

We have nothing to communicate this week of an authentic character, on the subject of the proceedings of the State of Maine, a great many rumours are afloat on the subject which we conceive it unnecessary to notice, as a few days, probably, will put us in possession of the real intentions of that Government respecting the recent extraordinary and unprovoked aggression on our Frontier territory, by an armed force from that State.

[From the Woodstock Times, 23d inst.]

Saturday last being the day appointed for the drafting the Militia at the Scotch Corner, in obedience to the Proclamation of His Excellency the Lieutenant Governor, under date of the 13th February:—Major Dibblee and Adjutant Raymond, with Mr. Justice DeMill, proceeded thither for that purpose. It is, however, most gratifying to state that drafting was rendered wholly unnecessary, by the four companies under the command of Capt. E. A. Cunliffe and Wm. McKenzie: Lieuts. R. D. Beardsley and Isaac Carvell, coming forward and unanimously volunteering to enroll themselves at once. 52 of the whole number were accordingly enrolled, and declared themselves in readiness for immediate service.—This demonstration of loyalty is highly creditable to Richmond, and we are satisfied will be responded to by every other district in the County.

Below we give the spirited Address of Col. Maxwell, of the 36th Regt., to a few companies of the 1st Battalion Carleton Militia. The promptness with which our Militia volunteered their services to protect their country from a hostile invasion, and the enthusiasm with which the address was received, fully warranted the gallant Colonel in declaring that he had come among the right stuff.

Men of New Brunswick and Militia of the County of Carleton!

I have had the high honor of being sent here by your distinguished and talented Governor, to assume the command of this district, and proud I feel of this commission, for I know I have come amongst the right stuff—for your fame has spread far and wide as good woods men—good marksmen—and gallant warriors; and your devotion and loyalty to your Queen and your Mother Country and your Fatherland, is unequalled.

Circumstances may oblige me in a day or two to call for your active services in the field, when I feel assured, that all I have heard of you will be fully realized: for I know you have all the attributes of Soldiers, and that my duty will be more to repress than to stimulate you, should the occasion arrive when you are obliged to quit your own fire sides, which your daring spirit makes you so prompt to defend from encroachment.

You will again prove what I have so often heard of the New Brunswickers—that they have bodies of adamant and souls of fire! and that they have the material within them for making the best soldiers in the known world.

Having said this much, I have only to remind you, that the first qualities of the soldier, are good conduct—steadiness—and obedience to his superiors.

Your Colonel has informed me, as well as Major Dibblee, who is placed in the immediate command of you—and whom I am proud to have under my orders—that your zeal and alacrity in your country's cause is such, that you have volunteered to assemble to receive lessons in the Military art, before you are regularly called out. I have therefore directed my Adjutant and Sergeant Major, to give you the first rudiments of a profession that I am sure you will do honor to, at such time and place as may be most convenient to all parties.

[From the Montreal Herald of the 16th inst.]

Yesterday morning about half past nine o'clock, Charles Hindenlang, Chevalier de Lorimier, François Nicholas, Pierre Remi Narbonne and Amable Daunais, were executed for High Treason, in front of the new gaol, Hindenlang, after his various changes, at last died a patriot, and left the world in the approved style of the French Revolutionary heroes. His last words on the scaffold were *Vive la Liberté*—they were not responded to by the spectators, who appeared to be convinced, that is, the disaffected among them, that the game of *Enfants de la Liberté*, was really attended with consequences more dangerous than they had expected or desired to encounter. With the exception of Narbonne there was but little bodily suffering, but owing to his having only one hand, the right, it was not secured by the wrist in the same manner as were the others, behind the back, but the arm was tied to his side, and he managed to raise his hand to the rope and displace it. His feet fell on the balustrade of the drop under the gallows and he finally grasped an iron bar, by which means he managed to support himself, and acted as if he was in full possession of his faculties. The rope was then properly adjusted, his feet removed from the balustrade, and in a few minutes his sufferings were at an end. It is probable that, excepting in the case of the murderers of Walker, some of whom are still to be tried, no other executions will take place.

Rumours still continue to reach town that a very large body of rebels and sympathizers collected on the frontier. There is no doubt but that a great many families who reside near the line have removed away from their homes, as also the families. There is scarcely a family along the whole frontier, for the distance often to fifteen miles from the line, who have not their portable effects ready packed up, so that they can be removed in case of attack; and there is a nightly watch at almost every house.

There is a report in town to-day, founded, it is said, on the authority of a man direct from the frontier, that about 3,000 sympathizers and patriots have assembled at Swanton, for the purpose, it is supposed, of invading Canada.

ERRATA.

HILARY TERM, 2ND VICTORIA, A. D. 1839.

In our last Gazette under the head of *General Rules as to proceedings against Prisoners*. In the VIII Rule, third line from the top of the fourth column, in the second page after the word be, insert, "depending not injunction be."

SUPREME COURT.

HILARY TERM, 2ND VICTORIA, A. D. 1839.
GENERAL RULES, AS TO PROCEEDINGS AGAINST PRISONERS.

I. It is ordered, That from and after the last day of this Term, in all cases where a Prisoner is or shall be taken, detained or charged in custody by mesne process thereafter returnable, issuing out of this Court, and the Plaintiff shall not cause a Declaration against such Prisoner to be delivered to such Prisoner, or to the Sheriff in whose custody such Prisoner is or shall be detained or charged, within three calendar months after the return of the Process, by virtue whereof such Prisoner is or shall be taken, detained or charged in custody; and cause an affidavit to be made and filed with the Clerk of this Court, of the delivery of such Declaration, and of the time when, and the person to whom the same was delivered, before the last day of the next term after the delivery of such Declaration, the Prisoner shall be discharged out of custody by writ of *superseatas* to be granted by this Court, or one of the Judges thereof, upon filing common bail; unless upon notice given to the Plaintiff's Attorney, good cause shall be shewn to the contrary; and in case of a Commitment or Return in discharge of bail, after the return of process, and before a Declaration delivered, unless the Plaintiff shall cause a Declaration to be delivered, and an affidavit thereof made and filed; before the end of the term next after such commitment or return shall be made, and due notice of such return given, the Prisoner shall be discharged out of custody by writ of *superseatas* to be granted as aforesaid, upon filing common bail; unless upon notice given to the Plaintiff's Attorney good cause shall be shewn to the contrary.

II. It is further ordered, That on every Declaration so to be delivered against a Prisoner as aforesaid, a Rule to appear and plead shall be indorsed according to the form following that is to say: "The Defendant C. D. is to appear and plead hereto at the suit of the Plaintiff A. B. within twenty days after service of this Declaration; otherwise judgment will be entered against him by Default."

G. H. Plaintiff's Attorney.

and that Judgment shall not be entered against such Defendant by default until the expiration of the said Rule.

III. It is further ordered, That the Sheriff who shall have received a copy of a Declaration against any Prisoner in his custody, shall indorse thereon, the time of his so receiving the same, and shall forthwith deliver the same to the said Prisoner, and shall also enter in a Book to be by him kept for that purpose, the time of receiving such declaration, and of delivering the same to the Prisoner.

IV. It is further ordered, That where the Plaintiff declares against the Prisoner, it shall not be necessary to make more than two copies of the Declaration, of which one shall be served, and the other filed with an affidavit of service, and a copy of the Rule to appear and plead indorsed thereon.

V. It is further ordered, That upon application made by the Plaintiff before the time at which the Defendant may be *superseated*, and good and sufficient cause shewn by affidavit; further time to declare may be given by Rule of Court or order of a Judge.

VI. It is further ordered, That upon every application for a *superseatas* for want of declaring in due time, in addition to the certificate of the Sheriff that no Declaration has been delivered to him for the Prisoner, there shall be an affidavit of the Defendant, that he has not been served with such declaration.

VII. It is further ordered, That unless the Plaintiff shall proceed to trial or final judgment within three terms next after the delivery or filing of Declaration, if by the course of this Court the Plaintiff can so proceed; of which three terms, the term wherein such Declaration shall be delivered shall be taken to be one; or if by the course of the Court the Plaintiff cannot so proceed to trial or final judgment within the time above limited; then unless the plaintiff shall proceed to trial or final judgment as soon after as by the course of this Court he may so proceed; the Prisoner shall be discharged out of Custody by writ of *superseatas* to be granted as aforesaid, upon filing common bail, unless upon notice given to the Plaintiff's Attorney good cause shall be shewn to the contrary.

VIII. It is further ordered, That in all cases after final judgment obtained against a Prisoner unless the Plaintiff shall cause such Prisoner to be charged in execution within three calendar months next after the day on which such final judgment shall be signed, in case no writ of error shall be depending on injunction be obtained for stay of proceedings; and if any writ of error shall be depending on injunction be obtained, then within three calendar months next after judgment shall be affirmed, the writ of error be nonprossed or discontinued, or the injunction dissolved, the Prisoner shall be discharged out of custody by *superseatas* to be granted as aforesaid; unless upon notice given to the Plaintiff's Attorney good cause shall be shewn to the contrary.

IX. It is further ordered, That after trial had unless the Plaintiff do proceed to have his judgment entered up and signed as soon as by the course and practice of the Court he may so do, or within one calendar month thereafter; in case no injunction shall be obtained or order made for stay of proceedings; and if any such injunction shall be obtained or order made, then within one calendar month after such injunction shall be dissolved or order discharged; the Prisoner shall be discharged out of custody, in like manner as in the last preceding Rule is provided.

X. It is further ordered, That in case of a return in discharge of bail after final judgment obtained, unless the Plaintiff shall cause the Defendant to be charged in execution within three calendar months next, after such return and due notice thereof given, and in case of return after trial and before judgment, unless the Plaintiff do proceed to have his judgment entered up and signed within the time limited by the last preceding Rule, or within one calendar month after such return and due notice thereof, the Prisoner shall be entitled to his discharge in manner aforesaid, unless good cause be shewn to the contrary.

XI. It is further ordered, That no treaty or agreement shall be sufficient cause to prevent any Prisoner having the benefit of a *superseatas*, unless the same be in writing signed by the Prisoner or his Attorney, or some person duly authorised by such Prisoner.

WARD CHIPMAN,
W. BOTSFORD,
R. PARKER.

GENERAL RULE.

It is ordered, That the writ of *Scire Facias* to be issued under the Act of Assembly, 26, George 3d. C. 24, shall be in the form following, or to that effect; adding in the body of the same any special matter which in particular cases may be deemed requisite.

FORM OF WRIT.

Victoria, &c. To the Sheriff of , Greeting. Whereas A. B. lately in our Court before us at Fredericton, impleaded C. D. and E. F. in a plea of , (the said C. D. having been duly taken and brought into Court by virtue of process issued in the said suit against the said C. D. and E. F., and the said E. F. not having been taken and brought into Court by virtue of such process,) and did afterwards by the judgment of the same Court recover as well against the said E. F. as the said C. D. [state the recovery,] in the same manner as if they had both been taken and brought into Court, pursuant to the Act of Assembly in such case made and provided, whereof the said C. D. and E. F. are convicted, as by the record and proceedings thereof still remaining in our same Court manifestly appear:

And now on behalf of the said A. B. in our same Court, we are informed that although judgment be thereupon given, yet satisfaction of the [debt and] damages aforesaid still remains to be made to him; and he is desirous of executing an Execution for such [debt and] damages against the body, or the lands or goods the sole property of the said E. F. wherefore the said A. B. hath humbly besought us to provide him a proper remedy in this behalf: And we being willing that what is just in this behalf should be done, command you that by honest and lawful men of your Bailiwick, you make known to the said E. F. that he be before us at Fredericton, on to shew if he has or knows of any thing to say for himself, why the said A. B. ought not to have execution for the [debt and] damages aforesaid, to be executed against the body or the lands or goods the sole property of him the said E. F. according to the force, form and effect of the said recovery, and pursuant to the said Act of Assembly in such case made and provided, if it shall seem expedient for him so to do; and further to do and receive what our said Court before us shall then and there consider of him in this behalf: and have you there the names of those by whom you shall so make known to him, and this writ.

Witness, &c.
WARD CHIPMAN.
W. BOTSFORD.
R. PARKER.

HILARY TERM, 2d VICTORIA, A. D. 1839.

I. It is ordered, That in future where the Defendant in any action shall plead one or more special pleas, and serve copies on the Plaintiff's Attorney with rule to reply in twenty days, the Plaintiff shall file and deliver his replication in twenty days from the time of such service of plea and rule, and in default thereof the Defendant shall be entitled to judgment of *non pross*, a replication being first demanded after the said twenty days; and in like manner twenty days shall be allowed for every subsequent pleading, and the opposite party shall be entitled to judgment by default or *non pross*, as the case may be, for not replying, surrejoinder, &c. a rule to rejoin, surrejoinder, &c. being served and demand made as aforesaid, unless the Court or a Judge shall think proper to allow further time. Provided that no such judgment of *non pross* or default shall be signed until ten days after demand of replication, rejoinder, &c.

II. It is further ordered, That all such rules to reply, rejoin, surrejoinder, &c. may be taken out in vacation and entered as of the preceding Term, the Attorney delivering to the Clerk a precept for such rule.

WARD CHIPMAN.
W. BOTSFORD.
R. PARKER.

HILARY TERM, 2d VICTORIA, 1839.

It is ordered, That Mr. Solicitor General, Mr. W. B. Kinnear, Mr. D. L. Robinson and Mr. Wright, be appointed in pursuance of the General Rule of Michaelmas Term, 1st Victoria, the Barristers for conducting the examination of persons who may make application for admission as Attorneys of this Court, during the year ending with the next Hilary Term.

WARD CHIPMAN.
W. BOTSFORD.
R. PARKER.

SUPREME COURT.

HILARY TERM, 2d VICTORIA.

It is ordered, That the examination of Students applying for admission as Attorneys at the next Trinity Term, shall take place at the residence of Mr. Justice PARKER in St. John, on Monday the 3d day of June next, and at Fredericton on Monday the 10th day of June next, at the Province Hall.

By the Court.
GEO. SHORE, CLERK.

Wednesday Morning.

We have just been informed that JAMES A. MACLAUCHLAN, Esquire, arrived in Town last night from Bangor.

Died.

On Friday last, at Government House, in the 31st year of his age, Captain GERALD LAKE HARVEY, eldest son of, and A. D. C. to His Excellency Major General Sir JOHN HARVEY, K. C. B. and K. C. H. Lieutenant Governor of this Province.

At Liverpool, England, about the 17th December last, William Braithwaite, Esquire, of Douglas, York County, in this Province, aged 46 years.

INDENTURES for Sale at this Office. Feb. 11.

FOR SALE OR TO LET,

And Possession given on the 1st day of May next. THE HOUSE in Westmorland Street, adjoining the property of Mr. PETER FISHER, at present occupied by Mr. Benjamin Creighton, and formerly owned by Mr. Thomas Richards. There is a Garden in the rear, and the property possesses every convenience for a small family. For particulars apply to BENJAMIN WHEELER. 20th Feb. 1839.

FOR SALE.

THAT neat and commodious COTTAGE, at present occupied by the Rev. Dr. SOMERVILLE, consisting of Drawing Room, Dining Room, Breakfast Room, large Pantry and Kitchen on first floor; on the second are two large Bedrooms, to one of which is attached a Dressing Room, or if required, a small Library with shelves. In the Bedroom is a Clothes Press and open Fire place; in the Dressing Room is a Stove; one other large Bedroom is heated by pipes from the Hall Stove, as also a smaller room on the same floor. Servants room, with access from the Kitchen. An excellent Well under cover in a porch adjoining the House. A good Cellar the length and breadth of the House, with double windows. The out-houses are as follows, viz: A large Closet plastered and shelved for holding fresh meat in winter, another light Closet for holding saddles, bridles, &c. &c. Barn with double floor, wood-house sufficiently large to contain 12 or 14 cords of wood. Stable for 2 horses, hay loft above all three buildings that will hold 4 or 5 tons of hay. These all in good order, the greater part having been built two years ago. A large Garden well stocked with fruit trees, and in excellent order. Fredericton, 16th Feb. 1839.

NOTICE.

ALL Persons indebted to the Rev. Dr. SOMERVILLE, are hereby notified to make payment of the same, on or before the 1st day of May next; and all those who may have any just demands against him, are hereby requested to present them for payment. Fredericton, 16th Feb. 1839.

WHEREAS licence has been duly granted to the Subscriber by the Governor and Council to sell so much of the real estate of the late Honorable JOHN MURRAY BLISS, as may be sufficient to discharge the debts due from estate of the said J. M. Bliss,

PUBLIC NOTICE is hereby given, That on Monday the 29th day of April next, the subscriber will sell at Public Auction, that well known valuable tract of land with the appurtenances situate in Lincoln in the County of Sunbury, about nine miles from Fredericton, and known as the Belmont Farm. The property will be sold in two lots, to be divided by a line running through the gully above Belmont House. The lower part will contain about 35 acres of upland in a good state of cultivation, about 15 acres of intervals partially improved, and about 250 acres of wood land. On this part there is an excellent two story House with very extensive Barns and Out-houses. The House was built under the particular inspection of the late Judge Bliss, & was always occupied by himself; and it may be truly called one of the most comfortable, convenient, and respectable looking residences in this Province. The upper part will contain about 50 acres of improved and excellent intervals, upwards of 30 acres of upland cleared, and under good cultivation, and about 400 acres of Wood land. There is a comfortable Farm House and good Barn on this part.

Possession will be given and deeds executed and delivered on the 1st May next, on the purchaser complying with the following conditions of sale:

25 per cent. down, and approved endorsed notes with two endorsers, each, for twenty five per cent. in four months, with interest, and twenty five per cent. in eight months, with interest, and 25 per cent in twelve months, with interest.

The sale will take place on the premises. L. A. WILMOT, Sole remaining Administrator. Fredericton, 18th Feb. 1839.

REWARD.

LOST Stolen on Wednesday morning last, a small BLACK SPANIEL, which answers to the name of "CARLOW." Whoever will bring the same to this Office, or send information by which he may be recovered, will receive the above Reward. Sentinel Office, Fredericton, Feb. 16.

Central Fire Insurance Company, New Brunswick.

NOTICE is hereby given, that the Annual Meeting of the Shareholders of said Company, will be held at their Office, in Fredericton, on Tuesday, the 5th day of March next, at 12 o'clock, at noon, for the purpose of electing nine Directors, to serve for the ensuing year, pursuant to the Act of Incorporation, and for the transaction of such other business as may be brought forward.

B. WOLHAUPTER, President. Fredericton, 15th February, 1839.

NOTICE.

CHURCH SOCIETY. The Members of the Executive Committee of the CHURCH SOCIETY, are requested to meet at Christ Church, Fredericton, on Saturday, the 2d day of March next, ensuing, at 12 o'clock, noon, to transact business committed to it by the late General Meeting.

N. B. The Committee is composed of the same Members as last year. GEORGE COSTER, Archdeacon. Fredericton, Feb. 11 1839.

CENTRAL BANK OF NEW BRUNSWICK. THE ANNUAL MEETING of the Stockholders and Members of the Central Bank, will be held at the Bank, on Monday the 4th day of March next, at twelve o'clock at noon, for the purpose of electing nine Directors to serve for the ensuing year, pursuant to the Act of Incorporation, and for the transaction of such other business as may legally come before it.

N. B. The ordinary business of the Bank will be suspended on that day. JOHN SIMPSON, PRESIDENT. Fredericton, 5th February, 1839.



Commercial Bank of New Brunswick.

HAVING assumed the business of the Bank of Fredericton, Notice is hereby given, that on Friday next the first day of March, a Branch of this Bank will be opened, in the building known as the Bank of Fredericton.

COMMITTEE OF DIRECTION.

Asa Coy, F. E. Beckwith, James Hale, W. D. Hart, Thomas T. Smith and B. Wolhaupter, Esquires.

Cashier, Archibald Scott, Esq.

Discount days, Monday and Thursday of each week; hours of business from 10 to 3 o'clock.

By order of the President and Directors.

A. BALLOCH, Cashier.

Fredericton, 27th February 1839.

Commercial Bank of New Brunswick.

STOCKHOLDERS in the Bank of Fredericton being entitled to receive a Certificate of Stock in the Commercial Bank of New Brunswick, equal to the amount held by them in the said Bank of Fredericton, provided the same shall not consist of the fractional part of twenty five pounds, on one share, they are hereby requested to notify the Cashier of the Fredericton Branch of this Bank, on or before the thirtieth day of March next, the amount they respectively wish to retain.

By order of the President and Directors.

A. BALLOCH, Cashier.

Fredericton, 27th February 1839.

CAUTION.

WHEREAS my Wife FERMELIA HANSALPACKER, has left my bed and board without any provocation whatever, I do forbid any Person or Persons trusting her on my account as I shall pay no Debts of her contracting whatever. WILLIAM HANSALPACKER. Sheffield, January 31, 1839.—Impd.

NOTICE.

THE Subscriber intending to bring his business in this Town, to a close, respectfully requests those indebted to him to make payment of their accounts immediately; and those to whom he is indebted are requested to present their accounts for settlement. GEORGE WHITE. Fredericton, February 12, 1839.

NOTICE.

THE MAIL for Quebec, which formerly left this office on Sunday morning at nine o'clock, will in future be dispatched on Saturday evening at eight o'clock. Letters and papers will require to be in office by 7 P. M. W. B. PHAIR, Post Master. Post office, Fredericton 19th Feb. 1839.

FISH, FISH.

SEVENTY Brils. Canso HERRINGS, 20 do. Mohaden; 50 Quintals Old Pollock, 48 ditto Scale Fish, in lots to suit purchasers, cheap for prompt payment.

F. W. HATHEWAY.

Fredericton, January 8, 1839.

FOR SALE.

And possession given the 1st May next.

THE HOUSE occupied by the Subscriber, situate in King Street, nearly opposite the dwelling House of Mr. JOHN L. MARSH. The premises may be viewed at any time, and further particulars made known, on application to GEORGE WHITE. Fredericton, Feb. 12, 1839.

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 DIBBLEE, 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, Fredericton April 16, 1838.

VALUABLE Freehold Property, IN FREDERICTON, FOR SALE.

THAT excellent two story HOUSE, fronting on Queen Street, and occupied partly as a Mess House, and partly by Mr. Samuel Ackerly as a dry Good store, together with the out Buildings, and the Town Lot, of 66 by 165 feet, on which it stands is for sale, and will be offered by Public Auction on the premises, between the hours of 12 and 3 o'clock on Saturday the 2d day of March next, if not previously disposed of at private sale.

Terms at Sale. Further particulars made known on application to JOHN A. BECKWITH.

Fredericton, Dec. 29, 1838