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Volume 6.

FREDERICTON, NEW BRUNSWICK, MARCH 25, 1840.

Number 35



PROVINCIAL APPOINTMENTS. John Hazen, Esquire, to be Sheriff of the

County of Sunbury. Henry Jones, to be a Coroner in the County of York.

Samuel Fry, and David W. Jack, Esquires, to be Members of the Board of Education in Charlotte County.

James H. Street and William Babcock, Esquires, to be Members of the Board of Health at Saint Andrews.

> HEAD QUARTERS, FREDERICTON, 17th March, 1840. MILITIA GENERAL ORDERS.

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

New Brunswick Regiment of Artillery. 2d Lieutenant John C. Allen, to be Adjutant, with the rank of Lieutenant, vice E. Pick, de-

The christian name of the Gentleman appointed to the Artillery Company, stationed at Woodstock, in the Gazette of the 9th December last, is Walter D. and not Walter J. Bedell.

1st Battalion Carleton Militia. Ensign William Shaw, to be Lieutenant, vice Dickinson, deceased.

TO BE ENSIGNS. Elisha Shaw, Gent. vice William Shaw, promoted, dated 17th March.

Allen Estabrooks, Gent. 18th March. James Lockwood, Gent. 19th do. John S. Macbeth, Gent. to be Quartermaster of the Troop of Cavalry, attached to 1st Battalion Carleton.

1st Battalion Charlotte. Captain James Boyd, to be second Major. James Rait, Gent. to be Quartermaster, with the rank of Lieutenant, vice Jack, resigned.

The resignation of the following Officers have been accepted, and who are permitted to retire with their respective Rank in the Militia.

Captain Ralph Carter, 2 2d Battalion Lieut. William Carter, Westmorland. Also, Ensign Morris Wootten, St. John County Militia.

By Command, GEO. SHORE, A. G. M. IN COUNCIL, March 3, 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 11th day of May, charged on each purchase, for postage, &c. RESTIGOUCHE.

Gavin K. Crooks, 3s. per acre, down. Michael Turney, 2s. 6d. per acre down, or 3s. by instalments.

GLOUCESTER. Joseph LeClare, 3s. per acre, down. NORTHUMBERLAND.

Henry Crawford, 3s. per acre, down. Michael Kehoe, do. KENT.

Joseph Martin, 3s. per acre, down. WESTMORLAND.

John Allward, Sen. 2s. 6d. per acre, down. C. Horsman, 3rd, 3s. per acre, down. M. Wortman, do. do. Charles Lean, do. do. Robert Butler, 2. 6d. per acre, down. Robert Butler, Jr. do. do. on his paying Thomas Crowe, a reasonable sum

for the house. Alexander M'Kay, Jr. 3s. per acre, down. Edward Berry, 2s. 6d. per acre, down. James M'Farlane, 3s. per acre, down.

SAINT	JOHN.	
Anthony M'Geoach,	3s. per acr	e, down.
Timothy M'Carthy,	do.	do.
Dennis M'Carthy,	do.	do.
Robert Moore,	do.	do.
William Moore,	do.	do.
Robert Moore, Jr.	do.	do.
Thomas Llyod,	do.	do.
James Llyod,	do.	do.
KIN	g's.	

James M'Inespy, 3s. per acre, down. Malcolm Campbell, do. John Mills, do. do. John Coy, do. do. James Caruth, 2s. 6d. per acre, down. William Marr, do.

QUEEN'S. Peter Gray, 3s. per acre, down. John Ward, Thomas Ward, do. do. William Peppers, do.

SUNBURY. Edward Burpe, 2s. 6d. per acre, down.

Isaac Graham, 3s. per acre, down. John M. Burpe, do. James Monaghan do.

The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 4th day of May General. next, (see advertisement.)

Robert Ferguson, Lewis Ache, Archibald Simpson, Samuel Davis. John M'Kay, George Bleakney, Daniel Lean, William Lean, Andrew Alcorn, Benjamin Allen, Levi Vinson, Robert White, Robert Graham, Hugh Montgomery.

The Petitions of the undermentioned persons

are referred for want of survey. John T. L. Dickens, W. Hamilton, Jr. Felix Murray, Caleb M.Gully, Robert M'Intosh, James Lamb, Julian Maillett, John Humphrey, Amie Duggie, J. Crandall Jr. Luke Walsh, William Hopper, Zavier Daigle, Leord. Bartlett, Sen. Barney Gilligan, A. M'Farlane, Jr. Gregorie Arceneau, John Keith, Jr. Michael Peter, R. W. Stockton, Daniel Foley, Charles Keith, Jr. W. M'Farlane, John Hanner, L. Ache, (30 acres.) Hugh M'Quiston, Ephraim Gay, Israel Grass. Alexander Londoun,

The answers to the Petitions of the undermentioned Persons are as follows. Thomas Crowe, not complied with.

Isaac Turner, do. do. Jacob Trites, 3d. complied with, on Petiioner relinquishing his present grant and paying all expences of a new one. Edward Berry, complied with.

James Berry, not complied with. John Dunlop, may have 100 acres as apied for by him.

having been previously applied for by William acre.

Charles Longhrey, complied with. John Gordon and William Gordon, Jr. recommended with the usual fronts.

Mary O'Brien, may have until the 1st of March, 1841, for the payment of her land. A. Barberie and P. Stewart, complied with. James B. Lyon, do. John Colling, a warrant to issue for the sum of Ten pounds.

Presbyterian Church, St. Patrick, Charlotte, Cannot be entertained.

Hugh Munro, not complied with. Oliver Brine, a grant to pass on payment of such balance as shall appear to be due.

Isaac Turner, complied with. James Kennedy, John Foley to pay James Kennedy, the value of the improvements on the next, and five shillings additional will be lot, to be ascertained by the Surveyor General.

Alexander Steeves, a grant to issue on paynent of forty shillings. Daniel Whelan, the former order in favor of Michael Flood, to be stayed, and the matter referred to the Surveyor General to report.

John Edgett, Jr. Cannot be entertained. A. Gibson, not complied with. Grace Campbell, is allowed a further time of 2 years to pay for her land.

James Brittain, not complied with, the Petitioner owning the land already in his grant. James Scott must apply to the Legislature for relief at the next Session.

W. M'Leod and W. Saunders, complied with.

W. Mahood, not complied with. Thomas E. Perley, referred to the Legisla-

Charles Connell, to stand over for the report of the House of Assembly on arrears for excess of timber.

A. M'Laggan, complied with. R. R. Ketchum, to be allowed for 230 acres overpaid in the year ending 1st of May, 1839. but not to be allowed for the ten per cent. G. & J. Munro, may have licence until the

1st of May, 1840. J. M. Connell, complied with on paying up all arrears to the 24th of June, 1839 William Connell, not complied with. Francis M'Donald, complied with. Alexander Hamilton, complied with.

Nathaniel M'Nair, Junr. complied with, on

payment of double duty. Messrs. Scoullar and Partelow, complied of C. Johnston and others for land. T. W. Underhill, not complied with.

Enoch Lunt, complied with. John Wilson, not complied with.

the Seizing Officer his dues. G. M'Neal, complied with. D. M'Kay, not complied with. Ninian Lindsay, complied with, on paying

arrears against him be referred to the Surveyor 3s. per acre. General to investigate and report thereon.

The Petitions of the undermentioned are referred for further information from the Surveyor

Thomas Griffis, James Byrns, Tobique Mill Company, David Wark, Thomas Falle, William Smith, H. M'Cafferty, John Hamilton, Thomas Cripps,

The Petitions of the undermentioned persons, for licence to cut Timber and Logs on Crown Lands are complied with, on payment of the duty before the 11th day of May next.

Soloman Hoar, Prices Brook. L. R. Coombs, Grand River. Arthur Ritchie, Upsalquitch River. J. Montgomery, Pollett River. W. M'Master, Barnaby's River, James Taylor, Prince William. R. Ketchum, Williamston. Francis Ferguson, Upsalquitch River. J. W. Underhill, Sabbies' River. John M'Lean, Nashwaak River. T. F. Trueman, Moncton. Allan K. Ash, River St. Croix. John Fish, Piskehagan River. John Smith, North River, James Taylor, Tobique River. Charles Perley, Eel River. Charles Connell, Carleton. Crown Land Office, 7th March, 1840.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction, at this Office on Monday, the 4th 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.

204 acres, Restigouche, in rear of Samuel Lee's grant, at Old Church Point, and a small Island containing 4 acres, near Smith's Island, OTICE is hereby given, That upon the Thomas Gilbert, not complied with, the lot in the River Restigouche. Upset price, 3s. per

164 acres, Gloucester, south side Tattagouche River, at Patrick's Landing. Upset price, 3s. per acre.

150 acres. Westmorland, east side of Square Lake, adjoining the grant to J. M'Dougal. Upset price, 3s. per acre.

100 acres, Westmorland, adjoining lands granted to John Reilly, Shemogue Road, Parish of Botsford. Upset price, 3s. per acre. 100 acres, Westmorland, adjoining Alexander M'Kay's grant, Parish of Botsford. Up-

set price, 3s. per acre. 200 acres, Westmorland; between J. Wort. man and George Foster, Annagance River. Upset price, 3s. per acre.

150 acres, Westmorland, west of land applied for by William Lean, near Cape Tormentine. Upset price, 3s. per acre.

100 acres, Westmorland, north of land applied for by Charles Lean, near Cape Tormentine. Upset price, 3s. per acre.

140 acres, Westmorland, in rear of Thomas Brewster and others near Cape Enrage, Harvey. Upset price, 3s. per acre. 100 acres, Westmorland, in rear of Robert

Upset price, 3s. per acre.

100 acres, King's, near the grant to Judge Chipman, Campbell Settlement, Sussex. Upset price, 3s. per acre.

Upset price, 3s. per acre.

220 acres, Queen's, lot No. 5, M'Donald's Survey, Young's Creek, Grand Lake. Town Lot, No. 38, in the Town Plat of

Dalhousie, Restigouche. Upset price, £15. Road from Newcastle to Chaplain's Island, as hundred and forty.

ROBERT F. HAZEN, MAYOR, &c.

ROBERT F. HAZEN, MAYOR, &c. 3s. per acre.

240 acres, Northumberland, lot No. 1, south side Bartholomew's River, adjoining the grant to William Thomson. Upset price, 3s. per

JOHN S. SAUNDERS. Surveyor General. Crown Land Office, March 7, 1840.

The undermentioned Tracts of vacant Crown Land will be offered at Public Auction, at this Office, on Monday the 6th day of April next. Sale to commence at 12 o'clock, noon.

within 14 days after.

price, 3s. per acre. 200 acres, Northumberland, Lot B. South thirty nine. side of the new Road upon the North River, BERTON and DIBBLEE. to New Canan. Upset price, 3s. per acre. 100 acres, Charlotte, North of Smith's base!

Charles Perley, recommended that the Li-line on the Road from Oak Bay to Woodsiock cences to Mr. Perley issue, and the account of as surveyed for Robert White. Upset price,

set price, 3s. per acre. 200 acres, King's, Lots Nos. 12 and 13 fourth tier, Norton. Upset price, 3s. per acre.

tier, Norton. Upset price, 3s. per acre.
JOHN S. SAUNDERS,

Surveyor General. Crown Land Office, 8th February, 1840.

NEW BRUNSWICK IN CHANCERY. Tuesday the third day of March, in the year of ou Lord one thousand eight hundred and forty. Between James Rait, Complainant, and Henry Seelye and Randal Whiddon, Defendants.

ORASMUCH as this Court was this present day informed by Mr. G. Botsford, being of the Plaintiff's Counsel, that the Plaintiff had exhibited his bill in this Honorable Court against the Defendants on the nineteenth day of March last, as by the Certificate of the Registrar appears, and had sued out process of Subpœna requiring the Defendants to appear to answer the same, but that Defendant Randal Whiddor now resides, and for more than three years last past hath resided out of the jurisdiction of this Honorable Court, to wit, at Calais, in the State of Maine, one of the United States of America, as by Affidavit appears, and the said Certificate and Affidavit being read, it is ordered that the said Defendant Randal Whiddon do appear to the Plaintiff's Bill on or before the twenty eight day of July next: And further Ordered, That this Order be published in the Royal Gazette for the space of three months.

By the Court.

D. LUDLOW ROBINSON, REGR.

[First Published, March 11, 1840.]

IN CHANCERY, HILARY TERM, 3D VICTORIA. THE following days are appointed by His Honor the Master of the Rolls, for the Sitting of the Court, during the ensuing Vacation, viz:

Saturday, the 15th February, instant.

The first Tuesday in March.

The first Tuesday in April. And the first Tuesday in May.

By the Court,

D. LUDLOW ROBINSON, Register.

By the Honorable William Botsford, one of the Justices of Her Majesty's Supreme Court of Judica-ture for the Province of New Brunswich. To all whom it may Concern, Greeting:

tion of John Kinnear and Harrison G. Kinnear, to me duly made according to the form of the Act of Assembly in such case lately made and provided, I have directed all the Estate as well real as personal within the Province of New Brunswick, of George Hartt, late of Fredericton, in the County of York, Merchant, (which same George Hartt is departed from without the limits of this Province, with intent and design to defraud the said John Kinnear and Harrison G. Kinnear, and the other Creditors of the said George Hartt,) 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 George Hartt 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 George Hartt, within this Province, will be sold for the payment and satisfaction of the Creditors of the said George Hartt. Dated at Saint John, the twenty eighth day of Jandary, in the year of our Lord One thousand eight WM. BOTSFORD. hundred and forty. [First Published, February 5, 1840.]

By Robert F. Hazen, Esquire, Mayor of the City of Saint John, and one of the Justices of the Inferior Court of Common Pleas in and for the said City and County of Saint John.
To all whom it may concern, Greeting,—
OTICE is hereby given, That upon the application of Mark Dole, of the said City, gentleman,

to me duly made according to the form of the Act of Assembly in such case made and provided, I have 100 acres, Westmorland, in rear of Robert directed all the Estate, as well real as personal, within Seaman and east of R. T. Allen, Botsford. this Province, of Cyrus Stockwell, late of the said City, Hotel Keeper, (which said Cyrus Stockwell is departed from and without the limits of this Prevince, with intent and design to defraud the said Mark Dole, and the other Creditors of the said Cyrus Stockwell, it any there be, of their just dues, or else to avoid being 50 acres, King's, North end of lot No. 6, arrested by the ordinary process of the Law as it is alledged against him,) to be seized and attached, and that unless the said Corne Stockwell de return and that unless the said Corne Stockwell de return and that unless the said Cyrus Stockwell 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 Cyrus Stockwell within this Province, will be sold for the payment and satisfaction of the creditors of the said Cyrus Stockwell. - Dated at the City of Saint John, the fourth day of February, in the year of our Lord one thousand eight

M. H. Perley, Attorney for Petitioning Creditor, [First Published, February 12, 1840.]

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:

OTICE is hereby given, that upon the applica-tion of Henry Jackson to me duly made ac-cording 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 Edward N. Kendall and William P. Kay, late of Fre-And will be offered at Public Auction, at this Diffice, on Monday the 6th day of April next. ale to commence at 12 o'clock, noon.

Terms—10 per cent of the purchase money this Province, and have not not hath either of them the purchase money this Province, and have not not hath either of them the purchase money this Province, and have not not hath either of them the purchase money the purch months now last past.) to be seized and attached, and that unless the said Edward N. Kendall and William 100 acres, Restigouche, rear part of Lot No. | that unless the said Edward N. Kendan and Thinks 100 acres, Restigouche, rear part of Lot No. | P. Kay do return and discharge their debt or debts 14, near Black Point. Upset price, 3s. per within six months after the publication hereof, all the Messrs. M'Pherson & Coy, not complied acre, the purchaser to pay for the improvements. estate as well real as personal of the said Edward N 100 acres, Northumberland, second tier Kendall and William P. Kay within the Province, South of the S. W. Miramichi River, in rear o John D. B. Wells, complied with on paying Lots 77 and 78, Parish of Ludlow. Upset P. Kay. Dated this twelfth day of Nevember, in the year of our Lord one thousand eight hundred and

> J. CARTER, J. S. C. Attornies for Petitioning Creditor.
> [First Published, November, 13, 1839.]

ESSENCE OF SMOKE,

ORMERLY manufactured at the Chemical Works, Hampton, by Mr. G. RILEY, 200 acres, King's, Lots Nos. 12 and 13, now by the Subscriber, who prepares it equal to third tier, North of the Shepody Road. Up- its former merits.—Its wonderful Antiseptic properties in the preservation of Meat and Fish, together with the economy, simplicity, and expedition in applying it, have caused it to become 100 acres King's, Lot No. 14, in the 4th an indispensable article in every respectable family in the Province.

Beef, Pork, Mutton, Fish, &c. may be preserved for any length of time by simply washing them over twice with the Essence of SMOKE; then hang them up to dry; if very large, repeat the process three times, allowing 24 hours to elapse between each washing. Shortly after, upon examination, it will be found that the Essence has penetrated through every part of their substance imparting a most delicious

N. B.—Apply the Essence of Smoke to the Meat or Fish, &c. while it is moist, as the liquid does not penetrate so effectually when

the surfaces of those articles are dry. The Curative properties of the Essence of Smoke are not less remarkable than those of its Antiseptic.-It is now extensively used in the cure of the following diseases and accidents, which are incident to Horses and Cattle, viz.: -wounds, brusis, galling or chaffing of the harness, swellings of every kind, sprains, sore backs, broken knees, wind gall, blood spavins, and inflamations of every description.

For the cure of these diseases it is applied warm, rubbing it well with the hand. From a gill to half a pint taken internally cures inflammation of the lungs, stomach, bowels, &c.

Farmers, Proprietors of coaches, carmen and stage drivers would do well to have it constantly on hand in their stables.

Sold in every Town and Village in the Province by respectable Merchants and Traders, at Six Shillings per gallon.

J. ELLIOTT. Hampton, K. C., Nov. 7, 1839. Sold by J. F. Gale, Druggist, Queen Street, Fredericton.—4w.

NOTICE.

A LL Persons having an against the estate of GEORGE F. S. BERTON, Esquire, deceased, are requested to present their accounts within three months from this date, for adjustment; and those indebted to the said estate are requested to make immediate payment.

DELIA BERTON, Executrix. WILLIAM J. BERTON, Administrator. Fredericton, 19th February, 1840.

PNOTICE. HE Powers of Attorney from Mr. P. DUFF to CHAS. INCHES having been revoked, and the Subscriber duly appointed to act in his stead, the business will in future be conducted by him until his brother's return from England.

CHARLES DUFF. Feb. 29, 1840.

CAUTION.

LL Persons are hereby forbid purchasing or using a Note of Hand, drawn by ELI HOSKINS, in favor of, and endorsed by ourselves, dated the 11th October, 1839, at ninety days, for the sum of £150,-Said Note having been discounted at the Bank of British North America, in Fredericton, has been paid, and believed to be lost or mislaid. J. & N. BLAKE.

Nashwaak Mills, Feb. 24, 1840.

FOR SALE,

AND PAYMENTS MADE EASY. Possession given on the 1st of May.

WHAT pleasantly situated two story House in Waterloo Row, occupied by Lt. Col. Robinson, having four good Rooms on the first flat, six Bed Rooms on the second flat, five good Rooms in the Garret, and four Kooms in the Cellar, lathed and plastered.

-ALSO-A good Kitchen and Wood House, a new Barn stalled for four Horses and two Cows, and abundance of room for Sleighs, Carriages, &c. &c. and will also contain a number of tons of Hay.

If the above property is not disposed of by the first of April, it will be leased for a term of

Fredericton, Feb. 1, 1840.

MAN NEWSPAPER—This old and popular Journal, which has been suspended for several weeks, will be positively resumed on the 11th March next, when it will appear enlarged, with, but not to interfere with the application to be paid at the time of Sale and the remainder resided within the Province for the term of six and with all the alterations and improvements promised by the proprietors.

This publication is the original Old Countryman, first published by Messrs. Davis & Pickering, and afterwards united with the Emigrant, and called the "Emigrant and Old Countryman;" it has no connection whatever with any other paper of a similar name.

Persons forwarding orders and subscriptions are requested to be particular in addressing their letters to the Proprietors, or their Agent. F. E. BECKWITH, Fredericton.

Albion Office, No. 3 Barclay St., N. York