

# THE ROYAL GAZETTE.

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Volume 6.

FREDERICTON, NEW BRUNSWICK, MARCH 4, 1840.

Number 32



By Authority.

## CIVIL APPOINTMENT.

Robert Gordon, Esq. a Coroner in the County of Gloucester: Commission dated 13th December, 1838.

## HEAD QUARTERS, FREDERICTON,

18th February, 1840.

## MILITIA GENERAL ORDERS.

Lieutenants George Fountain, William Price and William Dunham, of the 3d Battalion Charlotte County Militia, not having attended to their duty since their appointment, the Commander in Chief is pleased to order their commissions in the Militia to be cancelled. His Excellency has further been pleased to make the following promotions, &c.

Ensign E. O. Hatheway, to be Lieutenant, vice Fountain, 18th February.

## TO BE ENSIGNS.

Charles Adam Babcock, Gent. 18th February.  
John Chaffy, do. 19th do.  
Thomas Lord, do. 20th do.  
George Kay to be Quarter Master, vice Calkin, resigned, 18th February.  
— Winchester, to be Quarter Master of the Division at Grand Manan, vice Church Meigs, superseded for neglect of duty.

By Command.  
GEO. SHORE,  
Adjutant General Militia.

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.

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, Restigouche, rear part of Lot No. 14, near Black Point. Upset price, 3s. per acre, the purchaser to pay for the improvements.  
100 acres, Northumberland, second tier South of the S. W. Miramichi River, in rear of Lots 77 and 78, Parish of Ludlow. Upset price, 3s. per acre.

200 acres, Northumberland, Lot B. South side of the new Road upon the North River to New Canan. Upset price, 3s. per acre.

100 acres, Charlotte, North of Smith's base line on the Road from Oak Bay to Woodstock as surveyed for Robert White. Upset price, 3s. per acre.

200 acres, King's, Lots Nos. 12 and 13, third tier, North of the Shepody Road. Upset price, 3s. per acre.

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

100 acres, King's, Lot No. 14, in the 4th tier, Norton. Upset price, 3s. per acre.

JOHN S. SAUNDERS,

Surveyor General.

Crown Land Office, 8th February, 1840.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction, at this office, on Monday the 24th 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.

## 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.

## 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 Shaw, Robert W. Crookshank, William Walker, Richard Milton Andrews and John Wilson, Defendants.

FORASMUCH as this Court has 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 and the truth of the above allegations being made out 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 William Botsford, one of the Justices of Her Majesty's Supreme Court of Judicature for the Province of New Brunswick.

To all whom it may Concern, Greeting:

NOTICE is hereby given, That upon the application 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 Hart, late of Fredericton, in the County of York, Merchant, (which same George Hart 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 Hart,) 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 Hart 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 Hart, within this Province, will be sold for the payment and satisfaction of the Creditors of the said George Hart.

Dated at Saint John, the twenty eighth day of January, in the year of our Lord One thousand eight hundred and forty.

WM. BOTSFORD,  
[First Published, February 5, 1840.]

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 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,—  
NOTICE is hereby given, That upon the application of Mark Doe, 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 directed all the Estate, as well real as personal, within 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 Province, with intent and design to defraud the said Mark Doe, and the other Creditors of the said Cyrus Stockwell, 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 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 hundred and forty.

ROBERT F. HAZEN, MAYOR, &c.  
M. H. PERLEY, Attorney for Petitioning Creditor.

[First Published, February 12, 1840.]

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 Hamill'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. 1839, 6.

## SHERIFF SALES.

## County of York.

To be sold on the sixteenth day of March next, at Spring Hill:

THE FRAME of a BRIG on the Stocks: with various Articles and Materials on the spot ready for finishing the same, such as Iron work, Timber, Treails, Tar, Oakum, Launching Ways, &c. &c.

ALSO—A quantity of GOODS, in the Store, which was purchased in October last by Benjamin A. Huestis, and again to be sold at his risk, for non-payment of the first purchase.

ALSO—All the HOUSEHOLD FURNITURE of Duncan Barber; with 3 Horses, 1 Cow, a two Horse Waggon, a one Horse Ditto, 2 Ox Carts, and a single Sleigh; Ploughs, Harrows, and a variety of Farming Utensils.

E. W. MILLER, Sheriff.

Sheriff's Office, Fredericton, Feb. 23, 1840.

Will be sold at Public Auction, on the 19th day of April next, at the Market House, in Fredericton, between the hours of 12 and 4 o'clock.

ALL the right, title, interest, property, claim and demand of John Hulan, in and to a certain House, now occupied by him in Regent Street, Fredericton.

E. W. MILLER, Sheriff.

Fredericton, 15th February, 1840.

Will be sold at Public Auction, at the Market House, in Fredericton, between the hours of 12 and 4 o'clock, on Thursday, the 24th day of September next.

TWO lots of Land on the south east side of the Hanwell Road, being the lots No. 26 and 27, containing 500 acres more or less, with an allowance of ten per cent for roads and waste.

Also at the same time and place,  
A tract of Land in the said Parish, lying on the south east side of the Hanwell Road, being the lots No. 28 and 29, containing 200 acres with ten per cent allowance.

ALSO—A Tract of Land in said Parish, lying on the South East side of the Hanwell Road, containing 300 acres, with ten per cent allowance, and being known and distinguished as the Reed Grant.

ALSO—that beautiful tract of Land known as the Hermitage estate situated about one mile above Fredericton, together with the Dwelling House, Barn, Stables and Out Houses thereto appertaining, with a suitable quantity of Land.

ALSO—The Dwelling House, Barn, Stables and Out Houses thereto, appertaining, and about 12 acres of Land immediately opposite the Hermitage Lot, and lately occupied by Mr. W. H. Gall.

ALSO—Several Houses, Out Houses, and Barns with a portion of Land attached to each, together with several Farm Lots adjoining, will be laid off and sold to suit purchasers.

The whole of the above property together with all and singular the other real Estate, of the Honorable Thomas Baile, within the County of York, having been taken in virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, Sheriff.

Fredericton, Feb. 18, 1840.

Will be sold at Public Auction, at the Market House, in Fredericton, between the hours of 12 and 4 o'clock, on Monday, the 21st day of September next.

ALL the right, title, interest, property, claim and demand of Benjamin A. Huestis, in and to a certain tract, piece or parcel of Land, situated on the Nackewickack Stream, in the Parish of Queensbury, being known and distinguished as the Huestis' Mill Property, together with the Double Saw Mill, Dwelling House, Barn and Out Houses thereon erected, with all the real estate belonging to the said Benjamin A. Huestis, in the County of York: The same being taken in virtue of an Execution issued out of the Supreme Court at the suit of Robert Rankin and Company.

E. W. MILLER, Sheriff.

Fredericton, 17th February, 1840.

To be sold on the 14th day of March next, at the Sheriff's Office in Fredericton, at 12 o'clock in the forenoon.

THE HOUSE, Leasehold and Barn, situated in George Street, belonging to William Turner, and the House, Leasehold and Barn, situated in the same Street, belonging to John Russell; Also—A House situated in Brunswick Street, at present occupied by Geo. Turner; also a House and Barn in Northumberland Street, at present occupied by Wm. Turner. The above properties having been taken by virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, High Sheriff.

Fredericton, January 15, 1840.

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.

E. W. MILLER, Sheriff.

Fredericton, 5th November, 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 450 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 in 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.

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. 73 and 76, and parts of Lots No. 77 and 78, containing 250 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 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 of No. 3, situate in the Parish of Queensborough, on the Western side of the Madame 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. Akeley.

E. W. MILLER, SHERIFF.

Fredericton, October 1, 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 A. Pearson, deceased, died, seized and possessed of, within the Parishes of Harvey 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 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, wheresoever 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's and David Mills, situate in the Parish of Moncton of elsewhere in this County: Seized and taken by virtue of an Execution at the suit of Henry Blakslee.

W. P. SAYRE, SHERIFF.

Dorchester, Co. Westmorland, 3d October, 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 lot or tract of Land situate in the Parish of Burton, on the Nerepis Road, about three miles from the mouth of the Oromocto, originally granted to Ebenezer Farnham, 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 & Coburn, for £39 2s. 9d. and Peter Duff, for £19 11s. 10d.

J. HAZEN, SHERIFF.

Burton, 21st Oct. 1839.

## JACKSON'S HOTEL,

Fredericton, New Brunswick.

THE Subscriber respectfully informs his Friends and Patrons of Fredericton and its Vicinity, as well as the Inhabitants of the Province generally, that he has greatly enlarged his former Establishment by additional Buildings, has built a large and handsome Dining room, capable of accommodating any parties at public festivals, &c., with additional anti-rooms, bed rooms, &c. &c. He has always on hand a good supply of the choicest Wines and Liquors imported into the Province, a constant supply of good ice throughout the summer season, and can give good accommodation to any families wishing to visit Fredericton for the space of a few weeks or otherwise. To travellers from Nova Scotia or the United States, the Subscriber would feign recommend his Establishment to their particular notice as being inferior to none in the Province of New Brunswick.

Horses, Carriages and other vehicles are furnished from the Hotel.

August 31. H. JACKSON.

## REVISED EDITION

## OF THE PROVINCE LAWS.

THE Subscriber having been induced by numerous applications from different sections of the Province, to publish an additional supply of the above valuable work, for the use of those not entitled to copies from Government, such persons as may be desirous of procuring them will have the goodness to leave their names and places of residence, at an early period, at the Royal Gazette Office, or with either of the undermentioned Gentlemen, where Copies of the work may be seen:—

HON. E. B. CHANDLER, Esq., Dorchester.  
THOMAS WYER, Esquire, St. Andrews.  
J. W. WELDON, Esquire, Richibucto.

GEORGE KERR, Esquire, Chatham.  
W. H. BALDWIN, Esquire, Bathurst.  
J. M. CONNELL, Esquire, Woodstock.

MR. DAVID McMILLAN, Esq., St. John.  
J. SIMPSON, QUEEN'S PRINTER.

## FOR SALE OR LEASE,

For One or a Term of Years.  
The whole or a part of the following Property.

THE Valuable SAW and GRIST MILL at Lake George, with a Dwelling House, Barn, &c., together with the LAND formerly owned by J. Morris containing 550 acres, of which about 25 acres are under mowing ground, well fenced, and the residue well covered with TIMBER and LOGS. Also—The Irvine and Donnell lot, so called, of which 40 acres are cleared, and can readily be made a Good FARM, the residue of these lots containing 400 acres are plentifully covered with TIMBER and Logs—there is a lease also of 8000 acres of LAND on the borders of Lake George, all of which afford ample supply of Logs for this Mill.

Also for Sale or Lease, the new SAW MILL at McGundy Stream, with

300 acres LAND called the West Lot.

400 do. do. Gerly Lot.

100 do. purchased of Government adjoining the West Lot, which are all well covered with Logs and Timber, yielding a plentiful supply for said Mill; there is on the Gerly Lot about 40 acres under Grass, well fenced, with a good Dwelling House and Barn, in which a family could be immediately accommodated with a comfortable residence—the whole or any part of the above property will be Sold or Leased in small parts, or the whole, on the most liberal terms, and payments made easy.

Apply to MARK NEEDHAM.

NOTICE IS HEREBY GIVEN,  
That any person removing any Logs or Timber from the above premises until the Stampage is paid, will be prosecuted as trespassers, and any persons cutting Timber or Logs on said Lands, will be prosecuted as the Law directs.

MARK NEEDHAM.

ALSO ON SALE.  
The Marsh FARM, about 9 miles from Fredericton on the post road to Woodstock, containing 540 acres, about 90 of which are under Grass cultivation, with a good Two Story Dwelling House, Barn and several Out Houses.—The property is valuable and so well known, it needs not a particular description, the price and terms liberal, and as the owner intends to sell it, a good bargain may be expected.

Apply to MARK NEEDHAM.

Fredericton, Dec. 26, 1839.

## 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 a 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, Junr., R. B. Ward.

Albert Day, ELIPHALET TERRY, President.  
James G. Bolles, Secretary.