

# THE ROYAL GAZETTE.

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Volume 6.

FREDERICTON, NEW BRUNSWICK, APRIL 1, 1840.

Number 36



By Authority.

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, in the River Restigouche. Upset price, 3s. per acre.

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. McDougall. 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 McKay's grant, Parish of Botsford. Upset price, 3s. per acre.

200 acres, Westmorland, between J. Wortman 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 Seaman and east of R. T. Allen, Botsford. Upset price, 3s. per acre.

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

50 acres, King's, North end of lot No. 6, Range A. head of Smith's Creek Sussex. Upset price, 3s. per acre.

220 acres, Queen's, lot No. 5, McDonald's Survey, Young's Creek, Grand Lake.

Town Lot, No. 38, in the Town Plat of Dalhousie, Restigouche. Upset price, £15.

120 acres, Northumberland, east side of the Road from Newcastle to Chaplain's Island, as surveyed for John Wright, Jun. Upset price, 3s. per acre.

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

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.

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 Canaan. 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.

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.

**DEEDS, LEASES,  
Bonds and Mortgages.**  
For sale at this Office.

## NEW BRUNSWICK IN CHANCERY.

Tuesday the third day of March, in the year of our Lord one thousand eight hundred and forty.

Between James Rait, Complainant, and Henry Seelye and Randal Whiddon, Defendants.

FORASMUCH 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 Subpoena requiring the Defendants to appear to answer the same, but that Defendant Randal Whiddon 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 eighth day of July next: And further Ordered, that this Order be published in the Royal Gazette for the space of three months.

D. LUDLOW ROBINSON, REGR.

[First Published, March 11, 1840.]

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 Kinneer and Harrison G. Kinneer, 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 Kinneer and Harrison G. Kinneer, 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 January, in the year of our Lord one thousand eight hundred and forty.

WM. BOTSFORD.

[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,—

NOTICE 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 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 Dole, 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.]

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 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 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 now both 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 the Province, will be sold for the payment and satisfaction of the Creditors of the said Edward N. Kendall and William P. Kay. Dated this twelfth day of November, in the year of our Lord one thousand eight hundred and thirty nine.

J. CARTER, J. S. C.

BERTON and DIBBLEE.

Attorneys for Petitioning Creditor.

[First Published, November, 13, 1839.]

## SHERIFF'S SALES.

## County of York.

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, situate on the Neckewickack 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 by 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.

Will be sold at the Market House, in Fredericton, between the hours of twelve and four o'clock on Thursday, the 10th day of September next.

THE several Tracts of Land, hereinafter mentioned, the Property of Duncan Barber, levied upon under extent directed to the Sheriff of York, and described in the inquisition returned on the Execution of the same Writ.

No. 1, containing one thousand acres, in the Parish of Ninian Lindsay, in Deputy Jacob Allan's Survey, on the Western side of Upper Trout Creek, a branch of the Magaguadavic River.

No. 2, 2000 acres of Land, in the Parish of Dumfries in the County of York, in three Tracts viz:

1st Tract, Lot No. 4, containing 500  
2d do. Lots No. 1 & 2, do. 500  
3d do. Lot No. 3, do. 1000

No. 3, 2500 acres in the said Parish, being the Block No. 3, in Deputy Allan's Survey, of Palfrey Brook, made in the year 1835.

No. 5, A Farm in Prince William, containing 560 acres, purchased from one Christopher Murray, by the said Duncan Barber, 30th July, 1835.

No. 6, The undivided half part of a Tract of Land in the Parish of Dumfries, in common with Robert Watson and conveyed to them by Benjamin Glazier, by deed dated 17th August, 1835, containing --- acres more or less.

Also,—Will be sold at the Market House, between the hours of 12 and 4 o'clock on Saturday, the 10th day of October next.

That Extensive and Valuable Property, known as the Spring Hill property.

Also,—A Tract of Land containing 4500 acres, part of a Tract of 7000 acres near to and partly adjoining the 1st and 2d Kedron Lakes.

E. W. MILLER, SHERIFF.

Sheriff's Office, Fredericton, 2d March, 1840.

Will be sold at Public Auction, on the 10th 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 situate 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.

To be sold on the fourth Wednesday in May 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 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 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 the Rail Road and Carriage Road 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.

## County of Westmorland

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 Kinneer, 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 Blaklee.

W. P. SAYRE, SHERIFF.

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

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.

## 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, o A. Pearson, deceased, died, seized and possessed of, within the Parish of Burton, on the Nerepis Road, about three miles from the mouth of the Oromocto, originally granted to Ebenezer Farinham, 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.

Burton, 21st Oct. 1839.

## King's County.

On Saturday the twenty sixth day of September next, will be sold at Public Auction.

ALL the real Estate of James Witherow, in King's County, consisting of all his right, title, interest, claim and demand, in and to a certain Farm of Land, situate in the Parish of Springfield, in said County, known and described as follows, viz.: Beginning at a Cedar post at the Northern boundary of Lands occupied by Thomas Ketchum, Esq., thence running on the line of the road, 105 Rods to the North boundary of the Grant, thence South 75 degrees West, to the rear of the said Grant thence, on the line of the Grant 105 Rods and thence North 75 degrees East, to the first mentioned boundary, containing 250 acres, more or less, with all the buildings, and appurtenances to the same belonging: The same having been taken by virtue of an Execution issued out of the Supreme Court, against the said James Witherow, at the suit of Charles Ketchum.—Sale to take place at the Inn kept by Jesse Gillis' near the Church at Springfield, at the hour of two o'clock on the day above mentioned.

Dated at Kingston, the 16th day of March, 1840.

A. DAVIDSON, SHERIFF OF KING'S.

## Queen's County.

To be Sold at Public Auction, at Samuel Mayes' Tavern, in Gagetown, Queen's County, on Saturday the Twenty Sixth day of September next, between the hours of twelve and five of the afternoon.

ALL the Right, Title, Interest, Property, claim and demand of Joseph C. Rider, in and to a certain Tract of Land and Mill Privilege, together with a Saw Mill and other Buildings and improvements thereon, situate, lying and being at or near the Rapids, on the Washademoak River, in Queen's County, about thirty miles from the entrance of the said River, seized and taken in and by virtue of an Execution issued out of the Supreme Court, at the suit of Samuel Reynolds, for the sum of one hundred and fifty two pounds, seventeen shillings and seven pence.

N. H. DEVEBER,

Sheriff of Queen's County.

Gagetown, 5th March, 1840.

## NOTICE.

ALL Persons having any just demands

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.

## NOTICE.

THE 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.

## NOTICE.

ALL Persons having legal demands against the Estate of C. L. BECKWITH, of Madawaska, deceased, are requested to present the same, duly attested, within three months from the date hereof, and those indebted to the same are desired to make immediate payment to

F. E. BECKWITH, & Administrators.

L. R. COOMBS, & Administrators.

Fredericton, Feb. 24, 1840.—3m.

## NOTICE.

ALL Persons having any demands against the Estate of the late EDWARD PICK, deceased, are hereby required to send in their accounts, duly attested, within three months from the date hereof, and all persons indebted to the said Estate are desired to make immediate payment to

DEBORAH PICK,

Sole Administratrix.

Fredericton, February 5, 1840.

## FOR SALE.

THE Subscriber offers for Sale a Lot o LAND, situated a short distance below the Town Plat, near the residence of the Hon. George Shore, and bounded by lands owned by the Honorable W. F. Odell, and Mr. John Gregory. For particulars, apply to

CHRISTOPHER BROWN.

Fredericton, 12th February, 1840.

## POST OFFICE.

Fredericton, March 5, 1840.

List of Letters remaining in Office at this date

A  
Mr. T. or J. Allan, Isaac Albert.

B  
Daniel McBean, Mr. Babin, Robert Baird, S. Burk, Messrs. Duncan Barber, & Co. (2.) John Beyley, James Barrett, Thomas Banks, Duncan Buchanan, A. Barten, J. W. Barker, George Bean.

C  
Thomas Camber, Edward Caldwell, Richard Carman, (2.) Owen Conway, Geo. B. Covert, John Campbell, Mary Campbell, John Carson, Wm. Clapperton, James Coy, Enock Currier.

D  
Thos. Day, Wm. Dunn, John Denton, Mrs. Doyle, David Daris, Joseph Drapier.

E  
Daniel Easty, Wm. Earle.

F  
Bernard Ferney, Wm. Faulkner, Thomas Fuller, A. K. Foster, Wm. Faulkner, Frances, Flanagan, (2.) A. J. Fullerton, James Ferguson.

G  
Thos. Gill, Michael Graham, John Gurdon, Joseph Graham, Dennis Godfrey, Ichabod Grant, Gilbert Golding, Joseph Gibson, Margaret Gallagher, James Groves, Wm. G. Godwin.

H  
James Hull, Stephen Hill, Samuel Huston, (2.) Donald Hossack, Edward Hamilton, G. W. Hartt, Alex. Hanning, Timothy Harrington, Michael Harrington, C. L. Hathaway, George Hartt, C. A. Harding.

I & J  
Joseph Joyes, H. Ingram, Sophia Jackson, Margret Jones.

L  
Josh