shall suffer not less than ten days' nor more than thirty days' imprisonment; and in case such forfeiture or the value thereof shall exceed ten pounds, the same shall be recovered in any of His Majesty's Courts of Record competent to try the same, with costs of suit.

X. And be it further enacted, That all prosecutions by virtue of this Act shall be commenced within twelve months from and after the time such offence shall have been committed.

XI. And be it further enacted, That this Act shall continue and be in force until the first day of May one thousand eight hundred and thirty-five.

An Act to provide for the services of the Speaker of the House of Assembly, and for defraying the expenses and travelling charges of the Members of the said House attending in General Assembly:

Passed 31st March 1831.

WHEREAS it has been usual, and in the present circumstances of the Province it is still deemed expedient, to provide for the services of the Speaker, and defray the expenses of Members of the House of Assembly when attending in General Assembly:

I. Be it therefore enacted by the President, Council and Assembly, That there be allowed and paid out of the Treasury of the Province to the Speaker of the House of Assembly the sum of one hundred and fifty pounds for each and every Session of the General Assembly.

II. And be it further enacted, That their be allowed and paid out of the said Treasury to each and every Member of the House of Assembly, for defraying the expenses of attendance, the sum of Twenty Shillings per day; such attendance to be certified by the Speaker: Provided always, that no greater sum shall be allowed for the attendance of any member for any one Session than fifty pounds.

III. And be it further enacted, That for defraying the travelling charges of members there be allowed and paid out of the said Treasury the sum of Twenty shillings per day, allowing

twenty miles for each day's travel, to be also certified by the Speaker.

IV. Provided always, and be it further enacted, That in case of any Member of the said House of Assembly being absent for any part of the Session, a deduction shall be made (to be also certified by the Speaker) from the sum herein before allowed for defraying the expenses of attendance, at and after the rate of Twenty Shillings for each day's absence.

V. And be it further enacted, That the several and respective sums of money herein before mentioned shall be paid by the Treasurer by warrant of His Honor the President or Commander-in-Chief for the time being; by and with the advice of His Majesty's Council, out of the monies now in the Treasury or as payments may be made at the same.

VI. And be it further enacted, That this Act shall continue and be in force for and during the continuance of the present House of Assembly and no longer.

An Act to appropriate a part of the Public Revenue to the payment of the ordinary services of the Province.

Passed 31st March 1831.

Be it enacted by the President, Council and Assembly, That there be allowed and paid out of the Treasury of the Province for the services herein after mentioned, the following sums, to-wit:

To the Chaplain of the House of Assembly the sum of Twenty five pounds.

To the Clerk of the Council the sum of fifty pounds and twenty shillings per diem during the present Session.

To the Clerk of the House of Assembly the sum of two hundred pounds, for the present Session.

To the Clerk Assistant of the House of Assembly the sum of twenty shillings per diem during the present Session.

To the Sergeant at Arms attending the Council in General Assembly the sum of twenty shillings per diem during the present Session.

To the Sergeant at Arms attending the House of Assembly the sum of twenty shillings per diem during the present Session.

To the Door Keepers attending the Council and Assembly the sum of twelve shillings and six pence per diem each during the present Session.

To the Messengers attending the Council and Assembly the sum of ten shillings per diem each during the present Session.

To the Keeper of the Light-House on Partridge Island the sum of one hundred pounds for the year one thousand eight hundred and thirty-one.

To the Keeper of the Beacon Light in the harbour of Saint John a sum not exceeding one hundred pounds for his services for the year one thousand eight hundred and thirty-one.

To the Honorable Richard Simonds the sum of Six Hundred pounds for his services from the thirty first day of December one thousand eight hundred and twenty-nine, to the thirty first day of December one thousand eight hundred and thirty; and a further sum of one hundred pounds to enable him to pay a Clerk for the same period.

To His Majesty's Attorney General the sum of one hundred pounds for his services for the year one thousand eight hundred and thirty-one.

To His Majesty's Solicitor General for his services for the year one thousand eight hundred and thirty-one the sum of fifty pounds.

To the Clerk of the Crown in the Supreme Court for his services for the year one thousand eight hundred and thirty-one the sum of one hundred pounds.

To Beverly Robinson, Deputy Treasurer at Saint Andrews, the sum of one hundred pounds as a remuneration for the increased duties of his office last year.

To the Honorable Richard Simonds, Province Treasurer, for office contingencies for the year one thousand eight hundred and thirty-one the sum of seventy six pounds fifteen shillings and six pence.

To B. C. Chaloner the sum of one hundred and thirty-five pounds seventeen shillings for Guanoing and Weighing at Saint John for the year one thousand eight hundred and thirty-one.

To D. W. Jack the sum of fifty-two pounds and six pence for Guanoing and Weighing at Saint Andrews for the year one thousand eight hundred and thirty-one.

To C. H. Joubert the sum of twenty nine pounds six shillings and six pence for Guanoing and Weighing at West Isles for the year one thousand eight hundred and thirty-one.

To His Honor the President or Commander in Chief the sum of one hundred and fifty pounds for the services of a Tide Surveyor at the Port of Saint Andrews from the first day of April one thousand eight hundred and thirty-one to the first day of April one thousand eight hundred and thirty-one.

To His Honor the President or Commander in Chief the sum of four thousand pounds, for the encouragement of the Fisheries of the Province for the year one thousand eight hundred and thirty-one; and the sum of not exceeding three thousand pounds for the encouragement of raising Grain on new land, agreeably to the Acts of the General Assembly.

To His Honor the President or Commander in Chief a sum not exceeding two hundred pounds, for the encouragement of the destruction of Bears, agreeable to a Law of this Province.

To His Honor the President or Commander in Chief the sum of ninety-one pounds five shillings to enable the Treasurer to pay John Abrams for his services as Tide Waiter at Saint John for the year one thousand eight hundred and thirty-one.

To His Honor the President or Commander in Chief the sum of one hundred and twenty pounds to pay the Keeper of the Campo Bello Light House for his services for the year one thousand eight hundred and thirty-one.

To George Henderson the sum of six pounds one shilling and six pence being the amount of his account for Guanoing at Miramichi for the year one thousand eight hundred and thirty-one.

To His Honor the President or Commander in Chief the sum of two hundred pounds to enable the Treasurer to pay a Tide Surveyor at the Port of Saint John for his services for the year one thousand eight hundred and thirty-one.

To the Master in Chancery appointed to carry messages from the Council to the House of Assembly, for the present Session, the sum of forty pounds.

To the Chaplain of the Council in General Assembly the sum of twenty-five pounds.

To His Honor the President or Commander in Chief a sum not exceeding four thousand pounds for the encouragement of Parish Schools, agreeable to a Law of this Province.

To the Clerk of the Council the sum of twenty five pounds, for defraying the expenses of an Assistant during the present Session.

II. And be it further enacted, That all the before mentioned sums shall be paid by the Treasurer of the Province, by warrant of His Honor the President or Commander in Chief for the time being, by and with the advice of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.



Civil Appointments.

Bradshaw Rainford, Esq.—Supervisor of the Great Road from Fredericton to Northumberland.

John C. Vail, Esq.—Supervisor of the Great Road from Hammond River to Westmorland.

Benjamin L. Peters, Esquire, and Mr. John Cunningham—Commissioners to build the Bridge over Hammond River.

George Hayward, Esq.—Supervisor of the Great Road from the Short Ferry at Bailey's to the Finger Board.

Caleb Wetmore, Esq.—Supervisor of the Road from the head of Bellisle to the head of the Saint John Marsh.

William Hanington, Senr. Esq., and Mr. William Hanington, his eldest Son,—Supervisors to lay out £275 on the Great Road between Chediac and the Bend of Petticoe; also the sum of £200 for the road from Dorchester to Chediac.

Alex. Goodfellow, Esq.—Supervisor of the Road from Newcastle to Restigouche.

Capt. George Lane, to be Keeper of the Beacon Light in the room of William Good, deceased.

George Hazer, Esq. of Sussex Vale, and John Jordan, Esq. of Loch Lomond, to explore a proper Line of Road for the Post from Sussex Vale by the Loch Lomond Lakes to Saint John.

The Mayor and Corporation of the City Saint John, to expend £500 granted by the Legislature, for altering and improving the Road from the City Mills to the Indian House.

THE BOUNDARY LINE.

The following is the official decision of the King of the Netherlands, as published in the American Papers:—

TRANSLATION.
WILLIAM, by the Grace of God, King of the Netherlands, Prince of Orange-Nassau, Grand Duke of Luxembourg, &c. &c. &c.

Having accepted the functions of Arbitrator conferred upon us by the note of the Charge d'Affaires of the United States of America, and by that of the Ambassador Extraordinary and Plenipotentiary of Great Britain, to our Minister of Foreign Affairs, under the date of 12th January, 1829, agreeably to the 5th article of the Treaty of Ghent, of the 24th December, 1814, and the 1st article of the Convention concluded between those Powers, at London, on the 29th of Sept. 1827, in the difference which has arisen between them on the subject of the boundaries of their respective possessions:

Animated by a sincere desire of answering, by a scrupulous and impartial decision, the confidence they have testified to us, and thus to give them a new proof of the high value we attach to it.

Having, to that effect, duly examined and maturely weighed the contents of the first statement, as well as those of the definitive statement of the said difference, which have been respectively delivered to us on the 1st of April, 1830, by the Envoy Extraordinary and Minister Plenipotentiary of the United States of America, and the Ambassador Extraordinary of His Britannic Majesty, with all the documents thereto annexed in support of them:

Desirous of fulfilling, at this time, the obligations we have contracted in accepting the functions of Arbitrator, in the aforesaid difference, by laying before the two High Interested Parties the result of our examination, and our opinion on the three points into which, by common accord, the contestation is divided:

Considering that the three points above mentioned ought to be decided according to the treaties, acts and conventions concluded between the two powers; that is to say, the Treaty of Peace of 1788, the Treaty of Friendship, Commerce and Navigation of 1794, the Declaration relative to the River St. Croix of 1793, the Treaty of Peace signed at Ghent, in 1814, the Convention of the 29th September, 1827, and Mitchell's Map, and the Map A referred to in that Convention on:

We declare that, As to the first point, to-wit, the question, which is the place designated in the Treaties as the North West angle of Nova-Scotia, and what are the highlands dividing the Rivers that empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean, along which is to be drawn the line of boundary, from that angle to the North-westernmost head of Connecticut River:—

Considering, That the High Interested Parties respectively claim that line of boundary at the South, and at the North of the River St. John; and have each indicated, upon the Map A, the line which they claim:

(Here follows a series of special considerations, not sufficiently intelligible to those who have not perused the voluminous documents to which they refer.)

Considering, That the arguments adduced on either side, and the documents exhibited in support of them, cannot be considered as sufficiently preponderating to determine a preference in favour of one of the two lines respectively claimed by the High Interested Parties, as boundaries of their possessions from the source of the River St. Croix to the North-westernmost head of Connecticut River; and that the nature of the difference and the vague and not sufficiently determinate stipulations of the Treaty of 1783, do not permit to adjudge either of those lines to one of the said Parties, without wounding the principles of law and equity, with regard to the other.

Considering, That, as has already been said the question resolves itself into a selection to be made of a ground dividing the rivers that empty themselves into the river St. Lawrence from those that fall into the Atlantic Ocean: that the High Interested Parties are agreed with regard to the course of the streams delineated by common accord on the Map A. and affording the only basis of a decision;

And that, therefore, the circumstances upon which such decision should be formed could not be further elucidated by means of fresh topographical investigation, nor by the production of additional documents;

We are of opinion, That it will be suitable [ilconvendra] to adopt as the boundary of the two States a line drawn due North from the