

THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, JANUARY 8, 1840.

Number 25



By Authority.

By His Excellency M^r for 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, L. Governor.

A PROCLAMATION.

Whereas this Province stands proposed to the third Tuesday in December instant; I have thought fit to 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, W. F. ODELL.

The undermentioned Tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday the 31 day of February next, 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.

150 acres, Northumberland, lot No. 22, north side S. W. Miramichi, above Reous River. Upset price, 3s. per acre.

100 acres, Northumberland, lower half of No. 25, north side Reous 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.) Kings, being part of the lot formerly surveyed for John A. Graham, south of Trout Creek, Sussex. Upset price, 3s. per acre.

650 acres, Carleton, upper Andrew's lots 178 and 123, between M. Ferrin and W. Whitehead, lots 151, 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 Tatagouche River. Upset price, 3s. per acre.

THOMAS BAILEY, Commissioner of Crown Lands.

Crown Land Office, December 5, 1839.

NEW BRUNSWICK, IN CHANCERY.

Whereas the said Court of Chancery, in the year of our Lord, one thousand eight hundred and thirty nine.

Between Thomas Wier, Complainant, and Jonathan Wallace, James S. S. Robert W. Crookshank, William Walker, Robert Milnes Andrews and John Wilson, Defendants.

FORASMUCH as it has been shown to the present day, that the said Plaintiff, had not in fact in the said Court of Chancery, any claim or demand against the said Defendants, on the third 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 James Shaw, one of the said Defendants, does not reside within the Province, but is a known place of residence at North Port, in the County of Val de St. Pierre, one of the United States of America, as by the affidavit of William Jack appears: And the said certificate and affidavit being read and the truth of the above allegations being made out to the satisfaction of this Court, It is Ordered, That the said Defendant James Shaw do appear to the Plaintiff, before the fourth day of May next, and if 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 Honourable James Carter, Esquire, 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 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, Surrogate of the said Court of York, and the other creditors of the said Edward N. Kendall and William P. Kay, 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.

By the Court, J. CARTER, J. S. C.

BERTON and DIBBLE, Attorneys and petitioning creditor.

[First Published, November 13, 1839.]

In the matter of William Robinson, ascending Executor.

NOTICE is hereby given, That a general meeting of the Creditors of the above named WILLIAM ROBINSON, is requested on TUESDAY the 2nd 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, Trustee.

ALEX. FORSTER, Trustee.

FRANCIS HENDER, Trustee.

Miramichi, October 1, 1839.

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

Miramichi, Dec. 6, 1839.

By Thomas Wier, Esquire, one of Her Majesty's 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 application to me made by John Maxwell, 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 Benjamin F. Waite, late of Fredericton, in the County of Charlotte, 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 this Province, will be sold for the payment and satisfaction of the creditors of the said Benjamin F. Waite.

By the Court, 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 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 Christopher Milner, of Dorchester, in the County of Westmorland, Attorney at Law, 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 John Towse, late of Hopewell, in the County of Westmorland, 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 satisfaction of the creditors of the said John Towse. Dated at Dorchester, in the County of Westmorland, the twenty eighth day of November, A. D. 1839.

W. WILSON, J. C. P.

Christopher Milner, Petitioning Creditor.

[First Published, November 27, 1839.]

NEW BRUNSWICK, IN CHANCERY.

By the Honourable William Balfour, 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 Kinne the first, 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 Daniel Lyman, late of Harve, in the County of Westmorland, (which said Daniel Lyman is departed from without the limits of this Province with intent and design to defraud the said James Kinne, and the other creditors of the said Daniel Lyman, in any there be, or 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 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. B. ROSEFORD, J. C. P.

[First Published, 9th October, 1839.]

By the Honourable James Carter, Esquire, 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 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, Surrogate of the said Court of York, and the other creditors of the said Edward N. Kendall and William P. Kay, 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.

By the Court, J. CARTER, J. S. C.

BERTON and DIBBLE, Attorneys and petitioning creditor.

[First Published, November 13, 1839.]

In the matter of William Robinson, ascending Executor.

NOTICE is hereby given, That a general meeting of the Creditors of the above named WILLIAM ROBINSON, is requested on TUESDAY the 2nd 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, Trustee.

ALEX. FORSTER, Trustee.

FRANCIS HENDER, Trustee.

Miramichi, October 1, 1839.

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

Miramichi, Dec. 6, 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 such 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, 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 Acts 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 November, A. D. 1839.

THOMAS REDMOND, JOHN ELDRIDGE.

SHERIFF SALES.

County of York.

To be sold on the first day of May next, at the Market House in Fredericton, between the hours of twelve and five o'clock in the afternoon.

ALL the right, title, interest, claim and demand of John C. Ingraham, in and to that certain piece or parcel of Land situate in the Parish of Prince William, County of York, being Lots No. 75 and 76, and parts of Lots No. 77 and 78, containing 230 acres, more or less, with a new dwelling House and Barn, also within half a mile of the road, a new Saw Mill and Mill House, situate at the outlet of a Lake of inexhaustible water, together with a Rail Road and Rail Car leading to the River St. John. This property is situated in a most delightful part of the Parish of Prince William and good neighbourhood: the above mentioned property has been taken by virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, SHERIFF.

Fredericton, November 27, 1839.

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. Wier, 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.

E. 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, situate in the Parish of Queensborough, in the County of Westmorland, 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. Akley.

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. 39, containing four and a half acres, also 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 at Public Auction on the nineteenth day of June next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:

ALL the lands and premises which the late John Pearson, deceased, died seized and possessed of, within the Parishes of Harve and Hopewell in the County of Westmorland, to satisfy an Execution issued against the said John Pearson in his life time, out of the Supreme Court of this Province, at the suit of William Fillmore.

W. P. SAYRE, SHERIFF.

Dorchester, 12th December, 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, containing sundry lots of upland and marshland, situate in the Parish of Sackville, in the County of Westmorland: The same having been taken 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, 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 taken by virtue of several Executions against the said Patrick Ritchey. W. P. SAYRE, SHERIFF.

Dorchester, 8th August, 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 Kinners, whoreson, situate in the County of York: 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 of land, situate in the Parish of Dorchester, on the Suediac Road, and known as lot number nine, in the Grant to John Hines, 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 Munn, situate in the Parish of Moncton or elsewhere in this County: Seized and taken by virtue of an Execution at the suit of Heave Blaislee.

W. P. SAYRE, SHERIFF.

Dorchester, Co. Westmorland, 3d October, 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, or, in and to the lands on which he now resides, situate at Pockshaw, in the Parish of New Bonjou, containing five hundred acres, more or less, with the Houses, out Houses, Mill, and water privileges thereunto belonging or 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, The right, title, interest and claim of John Christie, Duncan Grant, William Christie and Charles Grant, or, in and to the following lands, viz: the lot or tract in the Parish of Beausart, known as lot number six in the grant to Simon Arisane and fifty one others bounded in front by the waters of the Bay de Cheleur 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 the undivided shares and proportions of the said John Christie, Duncan Grant and Charles Grant, or, in and to all that other tract or parcel of land situate in the Parish of Beausart, bounded in front by the waters of the Bay de Cheleur, on the south by said lot number six, and on the north by Lot number nine granted to the late John Grant, deceased, the same being known as lots number seven and eight, in the grant thereto of 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 Westmorland.

To be sold at Public Auction at the County Court House, in Bathurst, 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, situate, lying and being in the Parish of Adlington, in the County of Westmorland, and known as part of the lot granted to John Perry, bounded on the east by the grant to Pascal Cheneau, 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 Vabert.

JAMES PAUL, SHERIFF.

Bathurst, 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. Nevers, of in and to that certain labor tract of Land situate in the Parish of Burton, on the Nevers Road, about three miles from the mouth of the Gromaco, originally granted to Fenezer Farham, 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 Pickard & Coburn, for £39 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 Hennigan'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 McCrea, and lying on the north side of the old Sheep-note Road, and being known and distinguished as Lots No. 1 and Lot No. 2, containing one hundred and thirty 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 Barr Office, Kingston, June 27, 1839.

A. DAVIDSON, SHERIFF.

Kingston, June 27, 1839.

POST OFFICE.

Fredericton, Dec. 5, 1839.

List of Letters remaining in Office at this date.

A Jacob Allen, James Adams, Arch. Anderson, John Alean, William Allan.

B William Beaton, Samuel Brown, Thomas Blair, Margt. Burke, Isaac Blethor, Mrs. J. Block, Thomas Briggs, William Brown, Geo. Barnes, William Braithwaite, James Blair, John Barter, Dr. Bridges, Mrs. L. Breen, Amos Barker, John Bell, Agnes Boyd, John Burnett.

C D. C. Consins, Mrs. Carson, Capt. Clarke, Wm. Garrick, Mrs. M. Cook, Pat. Cassidy, James Cannon, J. S. Consins, James R. Currier, (2), E. Cresby, Ben. Close, G. Carone, Mary Camber, John Carter, James Gages, John Collett, John Crawford, Frances Campbell, Charles Colepher, Francis Claff.

D Barney Drew, M. Doran, Ann Dillion, Justis Dunham, (2), Oliver Dow, Robert Davis, George Davidson, J. W. Dow, Thos. Doyle, H. Dougherty, Walter Dixon.

E Wm. Estey, Wm. Erswell, Saml. Estey, Hugh Ervine, Jr. Mrs. Earls.

F L. A. Farlan, Margt. Fletcher, Margaret Fitzgerald, William Finnal.

G D. Godfrey, Thos. Grady, James Groves, John Pardon, Ichabod Grant, Margt. Gallagher, William Goodwin, George Gibbs.

H Andrew Hammond, M. Halland, Alex. Hay, A. Hartt, William Horner, C. Howley, J. S. Hill, A. Hooper, Wm. Harper, James Harper, John Hurley, A. V. Hammond, James Hay, Jane Henderson.

I & J Xenophon Jonett, John C. Ingraham, John Joyce, Mary Ann Jones.

K M. Kilbourn, S. Kidder, Anne Kelly, Thos. Kelly.

L Mr. Lewis, James Largey, M. Longan, Jane Longley, Capt. G. Long.

M & Mc W. P. M. Addam, D. McDonald, J. M. Maiminen, Margt. McGrath, Thos. Millian, S. McKirby, Rev. J. Mann, George Morrel, John McCouch, J. Merrithew, Jr. Charles McCrea, J. A. Miles, J. L. Marsh, (2), Margt. Hanson, George Morrel, Alexander Mitchell, James Moore, Robert Miller, Isabella Maddigan, Rebecca McCrea, Mary McDermot, James McCann, John McGuire, James Mackinnon, John McKay, Francis Miller, Pat. McGinn, Alex. A. McDonald, Andrew M. Laughlan.

N Mr. Nixon, E. S. Nutten, Geo. Nevers, S. Nevers, A. C. Nelson.

O Margt. Orr, Henry Ochterley.

P R. Porter, George Price.

Q Daniel Reed, Darico Ramsay, Jonathan Revelle, Miss Reed.

R R. Sullivan, Wm. Smith, J. W. Smith, (2), E. Slack, (2), S. B. Smith, Wm. Sloat, Saml. Smith, S. Scott, Esq. C. S. Saunders, James Shannan, (2), John Stilson, (2), David Saunders, Susan Shay, E. Sheppard, (2), Thomas Smith, Seur.

T John Town, (2), James Telford, James Taylor, M. Thompson, Jacob Thompson.