

NEW

SERIES.

THE ROYAL GAZETTE.

Printed and published by JOHN SIMPSON, Printer to the QUEEN'S Most Excellent Majesty, at his Office near the Province Building.

Volume 5.

FREDERICTON, NEW BRUNSWICK, MAY 15, 1839.

Number 43.



By Authority.

PROVINCIAL APPOINTMENTS.

Charles P. Wetmore, Benjamin Wolhaupter, William J. Bedell, Lemuel A. Wilnot, and Thomas Gill, Esq., and Moses Pickard, and Thomas Murray, to be Commissioners of the Alms House in Fredericton.

The Honorable Harris Hatch, to be added to the List of Commissioners, for Packets between Saint Andrews and Campo Bello, and Grand Manan.

James Munson, to be keeper of the Light House on Cape Enragé.

Samuel T. Gove, to be vaccinating Surgeon at St. Andrews, County of Charlotte.

IN COUNCIL, MAY 2d, 1839.

The undermentioned applicants for the purchase of Crown Lands, may have the lands applied for by them on the following terms: If payment be made before the 8th day of July next, and five shillings additional will be charged on each purchase, for postage, &c.

NORTHUMBERLAND.

James Danford, 3s. per acre, down.

John Shaw, 2s. 6d. per acre, down, or 3s. by instalments.

Michael Craig, 3s. per acre, down.

John Ledden, 3s. per acre, down.

Daniel Murphy, 3s. do do.

WESTMORELAND.

James Gunning, Senr. 3s. per acre, down.

Geo. W. Gunning, 3s. per acre, down.

Jacob Beck, Jr. may have 100 acres at 2s. 6d. per acre, down, or 3s. by instalments, (the remaining 100 acres will be offered at Auction. See advertisement.)

John Budd, 3s. per acre, down.

SAINT JOHN.

Thomas Gordon, 3s. per acre, down.

KING'S.

Benjamin Wright, 3s. per acre, down.

John Darling, do do.

S. Walter, Jr. do do.

Wm. Whelpley, do do.

C. R. Parlee, do do.

James S. Fowler, do do for 100 acres only.

George Patton, do do do.

Charles H. Fowler, 3s. per acre, down, on his producing a certificate that no improvements have been made on the land by Thomas Parker.

Stephen G. Fowler, Jr. 3s. per acre, down, on his producing a certificate that no improvements have been made on the land by William Trainor.

QUEEN'S.

Stephen Ross, 3s. per acre, down.

Charles Darrah, do do.

Jesse London, do do.

YORK.

Abijah Shaw, 3s. per acre, down.

The lands applied for by the undermentioned persons, will be offered at Public Auction, at this Office, on Monday the 1st day of July next, (see advertisement.)

Michael Molloy, John Patton.

James Leary, Isaac Turner.

James M'Dermott, Jacob Beck, Jr. 100 ac.

Thomas Moran, C. Horseman, Jr.

John M'Dermott, Jr. John Horseman, 3d.

James Hannay, John Horseman.

James Budd, J. Garland, Jr.

Sylvanus Godet, John M'Leod.

Caleb J. Stewart, Daniel Scofield.

S. G. Fowler.

The petitions of the undermentioned persons are referred for want of survey.

John Roberts, Thomas Hinton.

William Stevens, Adam Gordon.

Patrick Smith, John Regan.

P. M'Laughlin, J. Townley.

E. Fowler, G. S. M'Lean.

John Wallace, P. Jonah, Jr.

Levi Jonah, Isaiah Steves.

Lewis J. Steves, Christian Elson.

J. Beatty, Jr. Enoch Dawson.

Edward Steeves, Hugh Steeves.

Jos. Steeves, Jr. Enoch Steeves.

Frederic Steeves, Samuel Steeves.

Thomas Nugent, Alexander Scott.

Edward Tinning.

The answers to the Petitions of the undermentioned persons are as follows.

Bernard Dempsey. The order in favor of Murphy is rescinded, and B. Dempsey can have the lower half of the lot 82, as prayed for, at 2s. 6d. per acre, down, or 3s. per acre, by instalments. Daniel Murphy will be allowed the upper half of the lot under his purchase.

Robert Morrow. The petitioner's first application is complied with; but his second petition of 23d March, cannot be entertained.

Patrick Fitzgerald. Not complied with, the

land having been previously applied for by M. Craig.

William Grey, Jr. not complied with.

James Rait, not complied with.

Thomas Knott, not complied with.

Henry Bell, not complied with.

B. Wolhaupter, complied with.

Jonathan Hosford, complied with.

Michael Mullins, not complied with.

Andrew Lees, not complied with, the land not being vacant.

Charles Jourdan. A grant of the land having passed to Hugh Flaherty, it cannot now be interfered with.

French Settlers at Shippegan. Ordered, "that the grants do pass to the persons named in the accompanying list."

William Clarke and William Gracey. Complied with.

Thomas Witherrall. Ordered that the petitioner have until the 1st of August next, to pay the purchase money on the land in question, and that unless the same be paid by that time, the land will then be open for other applicants.

The applications of the undermentioned persons, for licence to cut timber and logs on Crown Land, are complied with on payment of the duty before the 8th day of July next.

James Nutbeen, Cain's River.

Joseph Cunard, Little River.

R. Ralston, M'Callum's Creek.

James Taylor, Grand River.

R. Hamilton, Salmon River.

John M'Nab, Salmon River.

J. Hansalpecker, Hardwood Ridge.

Wm. B. Hunter, Riders Brook.

N. A. Price, New Canaan River.

H. & J. Montgomery, Restigouche.

John Wall, Eel River.

G. M'Lean, Sen. Coal Creek.

John Henneberry, Big Fork Stream.

James Langan, Gaspeau River.

J. Cunard, Nepisiguit River.

John M'Bean, Nashwaak River.

Joseph Read, Bass River.

J. Montgomery, Jacques River.

John Cundy, Magaguadavic River.

John Hall, do.

Enoch Lunt, Salmon River, (excess.)

E. M'Neal, Salmon River.

James Dunlap, do.

J. Cunningham, do.

Charles Clark, Mill Stream, (excess.)

do do do for that part which is vacant.

R. R. Ketchum, Wapskegagan River.

do do Salmon River.

E. M'Neil, do.

Amos Plummer, do.

do do Lake Stream.

Sherman Tapley, Munquart River.

do do Shikihauk River.

William Connell, Little River.

John Montgomery, Eel River.

Hugh Ramsay, Restigouche River.

do do Upsalquitch River.

R. Blackstock & Co. Tattigouche River.

James Johnston, do.

James Long, Shediac River.

James A. Phillips, Tobique River.

James Taylor, Nashwaak River.

Charles Connell, Jr. County of Carleton.

Heirs of James D. Weldon, Aldoine River.

John Jardine, Richibucto River.

J. M'Millan, Buctouche River.

J. Cunard, Bay des Vents River.

J. D. Cantillon, S. W. Miramichi River.

Lauchlan Cameron, Magaguadavic River.

Thomas Dunfield, Salmon River.

The answers to the Petitions of the undermentioned are as follows, viz:

Donald M'Leod, Hunter's Brook, not complied with.

Peter Campbell, Richibucto River, complied with on payment of double tonnage.

Enoch Lunt, Big Fork Stream, not complied with, (previously applied for by J. Henneberry.)

Joseph Cunard, S. Branch Renous River, not complied with, (previously applied for as a Mill reserve, by R. Crocker.)

Thomas Coughlan, not complied with.

J. S. Taylor, complied with, on his paying the full amount of duties on the quantity applied for.

George Archibald, not complied with, (previously applied for by J. M'Bean.)

John Jardine, complied with.

R. Blackstock & Co. complied with.

L. W. Gall, do.

Samuel Reynolds, complied with, and that the Hon. Wm. Black do pay the Seizing Officer his dues.

B. Wolhaupter, complied with.

Crown Land Office, May 4, 1839.

The undermentioned tracts of vacant Crown Land, will be offered at Public Auction, at this Office, on Monday the 1st day of July 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.

100 acres, Northumberland, South side Renous River, at Munson's landing. Upset price, 3s. per acre.

50 acres, Northumberland, next adjoining south of the grant to James Leary, on south

branch, Napan River. Upset price, 3s. per acre.

100 acres, Northumberland, next to lot A. second tier, north of the S. W. Miramichi River, Blackville. Upset price, 3s. per acre.

100 acres, Northumberland, on Moore's Brook, Blackville, and north of the grant to John Bergen. Upset price, 3s. per acre.

80 acres, Northumberland, south of Napan River, and west of the grant to William Jardine. Upset price, 3s. per acre.

100 acres, Westmorland, lot No. 7, in the 5th tier of the Escheated Des Barres tract. Upset price, 3s. per acre.

418 acres on West River, Westmorland, adjoining next above the granted lands. Upset price, 3s. per acre.

100 acres, Westmorland, being lot 5 or 6, in the 6th Concession, Moncton, not to interfere with the improvements of J. Beck, Jr. Upset price, 3s. per acre.

400 acres, Westmorland, North Mountain Settlement, Parish of Moncton, West of the Grant to J. Weldon and others, (as surveyed for C. Horseman, Jr., John Horseman, 3d, and J. Horseman,) two different lots of 100 acres each and one lot of 200 acres. Upset price, 3s. per acre.

200 acres, Westmorland, Coverdale River, above the granted lands, (as surveyed for J. Garland, Jr.) Upset price, 5s. per acre.

200 acres, King's County, next adjoining north of the lots of D. and R. D. M'Leod, on the head of Studholm Mill Stream. Upset price, 3s. per acre.

70 acres, King's County, on Studholm's Mill Stream, and adjoining northwest of the grant to Aaron Delong. Upset price, 4s. 6d. per acre.

450 acres, King's County, in three different lots as follows: lot No. 11, 135 acres; lot No. 3, and west half of lot No. 2, 150 acres; and lots 6 and 7, 165 acres; all in the second tier of lots south of the River Kennebecasis, in the Parish of Sussex. Upset price, 3s. per acre.

THOS. BAILLIE,

Commissioner Crown Lands.

Crown Land Office, May 4, 1839.

The undermentioned tracts of vacant Crown Land, will be offered at Public Auction, at this Office, on Monday the 3d day of June 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.

50 acres Samarez, Gloucester, on the south side of Pockmonche River, as lately surveyed for Patrick Hayden. Upset price, 3s. per acre.

100 acres, St. James, Charlotte County, 3d tier, north of Smith's Base line, (as lately surveyed for John Lindsay.) Upset Price, 3s. per acre.

100 acres, Sussex, King's County, 2d tier, south of Trout Creek, and adjoining easterly of the grant to Leveret Snider. Upset price, 3s. per acre.

100 acres, Sussex, King's County, 2d tier, south of Trout Creek, near the grant to Leveret Snider, as lately surveyed for Elias Snider. Upset price, 3s. per acre.

100 acres in the Parish of Chipman, Queen's, on the south side of Salmon River, nearly opposite the mouth of the Big Fork Stream, as surveyed for P. M'Divett. Upset price, 3s. per acre.

25½ acres, being the rear part of lot No. 20, (owned by David Ebbet,) on Upper Musquash Island, Queen's County. Upset price, 20s. per acre.

24 acres, being the rear part of Lot No. 25, (owned by Elijah Ebbet,) on upper Musquash Island, Queen's County. Upset price, 20s. per acre.

THOMAS BAILLIE,

Commissioner of Crown Lands.

Crown Land Office, April 5, 1839.

HEAD QUARTERS, FREDERICTON,

4th May, 1839.

MILITIA GENERAL ORDERS.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to appoint Lieutenant Colonel John Allen, of the York County Militia, to be Quarter Master General to the Militia Forces of the Province, vice Major Gallagher, resigned.

The following promotions having been omitted to be sent to the Royal Gazette Office for publication at the proper time, are now inserted for the information of the parties concerned.

City Rifle Battalion.

1st Lieutenant Edward W. Greenwood to be Captain, vice Crookshank, unattached, dated 24th February, 1839.

2d Lieutenant David M'Millan, to be 1st Lieutenant, vice Greenwood, promoted 24th February, 1839.

2d Lieutenant James Nethery, to be 1st Lieutenant, vice Hooper, discontinued, 25th February, 1839.

Duncan Robertson, Gent. to be 2d Lieutenant, vice M'Millan, 24th February, 1839.

George Smith, Gent. to be 2d Lieutenant, vice Nethery, 25th February, 1839.

By Command.

GEO. SHORE, A. G. M.

NEW BRUNSWICK IN CHANCERY.

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

Between James Gilmour and Alexander Rankin, Complainants, and Stephen Hardaker, Defendant.

FORASMUCH as the Court was this present day informed by Mr. Street, of Council for the Complainants, that the Plaintiffs 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 taken out process of Subpoena returnable the twelfth day of June last, requiring the Defendant to appear to, and answer the same, but that the Defendant left this Province some time in the year one thousand eight hundred and twenty nine, or in the year one thousand eight hundred and thirty, 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 Plaintiffs' bill on or before the first Tuesday in September next.

By the Court. D. LUDLOW ROBISON,

[First published in Royal Gazette, March 13, 1839.]

By John Dibblee, 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 of New Brunswick, 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'Clintick, late of the Parish of Wakefield, in the said County, Yeoman, (which said George M'Clintick 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'Clintick, 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'Clintick 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'Clintick, within this County of Carleton, will be sold for the payment and satisfaction of the Creditors of the said George M'Clintick.

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

JOHN DIBBLEE, Justice of the Common Pleas, for the County of Carleton.

D. L. Dibblee, Attorney for Petitioning Creditors

[First published in Royal Gazette, March 13, 1839.]

To all whom it may concern:—

NOTICE is hereby given, that we the Subscribers, have been duly appointed Trustees for all the Creditors of Hugh Quinn, late of Saint Andrews, in the County of Charlotte, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of Assembly in that case made and provided; and we do hereby require all persons indebted to the said Hugh Quinn, on or before the first day of July next ensuing the date hereof, to pay to us, or some one of us, all such sum or sums of money, or some one of us, all such sum or sums of money, or some one of us, as they may owe to the said Hugh Quinn, and to deliver all other effects of the said Hugh Quinn, which they, or any, or either of them may 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 Hugh Quinn, on or before the same day of July next, to deliver to us, or some one of us, as aforesaid, their respective accounts and demands against the said Hugh Quinn, in order that right and justice may be done, agreeably to the form of the said Acts of Assembly, in such case made and provided.

Given under our hands at Saint Andrews, in the County of Charlotte, the second day of April A. D. 1839.

EDWARD WILSON.

D. W. JACK.

GEO. D. STREET.

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, Esq., 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 M'ILLAN, Esq., St. John.

J. SIMPSON, QUEEN'S PRINTER.

Fredericton, 16th October, 1838.

VALUABLE FARM FOR SALE.

SITUATE on the great meadows of the Magaguadavic, in the County of York, and adjoining the farm of Mr. RHEUBEN BRACKWAY; it contains upwards of 300 acres, and cuts at present about 20 tons of HAY, and is capable of cutting more than 100 with a trifling expense, as it is about one third MEADOW GROUND, that is covered by the water every spring; the great road leading from Fredericton to St. Andrews and St. Stephens, crosses the river on said Lot, which is about midway between said places, and must be a valuable stand for a House of Entertainment; the Mr. BRACKWAYS near the premises can show the boundaries and situation. For further particulars enquire of T. R. ESTEY Fredericton, or Mr. PHILIP SELBY St. George.

22nd February, 1839.

NOTICE.

ALL Persons having any just demands against the Estate of the late William Kavanah, deceased, are required to render the same duly attested to, within three months from this date, and all persons indebted to said Estate are desired to make immediate payment to

CATHARINE KAVANAH

Administratrix.

Fredericton, 1st March, 1839.

POST OFFICE.

Fredericton, March 5, 1839.

List of Letters remaining in Office at this date.

A
James Armstrong, John Anderson, Albert Adams.

B
John Bone, Jean B. Babin, (2.) C. Brown, (4.) Chas. Bailie, R. Bouchier, Jas. or Robt. Burnett, Margaret Burke, Walter Britt, Elizabeth Banks.

C
John Cambridge, (2.) Wm. Chambours, S. Cerman, (4.) J. Cashman, E. Curren, Dan. Currie, Wm. A. Crosby, N. Cousins, Patrick Campbell, Mrs. E. Coy, C. Connolly, M. Currier, John Carter, Wm. Chalmers, Denison Cox, Mary Crawshaw.

D
Mary Depole, Robt. B. Dickey, James De Veber, John W. Dow, Alex. Donald, Junr. E. Drummond, Wm. Duffus, Asa Dow, Joseph Dunphy, Wm. Duffus, John E. Dow.

E
Fras. Evans, James Elliot.

F
W. Furbish, Dan. Ford, Mary Farrelly, Tonner. Francis, Eli Frost, R. Ferguson, Jno. Feeemy, Mr. Fross.

G
E. S. Goff, Maria Good, Aza Gould, James Grass, Lerr. Grant, W. A. Garrison, Pat. Golar, Daniel Goodwin, David Goggin, Ben. Good, George Gaudy, Benjamin Glasier, John Grinnan, John Gray, Capt. J. Grant, Philip Gaynon, Seth Greswold.

H
Mary Hare, J. W. Hartt, J.