

THE ROYAL GAZETTE.

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Volume 6.

FREDERICTON, NEW BRUNSWICK, DECEMBER 4, 1839.

Number 20



By Authority.

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.

J. HARVEY, Lt. Governor

A PROCLAMATION.

WHEREAS notwithstanding repeated public notice heretofore given, by which all Her Majesty's subjects within this Province were strictly charged and commanded to abstain from cutting Timber, or otherwise in any manner trespassing on any part of the lands within this Province, at present in dispute between the Governments of Great Britain and the United States of America, commonly called "The Disputed Territory," individuals have heretofore from time to time been guilty of cutting and making Timber thereon, I do hereby repeat my prohibition against the same; And I do hereby strictly enjoin and charge all Her Majesty's subjects within this Province to abstain from cutting Timber of any description, or in any quantity, however small, on the same Territory, or any part thereof, on the pain and peril which may fall thereon: And all such Her Majesty's subjects within this Province are hereby notified, that I have given command and authority unto James A. Macdonald, Esquire, the duly appointed Warden of the said Territory, to arrest, seize, take and destroy all Timber which may be cut in violation of this Proclamation, and forthwith to remove and drive off all persons that he may find so offending. For which purpose, I have authorized and do hereby authorize the said Warden to employ and take with him on his visits of examination such sufficient force or posse of assistants as may enable him to carry into effect the object and intention of this Proclamation.

And I do hereby call upon and direct as well all Peace Officers as all other liege subjects of Her Majesty within the Province, to be aiding and assisting in all things within their power, to enable the said Warden to discharge his duty in the premises.

Given under my Hand and Seal at Fredericton this twenty second day of October, in the year of our Lord one thousand eight hundred and thirty nine, and in the third year of Her Majesty's Reign.

By His Excellency's Command,

WM. F. ODELL.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction, at this Office on Monday the 6th day of January next, sale to commence at 12 o'clock noon. Terms, 10 per cent. of the purchase money to be paid at the time of sale, and the remainder within 14 days after.

50 acres, Northumberland, Lot No. 55, Tabernacle Beach. Upset price, 5s. per acre.
158 acres, Northumberland, Lot No. 56, Tabernacle Beach. Upset price, 5s. per acre.
26 1/2 acres, Kent, Lots 1 and 2, adjoining E. Power, and the gore lying between W. Corbun, and No. 21, running back to the 3rd tier, St. Nicholas Point. Upset price, 10s. per acre.

150 acres, Westmorland, Gaspeau River, between Round and Square Lakes, Botsford, (as surveyed for S. Trewhelm.) Upset price, 3s. per acre.

100 acres, Westmorland, Lot No. 17, Coverdale River. Upset price, 3s. per acre.
100 acres, King's, Parish of Sussex, between W. Gregg, and W. Creighton, middle tier, between Smith's Creek and Mill Stream. Upset price, 3s. per acre.

140 acres, Queen's, Lot No. 1, McDonald's survey, Salmon Creek. Upset price, 3s. per acre.

200 acres, Queen's, Lot letter E, northwest side of the Washademoak Lake, below Pickett's Cove. Upset price, 3s. per acre.

60 acres, York, being the southwest part of Hardwood Island, second Chipmunk Lake. Upset price, 3s. per acre, the purchaser to pay for the improvements.

100 acres, York, northeast side of the second Chipmunk Lake, opposite Hardwood Island. Upset price, 3s. per acre, the purchaser to pay for the improvements.

50 acres, Carleton, Parish of Northampton, between A. Rogers, and W. Hemphill. Upset price, 3s. per acre, the purchaser to pay for the improvements.

50 acres, Carleton, half of Lot No. 2, in the fourth tier Williamson Settlement. Upset price, 3s. per acre.

100 acres, Queen's, Lot No. 12, southeast side of the New Canaan River near the Flat

Rock. Upset price, 2s. 6d. per acre, the purchaser to pay for the improvements.
THOMAS BAILLIE,
Commissioner of Crown Lands.
Crown Land Office, 5th November, 1839.

HEAD QUARTERS, FREDERICTON,
25th November, 1839.

MILITIA GENERAL ORDER.
His Excellency the Lieutenant Governor and Commander in Chief has been pleased to appoint Frederick Morehouse, Esquire, to be Captain of the Troop of Carleton Light Dragoons, vice Garden, resigned; also,
John Price, Gent. to be Quarter Master of the 1st Battalion King's County Militia, with the rank of Lieutenant, vice D. Mather, deceased.

By Command.
GEO. SHORE,
Adjutant General Militia.

By William Wilson, Esquire, one of the Justices of the Inferior Court of Common Pleas, in and for the County of Westmorland, in the Province of New Brunswick.

To all to whom it may concern, Greeting:
NOTICE is hereby given, That upon the application of Christopher Milner, of Dorchester, in the County of Westmorland, Attorney at Law, 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 this Province of John Towse, late of Hopewell, in the County of Westmorland, (which said John Towse is deceased), to be sold and discharged his said debt or debts within three months from the publication hereof, all the estate as well real as personal of the said John Towse within this Province, will be sold for the payment and satisfaction of the creditors of the said John Towse. Dated at Dorchester, in the County of Westmorland, the twentieth day of November, A. D. 1839.

W. WILSON, J. C. P.

Christopher Milner, Petitioning Creditor.

[First Published, November 27, 1839.]

By the Honorable James Carter, Esquire, one of the Justices of the Supreme Court of Judicature for the Province of New Brunswick.

To all to whom these presents shall come, Greeting:
NOTICE is hereby given, that upon the application of Henry Jackson 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 this Province, of Michael Breen, late of Fredericton, in the County of York, (which said Michael Breen is deceased), with intent and design to defraud the said Henry Jackson and others, creditors of the said Michael Breen, if any there be, of their just debts, 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 Michael Breen 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 Michael Breen, within this Province, will be sold for the payment and satisfaction of the creditors of the said Michael Breen. Dated at Fredericton the twelfth day of November, A. D. 1839.

J. CARTER, J. S. C.

BERTON and DIBBLEE,
Attorneys for petitioning creditors.

[First Published, November 13, 1839.]

NEW BRUNSWICK, to wit.

By the Honorable William Botsford, one of the Justices of the Supreme Court of Judicature for the Province of New Brunswick.

To all to whom it may concern, Greeting:
NOTICE is hereby given, that upon the application of James Kinnear 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 this Province of New Brunswick, of Daniel Lyman late of Harvey, in the County of Westmorland, (which said Daniel Lyman is deceased), with intent and design to defraud the said James Kinnear, and the other creditors of the said Daniel Lyman, if any there be, or their just debts, or else remain concealed within the same 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 Daniel Lyman 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 Daniel Lyman within this Province, will be sold for the payment and satisfaction of the creditors of the said Daniel Lyman. Dated at Sackville in the County of Westmorland, the nineteenth day of September, in the year of our Lord, one thousand eight hundred and thirty nine.

W. BOTSFORD.

[First Published, 9th October, 1839.]

By the Honorable James Carter, Esquire, one of the Justices of the Supreme Court of Judicature for the Province of New Brunswick.

To all to whom these presents shall come, Greeting:
NOTICE is hereby given, that upon the application of Henry Jackson 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 this Province, of Edward N. Kendall and William P. Kay, late of Fredericton, Surviving Partners of the firm of Bonithwaiter, Kay and Company, in the County of York, and Province aforesaid, (which said Edward N. Kendall and William P. Kay have departed from this Province, and have not nor hath either of them resided within the Province for the term of six months now last past), to be seized and attached, and that unless the said Edward N. Kendall and William P. Kay do return and discharge their debt or debts within three months from the publication hereof, all the estate as well real as personal of the said Edward N. Kendall and William P. Kay, within this Province, will be sold for the payment and satisfaction of the creditors of the said Edward N. Kendall and William P. Kay. Dated this twelfth day of November, in the

year of our Lord one thousand eight hundred and thirty nine.

J. CARTER, J. S. C.

BERTON and DIBBLEE,
Attorneys for petitioning creditor.

[First Published, November 13, 1839.]

To all to whom it may concern:—
NOTICE is hereby given, That we the Subscribers, have been duly appointed Trustees for all the Creditors of Jeremiah Murphy, late of Grand Manan, in the County of Charlotte, an absconding Debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the direction of the Acts of Assembly in that case made and provided, and we do hereby require all persons indebted to the said Jeremiah Murphy, on or before the fifth day of January next, causing 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 Jeremiah Murphy, and to deliver all other effects of the said Jeremiah Murphy, which they, or any one 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 Jeremiah Murphy, on or before the same day of January next, to deliver to us, or some one of us as aforesaid, their respective accounts and demands against the said Jeremiah Murphy, in order that right and justice may be done, agreeably to the form of the said Act of Assembly in such case made and provided. Given under our Hands and Seals, at Grand Manan, in the County of Charlotte, the tenth day of October, 1839.

THOMAS REDMOND,
JOHN ELDRIDGE.

In the matter of William Robinson, absconding Debtor.

NOTICE is hereby given, that a general meeting of all the Creditors of the above named WILLIAM ROBINSON, is requested on Tuesday the 3rd day of December next, at Hamilton'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 the demands against the said William Robinson, by proof, attestation or otherwise, to the satisfaction of the Trustees, at which time also a Dividend will be made.

RUCHAR HUTCHINSON,
ALEX. FORSTER,
FRANCIS HUNTER, } Trustees.
Miramichi, October 1, 1839.

SHERIFF SALES.

County of York.

To be Sold on the fourth Wednesday in April next, at the Market House in Fredericton, between the hours of 12 and 5 o'clock in the afternoon:—

ALL the right, title, interest, claim and demand of John B. Wheeler, in and to that certain piece or parcel of Land situate, lying and being in the Parish of Kingsclear, known as Lot No. 24, first tier, granted to Nathan Frink.

W. MILLER, Sheriff.

Fredericton, 5th November, 1839.

To be sold on the 1st Wednesday in April next, at the Market House, in Fredericton, between the hours of 12 and 5 o'clock in the afternoon:—

ALL the right and title of Christopher Haunson, being Lot No. 3, situate in the Parish of Queensborough, on the Western side of the Madamess Keswick, containing 200 acres: The same having been taken under and by virtue of an Execution issued out of the Supreme Court at the suit of Samuel A. Akerley.

E. W. MILLER, SHERIFF.

Fredericton, October 1, 1839.

To be sold on the twenty eighth day of February next, at the Sheriff's Office in Fredericton, between the hours of twelve and five o'clock in the afternoon:—

ALL the right and title of Amariah Nash, in and to a piece of Land, Mill Privilege and Saw Mill, situate at the mouth of Garden's Creek near the River, Saint John: Also a lot of Land and Mill, on the said stream, in rear B. Courses, about three miles from the River Saint John: The above property having been taken by virtue of an Execution issued out of the Supreme Court. E. W. MILLER, SHERIFF.

Fredericton, August 21, 1839.

To be sold on the second Saturday in January next, at the Market House, in Fredericton, between the hours of twelve and five o'clock, the following lots of Land, viz:—

A LOT of Land belonging to James Sutherland, known as lot No. 21, in Kingsclear, containing about 45 acres, granted to George Sproule; also a lot of land on a small Island, situate in the River Saint John at the lower end of Sugar Island, known as lot No. 37, and part of lot No. 36, containing about five acres, situate at the lower end of Savage Island, granted to George Sproule in the grant to John Day and others. The same being taken by virtue of an Execution issued out of the Supreme Court, against the said James Sutherland.

E. W. MILLER, SHERIFF.

Fredericton, 2d July, 1839.

The above Sale is postponed until the 30th April next.

E. W. MILLER, Sheriff.

Fredericton, October 30, 1839.

County of Westmorland

To be sold by Public Auction, on the fifteenth day of February next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:—

ALL the real Estate of Patrick Ritchey, situate 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, 8th August, 1839.

To be sold at Public Auction, on the tenth day of January next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:—

THE real Estate of William Read, of Sackville, in the Parish of Moncton: The same having been seized by virtue of an Execution at the suit of Rufus Smith, Esquire. W. P. SAYRE, SHERIFF.

Dorchester, 6th June, 1839.

To be sold by Public Auction at the Court House in Dorchester, on the tenth day of April next, between the hours of twelve and five o'clock in the afternoon:—
THE real Estate of Courtney Kinnear, whosoever situated in the County. The same having been seized by virtue of several Executions.

Also at the same time and place,

The right, title, estate and interest of John Boyd, of, in and to a lot or parcel of land, situate in the Parish of Dorchester, on the Shediac Road, and known as lot number nine, in the Grant to John Hians, containing one hundred acres, more or less: Taken by virtue of an Execution at the suit of George Gibson.

Also at the same time and place,

The real Estate of Alexander Brown, Jesse Mill and David Mills, situate in the Parish of Moncton or elsewhere in this County: Seized and taken by virtue of an Execution at the suit of Henry Blaklee.

W. P. SAYRE, SHERIFF.

Dorchester, Co. Westmorland, 3d October, 1839.

Queen's County.

To be sold at Public Auction on the first Saturday in January next, between the hours of twelve and five o'clock in the afternoon, at the house of Samuel Mayes, Innkeeper, in Gagetown:—

ALL the right, title and interest of the President and Directors of the New Brunswick Mining Company, in and to a certain lot or tract of land situate, lying and being on the south side of Coal Creek, in the Parish of Waterborough, in Queen's County, containing three hundred acres, more or less, known as lot No. 1, granted by the Crown to the President and Directors of the said Company: The same having been seized and taken, in and by virtue of several Executions issued out of the Supreme Court. Dated at Gagetown, the 18th day of June, 1839.

N. H. DEVEBER, Sheriff of Queen's.

County of Kent.

On the 4th day of January next, will be sold between the hours of twelve and five o'clock, p. m., at the Court House, Richibucto, County of Kent:—

ALL the right, title, interest, property, claim and demand of and to that certain lot of Land situate, lying and being on the south side of the Cogage River, bounded on the west by lot number thirty, originally granted to Belonnie Grogan, and on the east by land granted to Joseph Grogan, the same being all that lot of land, by one Placide Grogan sold and conveyed to the said Hezekiah Seemans and Louther Seemans, containing three hundred acres, more or less, seized by me under and by virtue of an Execution at the suit of John A. Akerley.

LEBARON DUBRY, High Sheriff of Kent.

Sheriff's Office, 19th June, 1839.

County of Gloucester.

To be sold by Public Auction on the third Saturday in February next, between the hours of twelve and five o'clock, p. m., at the Court House in Bathurst:—

ALL the right, title and interest of John Young, Esquire, of, in and to the lands on which he now resides, situate at Pockshaw, in the Parish of New Brandon, containing five hundred acres, more or less, with the Houses, out Houses, Mill, and water privilege pertaining to and appertaining: The same having been taken to satisfy an Execution issued out of the Supreme Court of this Province, at the suit of John A. Street, Esquire, against the said John Young.

ALSO—At the same time and place.

All the right, title, and interest of John Christie, Duncan Grant, William Christie and Charles Grant, of, in and to the following lands, viz: the lot or tract in the Parish of Hantsport, known as lot number six in the grant to Simon Arsenau and fifty one others, bounded in front by the waters to the Bay de Chaleur on the north by Lot number seven granted to the late John Grant, deceased, and containing one hundred and ninety acres more or less: Also all the undivided shares and proportions of the said John Christie, Duncan Grant and Charles Grant, of, in and to all that other tract or parcel of land situate in the Parish aforesaid, bounded in front by the waters of the Bay de Chaleur, on the south by said lot number six, and on the north by Lot number nine granted to the late John B. Chamberland, the same being known as Lots number seven and eight, in the grant thereof to the late John Grant, containing in the whole four hundred acres more or less. These lands being taken in Execution at the suit of John A. Street, Esquire, against the said John Christie, Duncan Grant, William Christie and Charles Grant.

HENRY W. BALDWIN, SHERIFF.

Sheriff's Office, Bathurst August 14, 1839.

County of Restigouche.

To be sold at Public Auction at the County Court House, in Dalhousie, on the second Tuesday in January next, the undermentioned property, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title and interest of Joseph Arce, in and to the following lands and tenements, all that certain lot, piece and parcel of Land situate, lying, and being in the Parish of Addington, in the County aforesaid, called and known as parcel the lot granted to John Perry, bounded on the south by land granted to Paschal Charlebourg, and on the north by land owned by the late Perry Dumaresq, Esquire, containing seventy acres, more or less, together with all buildings and improvements, &c. The above property, having been taken by virtue of an execution issued out of the Supreme Court, at the suit of Jean Vibert.

JAMES PAUL, SHERIFF.

Dalhousie, June 15, 1839.

County of Sunbury.

To be sold by public Auction on the first Saturday in April next, between the hours of 12 and 5 o'clock in the afternoon:—

ALL the right and title of George P. Nevins, of, in and to that certain lot or tract of Land situate in the Parish of Euron, on the Nerepis Road, about three miles from the mouth of the Otonago, originally granted to Ebenezer Farshaw, containing three hundred acres, more or less, with all improvements thereon: The same having been taken by virtue of two several Executions issued out of the Supreme Court, at the suits of Messrs. Picard & Colburn, for £29 2s. 9d. and Peter Duff, for £19 11s. 10d.

J. HAZEN, SHERIFF.

Barton, 21st Oct. 1839.

King's County.

On the second Tuesday in February next will be sold at Public Auction at the Inn kept by John E. Stewart in the Parish of Hampton:—

ALL the real estate of Caleb Wetmore, Junior, in King's County, consisting of all his right, title, interest and claim, in and to a certain farm or tract of land, situate in the Parish aforesaid, and known and described as being all that part of Lot No. 3, in the Grant to Caleb Wetmore, and others, lying on the southeast side of the Great Road leading from Henniagar's to the Hammond River Bridge, containing one hundred and thirty acres, more or less, with all the buildings and improvements to the same belonging, taken by virtue of an Execution issued out of the Supreme Court against the said Caleb Wetmore, Junior, at the suit of Samuel Keirstead. Sale to commence at one o'clock, p. m.

ALSO—At the same time and place,

Will be sold at Public Auction, all the real estate of John Mills in said County, consisting of all the right, title, interest, property and claim, in and to that certain farm, tract, piece or parcel of land, situate in the Parish of Upham, in said County, bounded on the west by Lands owned and granted to Isaac Fowler, on the east by Lands owned by the Widow McCree, and lying on the north side of the old Shepody Road, and being known and distinguished as Lots No. 1 and Lot No. 2 containing two hundred acres more or less, the same having been taken by virtue of an Execution issued out of the Supreme Court against the said John Mills at the suit of Andrew Reed.

A. DAVIDSON, SHERIFF.

Sheriff's Office, Kingston, June 27, 1839.

NOTICE.

THE subscriber intending to bring his present business to a close in the ensuing Spring, offers his extensive Stock of SADDLERY, HARNESSES, HARDWARE, Dry Goods, and Groceries, at reduced prices for Cash, until the first day of March next, when those remaining on hand will be disposed of at Public Auction, without reserve.

J. WILLOX.

HE OFFERS FOR SALE:

The HOUSE and Out Houses in Queen Street, opposite the Central Bank, well known as a good stand for business and a very pleasant residence; the COTTAGE newly erected on the corner of Regent and Charlotte Streets, with half an acre of Land, a good Garden, and Well of Water; 25 acres of LAND on the Maryland Road, about one mile from Town, covered with a good growth of Soft Wood; 300 acres of LAND in the Hanwell Settlement, about seven miles from Town, the newly opened road to St. Andrews, passing in front; 100 acres of LAND, being the Eastern half of Lot No. 4, in the fifth tier of Lots in Richmond Settlement, County of Carleton.

All the above Property is unencumbered, and will be sold low for approved payment.

ALSO—10 Shares of the Central Fire Insurance Stock, and 7 Shares of the splendid Steamer NEW BRUNSWICK.

6th November.

DRUGS, MEDICINES, &c

THE Subscriber has lately received his usual supply of DRUGS & MEDICINES.

Also, Mrs. Gardner's INDIAN BAL-SAM of LIVERWORT, Pulmonary Balsam, & Compound BONESET CANDY for the cure of Coughs, Colds, &c. Buffalo Oil, a new and excellent article for promoting the growth of the Hair; Rowland's Macassar Oil and Kalydor, Extract of Gall and Kresote, a quick and effectual cure for the Toothache; Extract of Lemons and Essence of Rose for flavoring Cake, Pies, puddings, &c.; Fresh Prunes, Almonds, Macaroni, Vermicelli, Isinglass, Solid Oil, Pickles and Sauces, White and Brown Windsor Soaps, Shaving Soaps, Guerlain's Ambrosial Cream for Shaving, Badger Hair Shaving Brushes; Hair, Nail and Tooth Brushes; Eau de Cologne, Lavender Water, M. Labarraque's Disinfecting Solution of Chloride of Soda; Macaboy and Scotch Snuffs, &c. &c.

JAMES F. GALE,

Chemist & Druggist.

Queen Street, Fredericton, Nov. 2.

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 this period have settled all their losses, without compelling the insured, in any instance, to resort to 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, Jun., 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.