

NEW



SERIES.

THE ROYAL GAZETTE.

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Volume 5.

FREDERICTON, NEW BRUNSWICK, MAY 1, 1839.

Number 41.



By Authority.

PROVINCIAL APPOINTMENTS.

The Honorable Thomas Wyer, with Wilford Fisher and John Burnet, Esquires, to be commissioners for superintending the establishment of two Packets to carry the Mails from Saint Andrews to Deer Island, Indian Island, Campobello and Grand Manan, and back from those places to Saint Andrews.

The Honorable Thomas Baillie, to be one of the Commissioners for superintending the expenditure of sums allowed for the improvement of the town.

The undermentioned tracts of vacant Crown Land, will be offered at Public Auction, at this office, on Monday the 31 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 Saumarez, 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 Ebbett,) 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 Ebbett,) on upper Masquash Island, Queen's County. Upset price, 20s. per acre.

THOMAS BAILLIE,
Commissioner of Crown Lands,
Crown Land Office, April 5, 1839.

The undermentioned tracts 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 30, both inclusive, in Ranges B. 1. and 2. in Deputy Fairweather's survey of lots northwest of Studholm'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. Upset price, 3s. per acre. 220 acres, 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.

HEAD QUARTERS, FREDERICTON,
23d April, 1839.

MILITIA GENERAL ORDERS.

The Lieutenant Governor and Commander in Chief has been pleased to make the following promotions, &c.

Lewis Durant, Gent. to be 2d Lieutenant in the New Brunswick Regiment of Artillery, vice Melick, promoted.

1st Battalion Northumberland.

TO BE CAPTAINS.

Lieutenant Ronald McDonald, vice J. McDonald, promoted, dated 23d April, 1839.

Lieutenant Finlay Morrison, vice A. Russell, resigned, 24th April.

Lieutenant David Shaw, vice George Taylor, resigned, 25th April.

Richard Hutchinson, Gent. vice James Gilmore, promoted, 26th April.

TO BE LIEUTENANTS.

Ensign Alexander Davidson, vice R. McDonald promoted, 23d April.

Ensign Donald McLeod, vice James Hurley, superceded, 24th April.

Ensign George Williston, vice A. McInnis, superceded, 25th April.

Dougal McDonald, Gent. vice F. Morrison promoted, 26th April.

Caleb McCuller, Gent. vice D. Shaw, promoted, 27th April.

Asa Perley, Gent. vice John Fraser, removed from County, 28th April.

John Mackie, Gent. 29th April.

TO BE ENSIGNS.

Alexander Cameron, Gent. vice G. Williston promoted, 23d April.

John Sinclair, Gent. vice A. Davidson, promoted 24th April.

James Johnston, Gent. vice D. McLeod, promoted, 25th April.

Alin Gilmour, Gent. vice R. Ritchie, removed from County, 26th April.

Peter Gray, Gent. vice D. Fraser superceded, 27th April.

William Russell, Gent. vice A. Morrison, superceded, 28th April.

Alexander Russell, Gent. vice Stephen Feabody deceased, 29th April.

James Gourlie, Gent. vice Wm. Douglas deceased, 30th April.

3d Battalion Westmorland.

TO BE CAPTAINS.

Lieutenant William Kilpatrick, vice J. C. Turner removed from the District of the Battalion, dated 23d April, 1839.

Ensign Daniel Steeves, of a new company in Hillsborough, 24th April.

John Cleveland, Gent. of a new company at Salmon River, 25th April.

TO BE LIEUTENANTS.

Ensign Patrick Sinclair, vice Kilpatrick, promoted, 23d April.

Thomas Clarke, Gent. of a new company, 24th April.

Mariner Steeves, Gent. of a new company, 25th April.

TO BE ENSIGNS.

Thomas Fitzgerald, vice Sinclair, 23d April.

Luke Brewster, 24th April.

Michael Duffy, 25th April.

William McKay, vice Wallace removed, 26th April.

Benjamin Marshall, vice Steeves promoted, 27th April.

Joshua Bishopp, vice Redpatch deceased, 28th April.

1st Battalion Saint John City.

The unattached men lately under the superintendence of Captain and Adjutant W. Peters, are to be formed into a company, which is to constitute a part of the Battalion; this additional company to be commanded by Captain W. Peters.

TO BE 1ST LIEUTENANTS.

2d Lieutenant Thomas Nisbet, Jun. vice W. Peters appointed Adjutant, dated 23d April.

2d Lieutenant John W. Smith, 24th April.

George Wheeler, 25th April.

TO BE 2D LIEUTENANTS.

David M. Robertson, vice Nisbet promoted, 23d April.

Thomas W. Robertson, vice R. S. Moore, left the Province, 24th April.

Robert S. Hutchinson, vice George Wheeler promoted, 25th April.

Thomas A. Padlock, 26th April.

By Command.
GEO. SHORE, A. G. M.

SERIES OF 1839.

The following list, containing the number of Warrants now in the Treasury, with the names of the persons to whom they are payable, is published for the information of all concerned.

No. 1. Samuel Tryon, Esq. Provincial Contingencies.

2. Hon. Wm. Crane, balance for School Books.

3. Harris Hatch, Esq. Cleaning Arms.

4. Charles Connell, Esq. for Militia Services.

5. John F. W. Winslow, do.

6. Ensign John McLean, do.

7. L. A. Wilnot, Esq. do.

8. Hon. Thos. C. Lee, Civil List.

9. Hon. N. Parker, Master of the Rolls.

10. Kingston Parish Schools.

11. Sussex, do.

12. Westfield, do.

13. Greenwich, do.

14. Hampton, do.

15. Norton, do.

16. Springfield, do.

17. Upham, do.

18. Edward B. Smith, Bear Bounty.

19. Central Bank, Monies advanced.

20. Speaker and Members, pay &c.

21. Major L. A. Wilnot, do.

22. Patrick Cluich, Esq. Exploration.

23. Lt. Col. Allen, Militia Services.

24. James Taylor, Esq. Exploration.

25. do. do. Locating Emigrants.

26. do. do. Government House.

27. Hon. Wm. F. Odell, Extra Clerk hire.

28. John McLauchlan, teaching School.

29. John Whitehead, an old Soldier.

30. James Gilchrist, Black School.

31. Ruth Baird, an old Soldiers' Widow.

32. Wm. T. Peters, Esq. Legislative Council contingencies.

33. C. P. Wetmore, Esq. House of Assembly contingencies.

34. do. do. Index to the Journals.

35. Thomas Smith, examination Province Hall.

36. Lt. Col. Robinson, drilling Militia.

37. Captain J. S. Shore, Militia Artillery.

38. Hon. E. A. Botsford, Exploration.

39. James Brown, Jun. Royal Road.

40. Patrick Van, an old Soldier.

41. Robert Foulis, School of Arts.

42. James Brown, Jun. Exploration.

43. Geo. F. S. Berton, Revising Laws.

44. do. do. Clerk of the Crown, 1838.

45. David McAlmon, for damages incurred.

46. Central Bank, Gloucester debt.

47. Board of Health, St. John, Small Pox.

48. Thomas Ferguson, an old Soldier.

49. John Houghton, Executive Council Messenger.

50. Captain Priestly, Militia Services.

51. Major Wilnot, Carleton, L. D.

52. M. Brannen, Clerk Secretary's Office.

53. John Simpson, Esq. Daily Journals.

54. do. do. publishing Debates.

55. do. do. balance of Account.

56. do. do. publishing in Royal Gazette.

57. do. do. balance for Laws and Journals, 1838.

58. do. do. Journals Legislative Council, do.

59. do. do. printing Legislative Council and Assembly Journals 1839.

60. D. A. Lugin, to assist her, &c.

61. Geo. Lee, Jun. Index to files, &c.

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 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 Dibble, 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:

N 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. Cluich, late of the Parish of Wakefield, in the said County, Yeoman, (which said George M. Cluich is departed from and without the limits of this Province, with intent to demand the said Jeremiah M. Connell and Charles Connell, Junior, and the other Creditors of the said George M. Cluich, 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. Cluich 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. Cluich, within this County of Carleton, will be sold for the payment and satisfaction of the Creditors of the said George M. Cluich.

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

JOHN DIBBLE, Justice of the Inferior Court of Common Pleas, for the County of Carleton.

D. L. Dibble, 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 Quin, late of Saint Andrews, in the County of Charlotte, an ascending 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 Quin, 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 other debts, duty or thing, which they may owe to the said Hugh Quin, and to deliver all other effects of the said Hugh Quin, which they, or any, or either of them may have in their hands, power or custody, to us, or some one of us aforesaid, and we do also desire all the creditors of the said Hugh Quin, 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 Quin, 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.

In the matter of William Robinson, an Ascending 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 22d January, 1839.

RICHARD HUTCHISON,
ALEXANDER FOSTER, Trustees
F. HUNTER.

SHERIFFS 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 west side of the River Nashwaak, containing Five Hundred Acres, more or less, with an allowance of ten per cent. for Roads and Waste. Also a certain 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 at Public Auction, on the seventeenth day of October next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:

THE real estate of David Mills, situate in this County, to satisfy an execution at the suit of John C. Turner.

W. P. SAYRE, Sheriff.

Dorchester, April 6, 1839.

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 second Tuesday in October next, will be sold at Public Auction at the Tavern of William Mathison, in Sussex Vale:

ALL the right, title, interest, claim and demand of Peter Guimarian, of, in and to that valuable Farm of Land, now in the possession of John Taylor, situate in Sussex Vale, aforesaid, in King's County, lying between lands owned and occupied by Xenophon Cougle, and lands owned by Mrs. Leak, and bounded on the front by the Creek called Trout Creek, containing two hundred acres, more or less, with all the buildings and improvements to the same belonging, or in any wise appertaining; the same having been taken by virtue of an execution issued out of the Supreme Court, against the said Peter Guimarian, at the suit of James F. Avery. Sale to commence at two o'clock, p. m.

A. DAVIDSON, Sheriff.

Sheriff's Office, Kingston, 29th March, 1839.

On the fourth Tuesday in May next, will be sold at 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 and 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 Keirsteud, sale to commence at 2 o'clock, p. m.

A. DAVIDSON, Sheriff of King's.

Sheriff's Office, Kingston, 9th Oct. 1838.

CONSIGNMENT.

THE Subscriber has just received by the latest Steamers, a large quantity of TEAS; consisting of Gunpowder, Hyson, Twanky, Young Hyson, Souchong, Congo of different kinds, and Bohea, part of the Cliton's and part of the Hon. East India Company's Teas, comprising an excellent assortment for family, use or Retailers.

Also—Very superior WINES, Bottled in Cases and Barrels: put up for the Mess of the 65th Regiment.

Best Golden SHERRY, Best L. P. MADIERA, Old CLARET, Old PORT, and Pale BRANDY.

One Bale 7, 9-4 and 10-4 BLANKETS; an assortment of FURS, consisting of Caps, Mitts, Boas, &c.

Likewise on hand—Lisbon and Sherry Wine, Bottled in Barrels, best Cognac