

THE ROYAL GAZETTE.

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Volume 5.

FREDERICTON, NEW BRUNSWICK, APRIL 10, 1839.

Number 38.



By Authority.

PROVINCIAL APPOINTMENTS.

Robert F. Hazen, Esquire, to be continued Major, and James White, Esquire, Sheriff of the City of Saint John, for the ensuing year.
William Bayard, Esquire, to be Coroner of the City of Saint John, in the room of James T. Handford, Esquire, resigned.
2d April, 1839.

The undermentioned lots of vacant Crown Land, will be offered at Public Auction, at this Office, on Monday, the 6th day of May next. Sale to commence at 12 o'clock, noon. Terms, ten per cent. of the purchase money, to be paid at the time of sale, and the remainder within 14 days after.

379 acres, being lot 3, 4, and 5, on Tabor's Mill Brook, County of St. John. Upset price, 3s. 6d. per acre.

About 2,000 acres of lots 20 to 29, both inclusive, in Ranges B. 1. and 2. in Deputy Fairweather's survey of lots northwest of Studholme's Mill Stream, Parish of Sussex, King's County. Upset price, 3s. per acre, down.

200 acres, lot No. 34, second tier, northwest of the Road leading from Nerepis to Gagetown, Queen's County, being lot No. 14, on Long's Creek. Upset price, 3s. per acre, down.

THOS. BAILLIE,

Commissioner Crown Land.
Crown Land Office, March 4, 1839.

WOODSTOCK, March 27, 1839.

DISTRICT GENERAL ORDER.

The Governor of the State of Maine having issued his orders for the immediate withdrawal of the Armed Militia Force from the Disputed Territory, Major General Sir John Harvey is happy to permit the return to their homes, of the Militia and Volunteer Forces of this Province, of whose services he had felt it proper to avail himself during the late Border differences;—the arrangements for their disbandment and the period to which they are to be paid up will be promulgated in a Militia General Order. In making this communication, the Major General and Lieutenant Governor desires to express to the whole of the Provincial Force now on duty, the high degree of satisfaction which he has derived from the reports which have been made to His Excellency of their general exemplary conduct, and particularly of the desire which has been very generally manifested by them, to avail themselves of the opportunities which have been afforded to them of gaining a knowledge of their Military duties, under the instruction of Officers and Non-Commissioned Officers of Her Majesty's Service—whose willing attention and unwearied patience in affording that instruction will, the Lieut. Governor is persuaded, be gratefully remembered by the Militia of this Province.

To Her Majesty's Regular Troops, the Major General tenders his sincere thanks for their general excellent conduct, and for the cheerfulness with which they have met the discomfort and inconvenience inseparable from Military movements in such a climate and at such a season of the year; and the fact of their having continued in so perfectly healthy a state, the Major General is justified in imputing wholly to their uniform steadiness, sobriety and good conduct, and to their unshaken determination to do their duty to their Queen and Country.

The zeal, judgment and ability evinced by Lieut. Colonel Maxwell, claim the Major General's warmest thanks, which he likewise begs to offer to the Officers Commanding Corps and Detachments—to the several Officers in Command of detached Posts—to the Staff and Departmental Officers, and to all who by their zealous exertions and excellent arrangements, have contributed to the Soldiers' comfort and efficiency, and consequently to the promotion of the objects of the service for which the troops have been assembled.

The Major General cannot allow the Force under Col. Goldie to return to Canada, without tendering to the Colonel and the Officers and Soldiers of the 11th Regiment, and Royal Artillery under his Command, his cordial thanks for their zealous co-operation in a service which has subjected them to a long and arduous Winter movement.

By Command,

SAMUEL TRYON, A. D. C.

HEAD QUARTERS,

FREDERICTON, 30th March, 1839.

MILITIA GENERAL ORDER.

With reference to the above District General Order, dated Woodstock 27th March 1839,

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to direct, that the whole of the Militia and Volunteer Force at present embodied in the Province, shall cease to receive Pay and Rations on the 10th day of April next, with the following exceptions, viz:—

1 Captain, 1 Subaltern, 2 Sergeants, 30 Rank and File, to be retained at Woodstock.
1 Subaltern, 2 Sergeants, 22 Rank and File at Tobique, and at the Mouth of the Restook, including 4 Axe-men at each of these stations.

1 Subaltern, 2 Sergeants, 22 Rank and File at Saint Andrews, until further orders, for the protection of Her Majesty's Stores, &c.
On the disbandment of the Militia Force, the Non-Commissioned Officers, Drummers, Fifers, Buglers and Privates will be allowed the Bounty, and Marching money agreeable to the provisions of the Militia Law.

Commanding Officers will be responsible that all Arms, Accoutrements, Axes, as well as Blankets, Bedding, Great Coats, Pea Jackets &c. received by them, for the use of the Militia, are returned into Store.

His Excellency is however pleased to permit the men to retain their Shoes and Forage Caps; and those who may not have received shoes shall be entitled to nine shillings currency in lieu thereof.

By Command,

GEO. SHORE,

Adjutant General Militia.

NEW BRUNSWICK IN CHANCERY.

Tuesday the 5th day of March, one thousand eight hundred and thirty nine.

Between James Guinness and Alexander Rankin, Complainants, and

Stephen Haddock, Defendant.

FORASMUCH as the Court was this present day informed by Mr. Street, of Council for the Complainants, that the Plaintiff had exhibited their bill in this Honorable Court against the Defendant on the sixth day of December, in the year of our Lord one thousand eight hundred and thirty seven, as by the certificate of the Register appears, and had laid out process of Subpoena returnable the twelfth day of January last, requiring the Defendant to appear, and to answer the same, but that the Defendant did not appear, and that the Plaintiff had been in this Province some time in the year one thousand eight hundred and thirty nine, and that he had not since returned to this Province, and that there is reason to believe that the said Defendant is now living in some part of Great Britain, but that his place of residence is unknown, as by affidavit appears, and that he cannot be served with the process of this Court, and the said certificate and affidavit being now read: It is ordered—That the Defendant do appear to the Plaintiff's bill on or before the first Tuesday in September next.

By the Court. D. LUDLOW ROBINSON, REGISTER.

[First published in Royal Gazette, March 13, 1839.]
By John Diblee, one of Her Majesty's Justices of the Inferior Court of Common Pleas, in and for the County of Carleton, in the Province of New Brunswick.

To all whom it may concern, Greeting:

NOTICE is hereby given that upon the application of Jeremiah M. Connell and Charles Connell, Junior, of the Parish of Woodstock, County and Province aforesaid, Merchants, to me duly made, according to the form of the Acts of Assembly, in such case made and provided: I have directed all the Estate, as well real as personal, within the County of Carleton, in this Province of New Brunswick, of George M. Clintock, late of the Parish of Wakefield, in the said County, Yeoman, (which said George M. Clintock is departed from and without the limits of this Province, with intent to defraud the said Jeremiah M. Connell and Charles Connell, Junior, and the other Creditors of the said George M. Clintock, if any there be,) of their just dues, or else to avoid being arrested by the ordinary process of the Law, as is alleged against him, to be seized and attached, and that unless the said George M. Clintock do return and discharge his debt or debts within three months from the publication hereof, all the Estate, as well real as personal, of the said George M. Clintock, within this County of Carleton, will be sold for the payment and satisfaction of the Creditors of the said George M. Clintock.

Dated at Woodstock in the County aforesaid, the eighth day of March, 1839.

JOHN DIBLEE, Justice of the Common Pleas, for the County of Carleton.
D. L. Diblee, Attorney for Petitioning Creditors
[First published in Royal Gazette, March 13, 1839.]

NOTICE is hereby given, That the Subscribers being duly appointed Trustees for all the Creditors of Dennis Tierney, late of the Parish of Portland, in the County of Saint John, and Province of New Brunswick, Grocer, an absconding debtor, and having duly sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of Assembly, in such case made and provided: And we do hereby require all persons indebted to the said Dennis Tierney, on or before the fourteenth day of April next, ensuring the date hereof, to pay to us, or some one of us, all such sum or sums of money or other debt, duty or thing, which they owe to the said Dennis Tierney, and to deliver all other effects of the said Dennis Tierney, which they, or any, or either of them have in their hands, power, or custody, to us, or some one of us as aforesaid; and we do also desire all the Creditors of the said Dennis Tierney on or before the same day of April next, to deliver to us, or some one of us as aforesaid, their respective accounts and demands against the said Dennis Tierney, in order that right and justice may be done, agreeable to the form of the said Acts of Assembly in such case made and provided.

Given under our hands this fourteenth day of January, A. D. 1839.

JAMES BOWES,
WILLIAM HUGHSON,
JOSEPH McPHERSON.
[First published in Gazette, January 23, 1839.]

In the matter of Angus McDonald, an Absconding Debtor.

NOTICE is hereby given that a meeting of all such Creditors of the above named Angus McDonald, as shall choose to attend, is requested on Thursday the eighteenth day of April next, at Fleming's Hotel, Dalhousie, in the County of Restigouche, to examine and see the debts due to each person ascertained; at

which meeting a distribution or division of all such money as shall have come to our hands as Trustees of said Estate or Effects will be made among the Creditors, in proportion to their respective just demands.
Dated at Dalhousie the 10th day of February 1839.

W. S. SMITH,
ARCHIBALD RAMSEY, Trust-
JAMES WANDS. } tees.

In the matter of William Robinson, an Absconding Debtor.

NOTICE is hereby given, that a general meeting of all the Creditors of the above named William Robinson, is requested on Monday, the Eighth day of May next, at Hamill's Hotel, Newcastle, in the County of Northumberland, to examine and ascertain the debts due to each person; at which all Creditors are expected to come forward prepared to substantiate their demands against the said William Robinson by proof, attestation, or otherwise, to the satisfaction of the Trustees.

Dated the 23d January, 1839.
RICHARD HUTCHISON,
ALEXANDER FOSTER, Trust-
F. HUNTER. } tees.

SHERIFF'S SALES.

County of York.

To be sold by Public Auction at the County Court House in Fredericton, on the third Tuesday in June next, the undermentioned property, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title, and interest of Thomas Moses, in and to the following lands and tenements:— All that lot or tract of land situate in the Parish of Douglas, described in the Grant thereof, to Charles P. Wetmore, Esquire, as lot No. sixteen, on the south west side of the River Nashwaak, containing Five Hundred Acres, more or less, with an allowance of ten per cent. for Roads and Ways. Also certain other lot or tract of land situate in the said Parish of Douglas, adjoining the above mentioned tract containing Seventeen Hundred Acres, more or less, including an Island in the River Nashwaak, marked No. 1, lying in front of the same, originally granted by the Crown to the said Thomas Moses by Letters Patent, dated 10th April 1833, together with all improvements, buildings, privileges, and appurtenances thereunto belonging.

The above Property having been taken by virtue of an Execution issued out of the Supreme Court. Also,—At the same time and place, all the right, title, interest, claim and demand of John S. Cox, of, in and to the House and Premises where he now resides, situate in King Street, in the Town of Fredericton.

The above Property having been seized and taken under and by virtue of an Execution issued out of the Supreme Court.

E. W. MILLER, Sheriff.
Fredericton, December 11, 1838.

To be sold by Public Auction on the 1st Saturday in May next, at the Market House, in Fredericton, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title, interest, property, claim and demand of James Waiter, of, in and to the Farm on which he now resides, situate in the Parish of Douglas: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of Robert Rankin & Co.

E. W. MILLER, Sheriff.
Fredericton, 23d October, 1838.

To be sold by Public Auction at the County Court House in Fredericton, on Monday the second day of September next, between the hours of 12 and 1 o'clock at noon.

ALL the right, title, interest, property, claim and demand of Michael Breen in and to the following tracts of Land, viz:— the one third part of one hundred acres, situate on the Nashwaak stream known as part of lot No. 3. Also the one third part of two hundred acres, situate in Kingsclear on the reserved road near the Steadwatercreeks, and formerly owned by Edward Connor. Also the one third part of two hundred acres, situate on the north west side of the Nashwaak creek, commencing at the said creek, and running back 1/2 chains, and known and distinguished as the Holly Brook Farm. The above property having been levied on by virtue of an execution issued out of the Supreme Court.

E. W. MILLER, Sheriff.

County of Sunbury.

To be sold by Public Auction at the Court House in Burton, on Tuesday the eighth day of October next, between the hours of twelve and five o'clock in the afternoon:—

ALL the right and title of George P. Nevers, of, in and to that certain lot or tract of land, situate in the Parish of Burton, on the Nerepis Road, so called, about three miles from the mouth of the Oranook, originally granted to Ebenezer Farnham, containing three hundred acres, more or less, with all improvements thereon: The same having been taken by virtue of two several Executions issued out of the Supreme Court, at the suits of Messrs Pickard and Coburn, for £29 2s 9d. and Peter Duff for £19 16d.

J. HAZEN, Sheriff.
Burton, 29th March, 1839.

Queen's County.

To be sold at Public Auction, at the House of Samuel Mayes, Inn Keeper, in Gagetown, on the second Saturday in October next, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title and interest of Walter McFawn, in and to a certain Farm or tract of land, and grist mill thereon, situate, lying, and being in the Parish of Petersville in Queen's County, on the west side of the Nerepis Road, adjoining northerly to lands granted to James Oliver Betts, and known as lot number eleven, containing two hundred acres, more or less, together with the buildings and appurtenances belonging: seized and taken, in and by virtue of an Execution issued out of the Supreme Court at the suit of Barnabas Tilton.

Dated at Gagetown, the twenty fourth day of March, one thousand eight hundred and thirty nine.

N. H. DEVEBER,
Sheriff of Queen's County.

County of Westmorland.

To be sold by Public Auction on the ninth day of July next, between the hours of twelve and five o'clock in the afternoon at the Court House in Dorchester.

So much of the Real Estate of Catherine Bennett, situate in the Parish of Moncton, as will satisfy

an Execution against her at the suit of William Wiley Esquire.

Also—At the same time and place will be sold, the Real Estate of William Tingley, situate in the Township of Hopewell, or so much thereof as will satisfy an Execution against the said William Tingley, at the suit of Isaac Turner.

W. P. SAYRE,
Sheriff of Westmorland.
Dorchester, 27th December, 1838.

To be sold by Public Auction on the eighteenth day of June next, at the Court House in Dorchester, between the hours of twelve and five o'clock in the afternoon:—

ALL the real estate of Patrick Ritchey, situated in the Parish of Moncton: The same having been seized by virtue of several Executions against the said Patrick Ritchey.

W. P. SAYRE, Sheriff.
Dorchester, 6th December, 1838.

King's County.

On the fourth Tuesday in May next, will be sold a Public Auction at the Inn kept by John E. Stewart, in the Parish of Hampton.

ALL the lands and tenements belonging to Robert Wetmore, in King's County, consisting of two several pieces or parcels of land situate in the Parish of Hampton, aforesaid, (to wit,) one piece containing 40 acres on the south side of the Post road leading to Sussex Vale being the east end of lot No. 1, in Deputy Fairweather's Division.

Also,—that other piece or parcel of land lying on the north line of the said road containing 20 acres, more or less: The same having been taken by virtue of an execution issued out of the Supreme Court against the said Robert Wetmore at the suit of Samuel Keirstead, sale to commence at 2 o'clock, p. m.

A. DAVIDSON, Sheriff of King's.
Sheriff's Office, Kingston, 9th Oct. 1838.

NAILS, NAILS,

Wholesale and Retail, Manufactured and sold by

W. H. SCOVIL.

North Market Wharf, St. John, N. B.

CUT NAILS

OF all descriptions, of a superior quality to those usually imported into this market, and at a less rate. The Cut Finishing Nail will be found far preferable to the wrought Nail.

Carpenters and Builders are requested to call and inspect for their own satisfaction.

A Discount of about 25 per cent. will be made to Retailers.

March 6, 1839.

FLOUR, FISH, &c.

PICKLED FISH.

BRLS. No. 1 Pickled Herrings, Gibb'd, do. Pickled Cod Fish, do. Pickled Halibut's, Naps and Fins; do. Pickled Round Mackerel.

DRY FISH.

Large Table Cod Fish, Common size do. do. Superior lot of Pollock Fish.

FRESH GROUND WHEAT FLOUR,

in barrels, half barrels, and quarter ditto.

BARRELS CORN MEAL; round and yellow.

Corn. A quantity of Hamburg, Canada, and P. E. Island PORK.

Franklin Stoves; Cooking Stoves of the most approved patterns, which have given general satisfaction to purchasers this present winter.

Close Stoves, from 18 to 36 inches, with Dumb Stoves, Stove Pipe and Elbows to match; Sheet Iron; Hand Irons; Coal Scutes, and Fire Fenders.

FURNITURE.

Chairs of various kinds and qualities; Toilette Tables; Wash Stands; Looking Glasses; Door Mats.

ORNAMENTAL GLASS WARE.

Glass Dishes, ditto Plates, ditto Lamps for burning Oil, Carriage Lanterns, Stable ditto, Hand ditto, with Oil Burners.

Lamp Oil and Wick, with the whole of an extensive Stock, and very general assortment of British and American GOODS, will be sold at the lowest possible rates for Cash by

ROBERT CHESTNUT.

N. B. PLASTER PARIS, in rock by the Ton, and in flour by the Bushel.

Fredericton, January 8, 1839.

VALUABLE PROPERTY

FOR SALE.

ALL the well known four lots or tracts of Land, to wit, Lots Nos. 72, 73, 74 and 75, adjoining, situate on the south side of the River Restigouche, in the Parish of Addington, County of Restigouche, being the Estate of the late James McKinnon, deceased, will be sold by Public Auction to the highest bidder, at the Court House, in Dalhousie, on Wednesday the 10th day of July next, between the hours of 12 and 3 P. M. The above property is well situated, being within two miles of Dalhousie, and fourteen miles of Campbelltown, and fronting on the said River. For terms of sale and all other particulars enquire of the subscriber.

ROBT. FERGUSON.

Administrator on the Estate of the late James McKinnon.

Tobique Mill Company.

FREDERICTON, 27th FEBRUARY, 1839.

GEORGE F. S. BERTON, Esquire, being about to leave the Province on account of ill health, has resigned the office of Treasurer of the Company; and WILLIAM J. BERTON, Esquire, having resigned the office of Secretary to the said Company; The Board of Directors consider it advisable to consolidate the said Offices and have appointed ROBERT GOWAN, Cashier of the Central Bank, to be Treasurer and Secretary of the said Tobique Mill Company, of which all persons concerned will please take notice.

JAMES TAYLOR, PRESIDENT.

Feb. 6.

COUNTY OF GLOUCESTER MINING ASSOCIATION, NEW BRUNSWICK.

THIS Association, possessing a Crown Grant of the Mines and Minerals in the entire Counties of Gloucester and Restigouche, New Brunswick, (containing very rich and extensive beds of Copper Ore, Coals, Iron, Lead, &c. &c.) announces to Capitalists, men of science, and Miners, in America and elsewhere, that they are ready to treat on highly advantageous terms with adventurers for the Lease of spots of ground for Mining purposes, to be selected by the adventurers themselves, and for periods not exceeding 30 years; and the Association will treat with the first discoverer of a Mine in preference to any other person, whenever the Directors are in possession of the facts.

For further particulars and for terms, apply to Wm. STEVENS, Esquire, Bathurst, New Brunswick; or Frederic Bankart, Esq., 34 Clements Lane, Lombard Street, London, Solicitor to the Association, where specimens of the Ores discovered may be seen and examined.

N. B. All Communications by Letter to be post paid.

VALUABLE PROPERTY.

For sale upon advantageous terms, by ROBERT RANKIN & Co.

A VALUABLE Building Lot and Wharf

Lots, in front of the Honorable J. S. SAUNDERS, lying between the Market House square and Jackson's Hotel.

Two Town Lots near the Catholic Chapel fronting on Brunswick and George Streets.

A Lot of about sixty acres near Blake's Mills on the Nashwaak.

A Lot on the Nashwaak near the Ferry, formerly owned by Donald McLeod, deceased.

A Lot in the Parish of Woodstock, near Eel River, containing two hundred acres.

A wilderness Lot in the Parish of Woodstock, in rear of Land owned by John DIBLEE, Esquire, containing two hundred acres.

A Lot of one hundred acres in the Parish of Brighton, granted to — Gray.

A Lot of one hundred acres in the Parish of Perth, granted to Robert Woodward.

A Lot of one hundred acres in the Parish of Andover, granted to — Smith.

For particulars apply to

WILLIAM J. BEDELL,

April 16, 1838. Fredericton

REVISED EDITION

OF THE

PROVINCE LAWS.

THE Subscriber having been induced by

numerous applications from different sections of the Province, to publish an additional

supply of the above valuable work, for the use of those not entitled to copies from Government,

such persons as may be desirous of procuring them will have the goodness to leave their

names and places of residence, at an early period, to the Royal Gazette Office, or with either of the

undermentioned Gentlemen, where Copies of the work may be seen:—

HON. E. B. CHANDLER,....Dorchester.

THOMAS WYER, Esquire,....St. Andrews.

J. W. WELDON, Esquire,....Richibucto.

GEORGE KERR, Esquire,....Chatham.

W. H. BALDWIN, Esquire,....Bathurst.

J. M. CONNELL, Esquire,....Woodstock.

MR. DAVID McMILLAN,....St. John.

J. SIMPSON, QUEEN'S PRINTER.

Fredericton, 16th October, 1838.

FOR SALE.

A LOT of LAND in the lower part of the Town

of Fredericton, containing one acre and a half.

For further particulars apply to

CHRISTOPHER BROWN, Jr.

Regent Street.

Fredericton, February 13, 1839.

FIRE INSURANCE COMPANY.

Connecticut, United States.

Incorporated in 1810—with a Capital of \$150,000

THIS long established Institution has for more

than twenty five years transacted its extensive

business on the most just and liberal principles—paying its losses with honorable promptness. During