

THE ROYAL GAZETTE.

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Volume 5.

FREDERICTON, NEW BRUNSWICK, JANUARY 2, 1839.

Number 28.



By Authority.

The following Warrant, under Her Majesty's Sign Manual, is published for the information of all concerned.

VICTORIA R. WE do hereby authorise and appoint you to enlist and attest in New Brunswick any Soldiers or Persons desirous of enlisting or re-enlisting, into the service of Us, our Heirs and Successors, in execution of the provisions contained in an Act passed in the 1st year of Our Reign for the punishment of Mutiny and Desertion, or which may be contained in any future Act which may be passed for the like purpose.

Given at Our Court at Buckingham Palace, this 9th day of May, 1838, in the first year of Our Reign.

By His Majesty's Command. HOWICK. To the Justices of the Peace and other Civil Magistrates for the time being in New Brunswick.

By His Excellency Major General Sir JOHN HARVEY, K. C. B. and K. C. H. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c. A PROCLAMATION.

J. HARVEY, Lt. Governor. WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to the second Tuesday in December next, I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to Tuesday the fifteenth day of January next, then to meet at Fredericton for the dispatch of business.

Given under my Hand and Seal at Fredericton, the sixth day of November, in the year of our Lord one thousand eight hundred and thirty eight, and in the second year of Her Majesty's reign.

By His Excellency's Command, Wm. F. ODELL.

Crown Land Office, December 4, 1838. The undermentioned Tracts of vacant Crown Land will be offered at Public Auction, at this office, on Monday, the 4th day of February next. Sale to commence at 12 o'clock in the forenoon. Terms ten per cent. at the time of Sale, and the remainder within fourteen days after.

100 acres, Moncton, Westmorland, adjoining west of the Grant to Abel Steeves. Upset price, 3s. per acre. 100 acres, St. Martin's, St. John County, second tier south of Hammond River, and east of Henry Hureahan. Upset price, 3s. per acre. Lots 6, 5, and 7, 100 acres each, on the Campbell Road, third tier, south of Kennebecasis River in the Parish of Norton, County of King's. Upset price, 3s. per acre. 189 acres, Lots 2 and 3, Springfield, King's County, third tier, northwest of Bellisle Bay, and in rear of Walter Drake. Upset price, 3s. per acre. 130 acres, St. Martin's, St. John, lot 5, on Tabor's Mill Brook. Upset price, 3s. per acre. 129 acres, St. Martin's, St. John, lot 4, on Tabor's Mill Brook. Upset price, 3s. per acre. 120 acres, St. Martin's, St. John, lot 3, on Tabor's Mill Brook. Upset price, 3s. per acre. 100 acres, Wickham, Queen's, lot No 4, second tier, south east of the Washademoak Lake. Upset price, 3s. per acre.

THOMAS BAILLIE, Commissioner of Crown Lands.

Crown Land Office, Nov. 23, 1838.

The vacant Crown Land on the new line of St. Andrew's Road, between the Maguadave and Digdegwash Rivers, being now Surveyed, those persons who lately applied for Settlement lots in that quarter, are required to make election of the particular lots they wish to purchase, in order that their petitions may be said before the Lieutenant Governor in Council.

The Petitions of the undermentioned persons have not yet been laid before the Lieutenant Governor in Council, as the deposit of £1 entrance money on each petition has not yet been paid, as required by the existing regulations.

Wm. Grant, Junr. Frederick Weaver, James Murdoch, George D. Weaver, THOMAS BAILLIE, Commissioner Crown Lands.

IN CHANCERY, TUESDAY, 4th December 1838. NOTICE is given, that this Court will sit on Thursday the third, instead of Tuesday the first day of January next.

By Order of His Honor the Master of the Rolls. D. L. ROBINSON, REGISTER.

Crown Land Office, November 3, 1838. The undermentioned tracts of vacant Crown Land will be offered for sale at Public Auction at this office on Monday, the 7th of January next. Sale to commence at 12 o'clock in the forenoon. TERMS—10 per cent. at the time of sale, and the remainder in 14 days after.

100 acres, Restigouche, rear part of lot 18, between Charloe and Eel Rivers. Upset price, 3s. per acre. 100 acres, Restigouche, rear part of lot 19 near Black Point, Bay Chaleur. Upset price, 3s. per acre. 100 acres, Restigouche, rear part of No. 17, near Black Point, Bay Chaleur. Upset price, 3s. per acre. Town Lots, 113 and 141, in the Town Plat of Dalhousie, Restigouche. Upset price, £15 per lot. 100 acres, Northumberland, lot No. 8, north side Bartholomew's River. Upset price, 2s. 6d. per acre. 39 acres, Kent, lots 15, 16, 17 and 18, north side St. Nicholas River, near St. Nicholas Point. Upset price, 2s. 6d. per acre. 36 acres, Kent, lots 3, 4, 5, and 6, south side, Richibucto River, near St. Nicholas Point. Upset price, 3s. per acre. 100 acres Westmorland, Parish of Moncton, lot No. 1, south of Jacob Trites. Upset price, 2s. 6d. per acre. 300 acres, Kings, of lots, 2, 3, 4, and 5, 3d tier, south of Kennebecasis River, Parish of Norton. Upset price, 3s. per acre. 260 acres, Kings, East part of lot 1, and lot A, McDonald's Survey, Northwest of Long Reach. Upset price, 3s. per acre. A small Island lying in the River Washademoak, Queen's County, called the "Half Moon Island," and above Coles's Island. Upset price, £1 per acre. 100 acres, York, lot No. 7, second tier, Harvey Settlement. Upset price, 2s. 6d. per acre, and the purchaser to pay the expense of survey. 100 acres, York, being in rear of the grant to Jacob Allan, Pokiok. Upset price, 3s. per acre. 100 acres, York, Howard Settlement, lot No. 1, first tier, north west Range. Upset price, 3s. per acre. 100 acres, Carleton, Subdivision, No. 2, of the Reserve lot H., Northampton. Upset price, 5s. per acre. 100 acres, Carleton, lot No. 22, 3d. tier, Williamston. Upset price, 3s. per acre. 200 acres, Carleton, lots 23 and 24, third tier, Williamston Settlement. Upset price, 3s. per acre.

THOMAS BAILLIE, Commissioner and Surveyor General of Crown Lands.

Crown Land Office, September 14, 1838.

The following is published for the information of persons desirous of obtaining leases of Mines and Minerals in New Brunswick.

All persons wishing to obtain a lease of Mines and Minerals must apply by petition to His Excellency the Lieutenant Governor, which petition must state particularly the district in which the applicant wishes to work, and what means he possesses to enable him to do so, and to what extent he intends working. Whether he owns the land upon which he wishes to work, or whether if owned by another person he has made any and what arrangements with that person, and to produce evidence of these facts.—The petition must be accompanied by a sketch of the ground applied for. Should the Lieutenant Governor in Council, decide upon leasing the Mines applied for, the district will be submitted to auction as directed by Law, subject to the conditions which have been before published in the Royal Gazette.

THOMAS BAILLIE, Commissioner of Crown Lands.

NEW BRUNSWICK IN CHANCERY.

Wednesday, the fourth day of July, in the year of our Lord, one thousand eight hundred and thirty eight.

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

FORASMUCH as the Court was this present day informed by Mr. Berton, of Counsel for the Plaintiffs, that the Plaintiffs on the sixth day December last, exhibited their bill in this Honorable Court, against the Defendant, as by this certificate of the Registrar appears; and took 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 one thousand eight hundred and thirty, and hath not since returned to the Province, and that there is reason to believe that the 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 fourth day of January next. By the Court.

D. LUDLOW ROBINSON, Registrar.

First published in Royal Gazette, July 11, 1838.]

By Thomas Wyer, Esquire, one of Her Majesty's Justices of the Inferior Court of Common Pleas, in and for the County of Charlotte, in the Province of New Brunswick.

To all whom it may concern, Greeting: NOTICE is hereby given, that upon the application of Andrew Burgine, of the City of Saint John, Merchant, to me duly made, according to the form of the Act of Assembly, in such case made and provided, I have directed all the Estate, as well real as personal, within the County of Charlotte, in this Province of New Brunswick, of Hugh Quinn, late of the town of Saint Andrews, in the said County, Trader, (which said Hugh Quinn is departed from and without the limits of this Province, with intent to defraud the said Andrew Burgine and the other Creditors of the said Hugh Quinn, in any there be, of their just dues, or use to avoid being arrested by the ordinary process of the law, as it is alleged against him,) to be seized, and attached, and that unless the said Hugh Quinn 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 Hugh Quinn within this County of Charlotte will be sold for the payment and satisfaction of the Creditors of the said Hugh Quinn.

Dated at Saint Andrew's aforesaid the seventeenth day of December, A. D. 1838.

THOMAS WYER, J. C. P. GEO. D. STREET Attorney for Petitioning Creditor.

First published in Gazette December 26, 1838.] By William B. Kinnear, Esquire, Recorder of the City of Saint John, and one of the Justices of the Inferior Court of Common Pleas in and for the City and County of Saint John, in the Province of New Brunswick.

To all whom it may concern, Greeting:— NOTICE is hereby given, that upon the application of John Dooly, Joseph M. Pherson, and Patrick Murphy, to me duly made, according to the form of the Act of Assembly in such case made and provided, I have directed all the Estate, as well real as personal, within the City and County of Saint John, in the Province of New Brunswick, of Dennis Tierney, late of the Parish of Portland in the County of Saint John, Grocer, (which said Dennis Tierney is departed from and without the limits of this Province with intent to defraud the said John Dooly, Joseph M. Pherson, and Patrick Murphy, and the other creditors of the said Dennis Tierney, (if any there be) of their just dues, or else to avoid being arrested by the ordinary process of the law, as it is alleged against him,) to be seized and attached, and that unless the said Dennis Tierney do return and discharge his said debt or debts within three months from the publication hereof, all the Estate, as well real as personal, of the said Dennis Tierney, within this City and County of Saint John, will be sold for the payment and satisfaction of the creditors of the said Dennis Tierney.

Dated at the City of Saint John the twenty fifth day of September, A. D. 1838.

W. B. KINNEAR, Recorder, &c. JAS. W. PETERS, Attorney for Petitioning Creditors.

First published in the Gazette, October 3, 1838.]

NEW BRUNSWICK, &c.

In the matter of Andrew S. Easton, an absconding Debtor.

WE, the Subscribers, having been this day duly appointed by His Honor Mr. Justice Parker, Trustees, for all the Creditors of the said Andrew S. Easton, and having taken the oath for the faithful discharge of such trust as required by the Statute and Act of the General Assembly, do hereby give notice of such our appointment; and we do require all persons indebted to the said Andrew S. Easton, to pay to us, all sum or sums of money, or other debt, duty, or thing, which they owe to the said Andrew S. Easton, and to deliver up all other effects of the said Andrew S. Easton, which he, she, or they, may have in their hands, power, or custody, to us, on or before the fourth day of March, which shall be in the year one thousand eight hundred and thirty nine; and we do desire all the Creditors of the said Andrew S. Easton, to deliver to us, or either of us, on or before the day and year aforesaid, at the Office of William Johnston Ritchie, in the City of Saint John, their respective accounts and demands against the said Andrew S. Easton.

Dated the fourth day of December, A. D. 1838.

WILLIAM JOHNSTON RITCHIE, TRUSTEE. WILLIAM LIVINGSTON, TRUSTEE. JAMES DUNN, TRUSTEE.

In the matter of John Keays, an absconding Debtor.

NOTICE is hereby given that a general meeting of all the Creditors of the above named John Keays, is requested on Friday the sixteenth day of February next, at Hamill's Hotel, Newcastle, in the County of Northumberland, to examine and ascertain the debts due to each Person, at which time all Creditors are expected to come forward prepared to substantiate their demands against the said John Keays, by proof, attestation, or otherwise, to the satisfaction of the Surviving Trustees.

Dated Newcastle, 28th November, 1838.

ALEXANDER POSTER, Surviving Trustee. ASA WILLARD, Trustee.

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 south 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 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 Whited, of, in and to that 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.

County of Westmorland.

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.

County of Gloucester.

To be sold by Public Auction, at the Court House in Bathurst, on the third Tuesday in January next, between the hours of noon and five o'clock, p. m.

ALL the right, title, interest, property, claim and demand of Augustine Godine, of, in and to that piece or parcel of land, situate on Middle River, in the Parish of Bathurst, now in his occupation, being the southerly one half of lot number two, originally granted to one James Robertson, containing one hundred and seventeen acres more or less, together with the dwelling House, Barn, out houses, Water privileges and appurtenances thereunto belonging, or in any wise appertaining: The same having been seized to satisfy an Execution issued out of the Supreme Court of this Province, at the suit of Richard Blackstock and James Johnson, against the said Augustine Godine.

HENRY W. BALDWIN, Sheriff. Sheriff's Office, Bathurst, 2d July, 1838.

County of Sunbury.

To be sold by Public Auction, on the first Monday in February next, at the Court House in Burto between the hours of 12 and 5 o'clock in the afternoon.

ALL the right and title of George P. Nevers, of, in and to, a certain Lot or tract of Land, situate in the Parish of Burton, on the Nerepis Road, about four miles from the mouth of the Oromoto, known as the Fernham Lot, containing 300 acres, more or less, with all and singular the improvements thereon: The same having been taken by virtue of several executions issued out of the Supreme Court.

J. HAZEN, Burton, 21st July, 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 Keirsteed, sale to commence at 2 o'clock, p. m.

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

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 the period have settled all their losses, without compelling the insured, in any instance, to resort to a Court of Justice. The present Board of Directors pledge themselves, in this particular, fully to maintain the high reputation of the Company. It insures on the most favourable terms every description of property against LOSS OR DAMAGE BY FIRE, but takes no marine risks.

Application for insurance may be made either personally or by letter to the Secretary of the Company, or to its Agents, who are appointed to many of the principal Towns and Cities of the United States, and in the British Provinces.

PRESENT BOARD OF DIRECTORS.

Eliphalet Terry, Samuel Williams, James H. Wells, F. J. Huntington, S. H. Huntington, Elisha Colt, H. Huntington, Junr., R. B. Ward, Albert Day, ELIPHALET TERRY, President.

James G. Bolles, Secretary. The Subscriber having been appointed Agent at Fredericton for the above mentioned Company, is now prepared to take risks on every description of Property against loss or damage by Fire.

ASA COY.

Westphalia Hams, &c.

THE Subscriber has just received a quantity of WESTPHALIA HAMS; Country Cheese; Firkins Prime Country Butter; Pickled Pork, and Herrings, No. 1; Dried Fish; Oat and Buckwheat Meal; Rye Meal, and Superfine Flour; Loaf and moist Sugar, of the finest quality in barrels of 2 cwt. each; Teas of excellent quality; Soft Shell Almonds, Sweet and Bitter Almonds, out of the shell. Dried Currants and Raisins; Apples and Onions; Candied Orange, Lemon, and Citron; Barley, Rice, Split Peas, &c. &c., at the lowest prices for Cash or short credit.

M. MACKINTOSH. Fredericton, 24th October, 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. February 11 1838.

THE MINERVA LIFE Assurance Company, LONDON.

Capital—£1,000,000.

THE Subscriber having been appointed an Agent for the above Company, will receive applications for Insurance, and afford every information that may be required. G. F. S. BERTON, Agent. Fredericton, 14th Nov. 1837.

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

GEORGE KERR, Esquire, Chatham. W. H. BALDWIN, Esquire, Bathurst. J. M. CONNELL, Esquire, Woodstock. M. T. DAVID M'MILLAN, Esquire, St. John. J. SIMPSON, QUEEN'S PRINTER. Fredericton, 16th October, 1838.

the work may be seen:—

HON. E. B. CHANDLER, Dorchester. THOMAS WYER, Esquire, St. Andrews. J. W. WELDON, Esquire, Richibucto.

For Sale or To Let, And Possession given immediately, if required. THAT pleasantly situated Residence, belonging to the Subscriber, in George Street. JOHN BAIRD.

Fredericton, August 29, 1838.

Notice of Removal

OF THE New and Cheap Fancy Warehouse, QUEEN STREET.

JAMES W. O'DOHERTY, sincerely thanks the Ladies and Gentlemen of Fredericton, for the extensive support he has received from them, and begs to inform them, and the public generally, that he intends removing from his present stand to the Store formerly occupied by B. Wolphauger, Esquire, where he will carry on his business as usual and hopes by punctuality and prompt attention to merit a continuance and extension of their patronage.

J. W. O'D. also wishes to inform his customers, that he has made such arrangements as will enable him to have his Fall Fashions first in market, which he is determined to sell at unusually low prices for Cash. Fredericton, 21st August, 1838.

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 50 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.

ANOTHER LOT OF STOVES, MUCH Larger than the former, being from 30 to 36 inches in the Clear. ALSO—A few 30 inch Double Stoves with large oven on top.

N. B. Plenty of Stove Pipes to match, (all unusually cheap for cash.) R. CHESTNUT. Dec 4, 1838.

CO-PARTNERSHIP.

THE undersigned having entered into Co-partnership, the business heretofore conducted by DUNCAN BARBER, will be in future carried on in the Firm of DUNCAN BARBER & COMPANY.

DUNCAN BARBER. LAWRENCE WM. GALL. Springhill, Fredericton, Nov. 17, 1838.