

# THE ROYAL GAZETTE.

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Volume 6.

FREDERICTON, NEW BRUNSWICK, JANUARY 15, 1840.

Number 26



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 the GENERAL ASSEMBLY of this Province stands prorogued to the third Tuesday in December instant; I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to Tuesday the twenty eighth day of January next, then to meet at Fredericton for the dispatch of business.

Given under my Hand and Seal at Fredericton, the fifth day of December, 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.

IN COUNCIL, January 6th, 1840.

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 before the 8th day of March next, and five shillings additional will be charged on each purchase, for postage, &c.

## RESTIGOUCHE.

John Roberts, 3s. per acre, down.  
Mary O'Brien, do. do.  
W. McGregor, 2s. 6d. do.

## NORTHUMBERLAND.

Thomas Reilly, 3s. per acre, down.  
John Wright, Jun. may have 100 acres at 3s. per acre, down, or the 120 acres at Auction. Upset price, 3s. per acre.

William Corry, 3s. per acre, down.

## WESTMORLAND.

Adam Scott, 3s. per acre, down.  
Edward Keating, 3s. per acre, down.  
Samuel Davis, do. do.  
E. Steves, Jun. do. do.

## SAINT JOHN.

John Campbell, 3s. per acre, down.  
William Scott, do. do.  
John Walker, do. do.  
J. Patterson, do. do.  
Thos. Lendsay, do. do.  
Robert Reid, do. do.  
M. Downing, do. do.

## KING'S.

A. A. Gibbs, 3s. per acre, down.

## QUEEN'S.

Neil Stewart, 3s. per acre, down.  
Ephraim Betts, do. do.  
V. W. Wiggins, do. do.  
A. Camp, Jun. do. do.  
B. Barlock, do. do.  
E. Scribner, do. do.

## YORK.

John Magher, 3s. per acre, down.

The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 2d day of March next, (see advertisement.)

Robert Ferguson.  
James Currie.  
Chas. Lepoint, Jr.  
Louis Aché.  
D. Morrison.  
Alexander Cormack.  
Helene White.  
James Campbell.  
John McQuin.  
M. Wortman.  
J. D. Worden.  
W. S. Smith.

The Petitions of the undermentioned persons are referred for want of survey.

James McNair. James Power.  
John Currie. Patrick Power.  
Chas. Lepoint, Jr. John Dickson.  
Louis Aché. John Woods.  
D. Morrison. W. Dickens, Jun.  
Alexander Cormack. Archibald Simpson.  
Helene White. Samuel Davis.  
James Campbell. John Allward, Sen.  
John McQuin. George Bleakney.  
M. Wortman. Andrew Cripps.  
J. D. Worden. Charles Johnston.  
W. S. Smith. Michael Shey.

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

Charles Harison, not complied with.  
William Cromwell, do. do.  
Timothy Butler, complied with.  
Thomas Tackney, do. do.  
Francis Ferguson, do. do.  
Augustine Maillet, do. do.

Thomas Cloney, recommended that he furnish

a copy of the papers submitted to Reuben Brockway.

Robert McIntosh, complied with, the amount to be paid.

George Wilson. A grant of the land prayed for by him has already passed.

James Simpson. The sale of the lot applied for by him to be postponed until the Public Sale in March next.

James Stickney. Cannot be entertained, as it relates to the Disputed Territory.

Benjamin P. Griffiths. Not complied with, the necessary certificate not having been furnished.

John McLean. Complied with, on payment of single duty.

The applications of the undermentioned persons, for licence to cut Timber and Logs on Crown Lands are complied with on payment of the duty before the 8th day of March next.

Peter Gallier, River Saint John.  
F. Ferguson, Belle Dune River.  
H. Harrison, Little Presquile River.  
Arthur Ritchie, Upsalquitch River.  
do. Restigouche River.  
R. R. Dunlop, Washademoac River.  
J. Hansalpecker, Jun. Salmon River.  
Robert Keith, New Canaan River.  
Amos Dickinson, Becaguinec River.  
W. M. William, County of Kent.  
J. Humphrey, Petitcodiac River.  
A. Crawford, Nerepis River.  
S. Tapley, River Saint John.  
J. McKinley, S. W. Miramichi River.  
J. Shaddock, N. W. Miramichi River.  
B. D. Smith, Eel River.  
R. Colpitts, Pollett River.  
J. R. Cliff, Nackewicac River.  
John Stults, Petitcodiac River.  
John Balloch, River Saint John.  
R. Luckey, Coal Creek.  
G. McLean, New Canaan River.

The answers to the Petitions of the undermentioned persons are complied with, on payment of all arrears due by them.

Daniel Small, Cains' River.  
Reuben Brockway, Trout Brook.  
John Montgomery, River Clarloe.  
Moses Coburn, Richibucto River.  
Hiram Briggs, Washademoac Lake.  
J. Montgomery, Benjamin River.  
Charles Perley, Eel River.

The Timber Berths applied for by James E. Perley and Guy Jonett, will be offered for competition between these Applicants only, at this office on Monday the 2d day of March next.

The Timber Berth applied for by James Craig and Nathaniel Hilton, on Taxes River, will also be offered for competition between these Applicants only, at this office on Monday the 2d day of March next.

Crown Land Office, January 7, 1840.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction, at this office, on Monday the 2d day of March 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.

200 acres, Restigouche, west side of the River Upsalquitch, as surveyed for Robert Ferguson. Upset price, 3s. per acre.  
60 acres, Northumberland, North Branch Little Bartibog River, as surveyed for James Currie. Upset price, 3s. per acre.

100 acres, Northumberland, in rear of William Ritchie, second tier north of Miramichi River. Upset price, 3s. per acre.

100 acres, Westmorland, Botsford, west of land purchased by Thomas Blacklock. Upset price, 3s. per acre.

100 acres, Westmorland, north west side of New Road from Square Lake to Sackville. Upset price, 3s. per acre.

100 acres, King's, between D. Campbell and M. Purcell, Norton. Upset price, 3s. per acre.  
100 acres, Queen's, east half of lot No. 13, and west half of No. 12, second tier, McDonald's survey at Wiggins' Cove, Grand Lake. Upset price, 3s. per acre.

50 acres, Carleton, half of lot No. 2, 4th tier, Williamston Settlement. Upset price, 3s. per acre, down.

THOMAS BAILLIE,  
Commissioner of Crown Lands.  
Crown Land Office, 7th January 1840.

The undermentioned Tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday the 3d day of February 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.

100 acres, Northumberland, lot No. 73, north side S. W. Miramichi River. Upset price, 3s. per acre.

100 acres, Northumberland, lower half of No. 25, north side Renous River. Upset price, 3s. per acre.

100 acres, Kings, south west quarter of the lot formerly surveyed for John Perry, Corn Hill Settlement. Upset price, 3s. per acre.

100 acres, (in two tracts,) King's, being

part of the lot formerly surveyed for John Abraham, south of Trout Creek, Sussex. Upset price, 3s. per acre.

650 acres, Carleton, upper Andover lots 158 and 159, between M. Ferrin and W. Whitehead, lots 154, 153, 152, and the upper half of 151, south of the grant to J. D. Jonett. Upset price, 3s. per acre.

100 acres, Gloucester, lot No. 13, south side Tatigouche River. Upset price, 3s. per acre.

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

The following Warrants are payable on demand at the Province Treasury.

No.		
21.	Thos. Howe, Esq.	£582 9 3
22.	Major L. A. Wilmot,	299 0 9
23.	Patrick Clinch,	150 0 0
24.	Lt. Col. Allen,	867 12 0
25.	James Taylor, Esq.	261 15 0
26.	do. do.	519 13 4
27.	do. do.	1250 0 0
28.	Honble. W. F. Odell,	15 16 0
29.	John Macdonald,	20 0 0
30.	James Whitehead,	20 0 0
31.	James Gilchrist,	10 0 0
32.	Ruth Baird,	10 0 0
33.	W. T. Peters, Esq.	567 1 0
34.	Chas. P. Wetmore, Esq.	1709 3 2
35.	do. do.	250 0 0
36.	Thos. Smith,	25 0 0
37.	Lt. Col. Robinson,	15 2 5
38.	Capt. J. S. Shore,	33 15 6
39.	Honble. A. E. Botsford,	14 15 0
40.	James Brown, Jr.	10 0 0
41.	Patrick Van,	10 0 0
42.	Robert Foulis,	50 0 0
43.	James Brown, Jr.	52 12 6
44.	George F. S. Berton, Esq.	250 0 0
45.	W. Tyng Peters, Esq.	100 0 0
46.	George F. S. Berton, Esq.	100 0 0
47.	David McAlmon,	93 2 4
48.	President and Directors of Central Bank,	100 0 0
49.	Board of Health, St. John,	327 10 6
50.	Thomas Ferguson,	10 0 0

B. ROBINSON, Province Treasurer.  
Treasury, Saint John, 2d January, 1840.

## A BILL

For erecting a part of the Parish or Township of Sussex, in King's County, into a separate and distinct Parish or Township.

WHEREAS the Parish or Township of Sussex is so extensive as to render it inconvenient and burthensome to perform the several Parochial duties required by law, and it is expedient a separate Parish should be erected therein, and that a certain part of the Parish of Sussex should be erected into a distinct Parish;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parish of Sussex, in the said County of King's, which lies on the north side of the centre of the River Kennebec, beginning at the line between Norton and Sussex, in the centre of said River, and following the centre of said River upwards until it strikes the southerly angle of Lot No. Twenty Five on the north side of the Kennebec or Salmon River, granted to Jacob Snider, thence running along the upper or easterly line of said grant, north to the rear of said Lot, thence north sixty six degrees east, till it intersects the County line dividing Westmorland from King's, thence along said line northerly to the intersection of the south line of Queen's County, thence following the course of that line to the dividing line between the Parishes of Springfield and Sussex, thence southerly on said line to the place of beginning, be, and the same is hereby erected into a separate and distinct Parish, to be called, known and distinguished by the name of—, any Law, usage or custom, to the contrary thereof in anywise notwithstanding.

II. And be it further enacted, That this Act shall commence and go into operation on the first day of March, which will be in the year of our Lord—.

III. And the Justices of the Peace for the said County shall at the first General Sessions of the Peace in the said year to be holden, and thereafter in like manner as for other Parishes in the said County, appoint Parish Officers for the said Parish of—, who shall be subject to the same laws and regulations, and liable to the same penalties in all respects as Parish officers in other Parishes are or may be subject or liable to.

IV. Provided always and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the recovery of any Parish or other dues assessment, taxes, penalties, fines, or monies whatsoever, which may be due, incurred, forfeited or unpaid, when this Act shall go into operation, but the same shall and may be paid and recovered in like manner, as if the Act had not been made.

## WANTED,

QUIET LODGINGS for a single Gentleman, apply at this Office.  
Dec. 31, 1839.

NEW BRUNSWICK, IN CHANCERY.  
Wednesday the fourth day of December, in the year of our Lord, one thousand eight hundred and thirty nine.

Between Thomas Wyer, Complainant, and Jonathan Wallace, Jones Sha, Robert W. Crookshank, William Walker, Richard Milton Andrews and John Wilson, Defendants.

FORASMUCH as this Court was this present day informed by Mr. G. Botsford, of Counsel for the Plaintiff, that the Plaintiff had filed his bill in this Honorable Court against the Defendants, on the thirtieth day of May last past, as by the certificate of the Registrar appears; and had sued out process of Subpoena, to compel them to appear and answer the same, but that Jones Shaw, one of the said Defendants, does not reside within the Province, but has a known place of residence at North Port, in the County of Waldo, in the State of Maine, one of the United States of America, as by the affidavit of William Jack appears; And the said certificate and affidavit being read to the satisfaction of this Court, It is Ordered, That the said Defendant Jones Shaw do appear to the Plaintiff's Bill on or before the fourth day of May next, and it is further Ordered, That this Order be published in the Royal Gazette for the space of three months.

By the Court, D. LUDLOW ROBINSON, Registrar.  
[First Published, December 11, 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 departed from and design to defraud the said Henry Jackson and others creditors of the said Michael Breen, 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 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.]

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

To all whom it may concern, Greeting: NOTICE is hereby given, that upon application to me made by John Maxwell, 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 the Province of New Brunswick, of Benjamin F. Waite, late of Milltown, in the Parish of Saint Stephen, in the County aforesaid, Merchant, (which said Benjamin F. Waite is departed from and without the limits of this Province, with intent to defraud the said John Maxwell, and other Creditors of the said Benjamin F. Waite, if any such 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 Benjamin F. Waite 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 Benjamin F. Waite, within the said County of Charlotte, will be sold for payment and satisfaction of the Creditors of the said Benjamin F. Waite.

Dated at Saint Andrews, this twenty second day of November, A. D. 1839.  
THOS. WYER, J. C. P.  
G. J. Thomson, Attorney for Petitioning Creditor.  
[First Published, December 11, 1839.]

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 aforesaid, Yeoman, (which said John Towse is departed from without the limits of this Province, with intent and design to defraud the said Christopher Milner, and the other creditors of the said John Towse, if any their be, of their just dues, or else remains concealed within the same 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 John Towse 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 John Towse within this Province, will be sold for the payment and the satisfaction of the creditors of the said John Towse. Dated at Dorchester, in the County aforesaid, the twentieth day of November, A. D. 1839.

W. WILSON, J. C. P.  
Christopher Milner, Petitioning Creditor.  
[First Published, November 27, 1839.]

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.

RICHARD HUTCHINSON, } Trustees.  
ALEX. FOSTER, }  
FRANCIS HUNTER, }  
Miramichi, October 1, 1839.

The above meeting is postponed until Friday the 20th day of March next.

Miramichi, Dec. 6, 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 Braithwaite, 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 six months after 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 the 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, ensuring the date hereof, to pay to us, or some one of us, all such sums or moneys 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 or either 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.

## NOTICE.

ALL Persons having any just demand against the Estate of ADAM WYSE, Lak George, in the Parish of Prince William County of York, deceased, are hereby requested to present the same, duly attested, and all those indebted to the said estate are required to make immediate payment to the Subscribers.  
CHLOE WYSE, Administratrix.  
SIMON P. WYSE, Administrator.  
Fredericton, 30th Dec. 1839.—3w

IN THE PRESS,  
And will shortly be Published,

THE  
"CANADIAN BROTHERS,"

OR  
THE PROPHECY FULFILLED,  
An Historical Tale of the War of 1812,

BY  
Major RICHARDSON,

The Author of "WACOSTA," and other popular Works.

Subscription lists are left at the Fredericton Reading Room, and at the Royal Gaz. Office.  
27th November, 1839.

## NOTICE.

IF this should meet the eyes of SETH GRISWOLD and JOHN GRISWOLD, sons of JOHN GRISWOLD, late of Litchfield, in the State of Connecticut, and Grand Nephews of SETH GRISWOLD of Queensbury, in the County of York and Province of New Brunswick, deceased, and if they will come to this Province of New Brunswick, and apply to DAVID M. ROBERTS, IRA INGRAM or LEWIS HUESTIS, of the said Parish of Queensbury, Executors of the last Will and Testament of the said SETH GRISWOLD, deceased, they will hear of something to their advantage.

Queensbury, 29th Oct. 1839.  
The Editors of the New York Allion or Emigrant, Montreal and Quebec Gazettes, are requested to give the above three insertions in their respective papers, and forward their accounts to this Office for payment.

## CONSIGNMENT.

THE Subscriber has received by the last Steamers and has on hand a variety of articles consisting of Gunpowder, Souchoing, Congo, and Bohea TEAS; an excellent assortment for family use or Retailers.

Also, Very superior WINES, Bottled in Cases, Golden Sherry, best L. P. Madeira, old Chret, old Port, Lisbon, and Sicily WINES, fine flavored high proof Jamaica SPIRITS, BRANDY, WHISKEY, Double Brown Stout and Porter, Best London Sperm Candles, No. 1 Glibbed HERRINGS, Rose Blankets, Kags Fig Tobacco, with a great variety of other articles.

MARK NEEDHAM,  
Fredericton, 2d Dec., 1839.