

NEW

SERIES.

THE ROYAL GAZETTE.

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Volume 5.

FREDERICTON, NEW BRUNSWICK, MARCH 20, 1839.

Number 35.



By Authority.

IN COUNCIL, March 20, 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 within 60 days from the date of this Gazette, and five shillings for postage, &c., will be charged on each purchase in addition to the stated price per acre.

RESTIGOUCHE.

Francis Roberts, 2s. 6d. per acre by instalments, with the usual front.
Hugh Barclay, Jr. 2s. 6d. per acre, by instalments.

William Barclay, do. do.
Hugh Barclay, Sen. do. do.

NORTHUMBERLAND.

Frederick Weaver, 3s. per acre, by instalments, upon producing the requisite certificate.
Patrick Hall, 3s. per acre, down.
Roderick McLeod, (20 acres,) complied with.

Peter Gray, Junior, 3s. per acre, down.
William Irving, do. do.
John Hay, do. do.
Andrew Irving, Jr. do. do.
Andrew Hay, do. do.
James Porter Jr. 3s. per acre, down.
James Porter, do. do. with the usual front.

William Washburn, 3s. per acre, down.
John Dunn, may have 100 acres, at 3s. per acre, down.
William Mills, 3s. per acre, down.
James Hane, 3s. per acre, down.
J. Cavanagh, may have 100 acres at 3s. per acre, down, with the usual front.
James Coltart, 3s. per acre, down.

KENT.

Robert Power may have the lot applied for by him at 20s. per acre, in order to cover the Grant fees.

WESTMORLAND.

Israel Steeves, 3s. per acre, down.
John Scanlin, 2s. 6d. per acre, down.

SAINT JOHN.

George Duncan, 2s. 6d. per acre, by instalments, but the amount paid to Mr. Minette in 1831, can not be allowed as part payment.

CHARLOTTE.

John Mahony, 3s. per acre, down.

KING'S.

Thomas Allen, 3s. per acre, down.
Isaac H. Faulkner, do. do.
Richard Bickford, may have 100 acres to cover his improvements, at 3s. per acre, by instalments.
John Robinson, 3s. per acre, down.
James Hane, 3s. per acre, down.
Richard Perkins, Jr. 3s. per acre, down.
John Dobson, Jr. 2s. 6d. per acre, down.

QUEEN'S.

Robert Fulton, Jr. 3s. per acre, down.
John Austin, 3s. per acre, down.
James Crawford, 2s. 6d. per acre, down, on petitioners producing the requisite certificate.
A. McCready, 3s. per acre, down.

SUNBURY.

Martin Moran, 3s. per acre, down.

YORK.

Adam D. Allen, 3s. per acre, down.
John Faulkner, 3s. per acre, down.

The Lands applied for by the undermentioned persons will be offered at Public Auction, at this Office, on Monday the 6th day of May next, (see advertisement in which each person will recognize the Land applied for by him.)
James S. Smith.
George Poddington, and others.
William Pelly.
Richard Holman.

The Petitions of the undermentioned, are referred for want of survey.
Beloni Mettote, Charles Shaw,
John Doyle, Duncan Shaw,
John Callahan, John Taylor,
W. M'Beath, Jr. Henry Duffy,
J. M'Beath, Sen. Peter Duffy,
Wm. M'Leod, John Duffy,
Edward Williston, George Fowler,
Wm. Gray, Jr. Moses Osborne,
Wm. Gray, 3rd. John Cameron, Jr.
John Porter, John Cameron, 3rd.
F. Elliott, Daniel Cameron,
George Smith, Daniel Wallace,
James Leary, P. Jonah, Sen.
Richard Travers, Jr. John Garland, Jr.
James Giggie, William Atkinson,
Robert Greagan, James Moffett,
Edward Kelly, William Lemmon,
Ben. Clark, Wm. Pearson,

Elias Snider, John Pearson,
George Snider, George Dunn,
Hugh Teakles, Robert Dunn,
Andrew Kaday, Alfred Briggs,
James Hanney,

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

George D. Weaver, not complied with, the Petition does not state whether he owns land, nor has he furnished the requisite certificate.

Charles Emery Smith, not complied with.
Benjamin Wright, not complied with, the land having been previously applied for by G. Puddington and others.

Peter C. Wright, same as B. Wright.
Andrew Nesbit, not complied with, the land having been previously applied for by R. Holman, (see land advertised to be sold at Auction.)

William D. Coates, not complied with.
George Kuread, not complied with.
E. Fitzmaurice, not complied with.
Chas. E. Smith, not complied with.
B. C. Raworth, complied with.
Hiram Drake, do. do.
N. Bulyea, referred for further consideration.

George Atcheson, can have the amount paid by him, £20 7s. 9d. returned to him.
Duncan Hay, not complied with.
Thomas Smith, do. do.
Willett Green, land not vacant.

Thomas Farrell, not complied with.
Andrew Cochran, complied with.
Richard Carman, not complied with.

John Chalmers having failed in producing the requisite affidavit and certificate, the former order in his favor is rescinded, and the land will be sold to J. Coltart at 3s. per acre, down.

Patrick Morris, complied with.
Margaret Sullivan, complied with.

Patrick Dougherty, M. Dougherty, and Patrick M'Divett, are allowed to have the lands formerly approved to them at 3s. per acre, down.

John Foley, complied with.
John Smith, do. do.
Charles M'Dougall, complied with.

Roderick McLeod, a block of land may be surveyed as prayed for, and reserved for two years to be then, or intermediately disposed of at the current rate, at that time, if the Emigrants alluded to arrive.

The applications of the undermentioned persons for licence to cut timber and logs, on Crown Land, are complied with, on payment of the duty within 60 days from the date of this Gazette.

Joseph Cunard, Tracadie River.
John M'Kinley, S. W. Miramichi River.
Joseph Cunard, do. do.
Rowland Crocker, Dunganon River.
James S. Mitchell, do. do.
Thomas Coughlan, Cain's River.
John T. Williston, Tracadie River.
T. W. Underhill, Renous River.
J. D. Weldon, Aldoine River.
John Crandall, Petitcodiac River.
John Stalts, do. do.
Stephen Munson, Lepreau River.
William McCann, Magaguadavic River.
William Smart, do. do.
John Humphrey, New Canaan River.
Charles Day, Salmon River.
George C. Nevers, Geary Stream.
Robert Ralston, Nashwalk River.
Thomas Pickard, Little River.
Charles Perley, Bulls Creek.

Wm. McGregor can have the wood cut by him released, on his satisfying the Seizing Officer for his time and trouble.

Charles Day, not complied with.
Robert Ralston, do. do.
Wm. B. Hunter, do. do.
Asa Dow can have the deposit paid by him on application, No. 509, returned to him.

John M'Millan, referred for further consideration.

R. M'Leod, and do. do.
Rowland Crocker, do. do.
Francis Hunter, do. do.

George E. Ketchum, complied with, provided he can make it appear to the satisfaction of the Surveyor General that no timber has been cut under the licence.

K. G. Robinson, complied with, or his paying the seizing officer his dues.

Thomas Ward, referred for further consideration.

John Pond, complied with.
J. & W. Bedell, not complied with.
Amos Plummer, do. do.

Crown Land Office, March 4, 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.

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

110 acres, Northumberland, second tier, north of Miramichi River, and in rear of Wm. Ritchie, Parish of Newcastle. Upset price, 3s. per acre.

20 acres, Kent, lots 2, 3, 4, and 5, first division St. Nicholas Point, south side Richibucto River. Upset price, 10s. per acre.

60 acres, Kent, adjoining the grant to John M'Millan at Big Creek, north side of Buctouche River. Upset price, 3s. per acre.

13 acres, Westmoreland, being the eastern part of the lot lately surveyed for Thomas Blacklock, Jr. near Little Shemogue Harbor. Upset price, 3s. per acre.

100 acres, Westmoreland, as surveyed for Adam M'Kee, west side road from Shemogue to Cape Bear. Upset price, 3s. per acre.

300 acres, Westmoreland, lot No. 2 second tier, east of the Butternut Ridge. Upset price, 3s. per acre, and the value of the improvements, which may be thereon.

Lots 1, 2 and 3, first tier, — of Deputy Allan's, survey north of Smith's Base line County of Charlotte. Upset price, 3s. per acre.

100 acres, King's, south east part of lot No. 5, next to the grant to Gilbert Stockton head of Smith's Creek. Upset price, 3s. per acre.

100 acres, Carleton, east half of No. 21, 5th tier, Williamston settlement. Upset price, 3s. per acre.

60 acres, Carleton, being lot A. in the fourth tier, Parish of Woodstock. Upset price, 3s. per acre.

THOMAS BAILLIE,
Commissioner of Crown Lands.
Crown Land Office, February 4, 1839.

PROVINCIAL APPOINTMENTS.

Sheriffs of the several Counties for the current year, (1839.)
Edward W. Miller, York.
John F. W. Winslow, Carleton.
John Hazen, Sunbury.
N. H. Devere, Queen's.
Asa Davidson, King's.

Colin Campbell, Charlotte.
William P. Sayre, Westmoreland.
LeBaron Drury, Kent.
Richard M. Clarke, Northumberland.
Henry W. Baldwin, Gloucester.
James Paul, Restigouche.

SUPERVISORS OF GREAT ROADS.—1839.
George Anderson.—From Saint John to Saint Andrews.
Honorable Harry Peters.—Fredericton to Saint John, via Nerepis; and from Gagetown to the Nerepis Road.
David Crocker.—Richibucto to Chatham, and Newcastle to Restigouche.
Nathaniel Hubbard.—Fredericton to the Finger Board.

Benjamin L. Peters.—Saint John to the Head of Bellisle, and Saint John to Hayward's Mills, leading to the Nova Scotia line.
L. B. Rainsford and James Brown, Junior, Fredericton to Saint Andrews.
James A. MacLachlan.—Woodstock to Houlton and the Canada line.
James Ketchum.—Fredericton to Woodstock.

Alexander Goodfellow.—Fredericton to Newcastle.
Honorable A. E. Botsford.—Hayward's Mills to Nova Scotia line.
Daniel Hanington.—Dorchester to Chediac and Chediac to the Bend of Petticoe.
William Chandler.—Chediac to Richibucto.
James Wallace, Jun.

The Persons above appointed, are required forthwith to transmit to the Secretary's Office the requisite bonds.

HEAD QUARTERS, FREDERICTON,
5th March, 1839.

MILITIA GENERAL ORDER.

His Excellency the Commander in Chief, having accepted the services of Lieutenant Colonel Allen, of the 2d York County Militia, that Officer is directed to proceed to Woodstock, and assume the Command of the Drafted Militia of the County of Carleton, acting under the orders of the Senior Officer of Her Majesty's Troops on the Upper Saint John.

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

HEAD QUARTERS, FREDERICTON,
8th March, 1839.

MILITIA GENERAL ORDER.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to make the following promotions.

New Brunswick Regiment of Artillery.

TO BE CAPTAINS.
Captain A. K. S. Wearmore, unattached, dated 8th March, 1839.

Lieutenant Robert Robertson, vice Barlow, permitted to retire with the rank of Major, 9th March.

2d Lieutenant C. J. Mellick to be 1st Lieutenant, vice Robertson, promoted, dated 8th March.

Volunteer William H. Shore, to be 2d Lieutenant, vice G. Odell, absent from the Province.

William Wright, Gent. to be supernumerary 2d Lieutenant, 8th March.

Charles C. Stewart, Gent. do. do. 9th March.

3d Battalion York Militia.
Henry Barclay Robinson, to be Ensign.
James Robb, Esquire, to be Surgeon.

1st Battalion Northumberland.
TO BE MAJORS.
Captain James McDonald, 8th March.
do. James Gilmour, 9th do.

TO BE CAPTAINS.
Alexander M'Beath, Gent. of a new Company in the District of Glenelg.

Donald M'Naughton to be Lieutenant of do. James Brophy, to be Ensign, of do.

His Excellency has been pleased to accept the resignation of Captains Alex. Russell and George Taylor, who from their long and faithful services in the Militia, are permitted to retire with the rank of Major.

Edward W. Rainsford to be Ensign in the 2d Battalion York Militia, dated 19th February, 1839, to follow next in seniority to Benjamin Atherton, his name having been omitted by mistake.

The appointment of Robert A. Hay, as Lieutenant of the embodied Militia in the County of Carleton, dated 18th February last, does not take place.

His Excellency has been pleased to appoint Lieutenant Colonel W. H. Robinson Assistant Adjutant General of Militia, dated 11th March, 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 Haidaker, 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 Registrar appears, and had taken out process of Subpoena returnable the twelfth day of June last, requiring the Defendant to appear, 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 hath 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, Registrar.

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:
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 as personal, within the County of Carleton, in the 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 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 DIBBLE, Justice of the Common Pleas, for the County of Carleton.
D. L. Dibble, Attorney for Petitioning Creditors [First published in Royal Gazette, March 13, 1839.]

By Thomas Weyer, 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 Burgoine, 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 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 Burgoine, and the other Creditors of the said Hugh Quinn, 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 Hugh Quinn do return and discharge his debt or debts within three

months from the publication hereof, all the Estate as well 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.]

NOTICE is hereby given, That we 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 as 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 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 aforesaid, their respective accounts and demands against the said Dennis Tierney, 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 this fourteenth day of January, A. D. 1839.

JAMES BOWES,
WILLIAM HUGHSON,
JOSEPH M'PHERSON,

First published in Gazette, January 23, 1839.

In the matter of Angus M'Donald, an Absconding Debtor.

NOTICE is hereby given that a meeting of all such Creditors of the above named Angus M'Donald, 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 16th day of February 1839.

W. S. SMITH,
ARCHIBALD RAMSEY, } Trustees.
JAMES WANDS.

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 22d January, 1839.

RICHARD HUTCHISON, } Trustees.
ALEXANDER FOSTER,
F. HUNTER,

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.

HOUSE TO LET.

THAT eligible stand for a BOARDING HOUSE, situate on the corner of Phoenix Square, containing 18 Rooms of different dimensions, and very commodious in other respects, for that purpose. The House and premises will be let for a term of years, and possession given on the 1st day of May next.

Apply to the Subscriber,

5th March, 1839.

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.

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.