

the Treasury to convey to you the requisite instructions. They will, of course, embrace every necessary authority for the receipt and disbursement of money to arise from the sale of lands in the Colonies, and for the proper securing and accounting for such money. Their Lordships will also, I presume, define to what extent the revenues of New South Wales, and of the other British Colonies, can be applied towards the removal of emigrants thither; and to what extent that service must be postponed to other objects connected with the ordinary expenses of the various Colonial Governments.

Waving this topic, therefore, I confine myself to the statement that it would be your duty, as often as occasion may require, or any new or peculiarly important question may arise, to report to me the facts of the case, and every material consideration bearing upon them, in order that I may convey to you, from time to time, the necessary instructions for your guidance.

You will further make twice in each year a report of your proceedings, exhibiting with all practical distinctness the progress of your labours—the results, whether favourable or otherwise, as far as they can be ascertained—the prospects of an increase or reduction in the sale of lands, and in the number of emigrants,—accompanied by any suggestions which you may be able to offer for the advancement of those objects, or for improving the efficiency of the institution, over which you are to preside.

There are many other topics to which I might refer, but I am unwilling to add to the length of the present communication. Nor is it necessary; as occasion must frequently occur for supplying whatever is defective, so for explaining whatever may be accidentally ambiguous in the preceding instructions. You will, of course, seek all such additional information as often as you may find it requisite, and I shall be at all times happy to afford you the utmost possible assistance in the execution of the arduous and important duty, with which Her Majesty has been graciously pleased to intrust you. Should you succeed in aiding the colonization of distant countries by judicious regulation and vigilant superintendence, you will perform a task inferior to none in the extent of its scope, and the magnitude of its results.

I have, &c.  
J. RUSSELL.

T. F. Elliot, Esq. Colonel Torrens, and Hon. Edward E. Villiers.

No. 3.

COPY of a COMMISSION under the Royal Sign Manual, revoking the existing Commission of the South Australian Commissioners, and appointing Robert Torrens and Thomas Frederick Elliot, Esquires, and the Honorable Edward Ernest Villiers, to be "The Colonization Commissioners for South Australia."

VICTORIA.

VICTORIA, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith:—To Our trusty and well-beloved Robert Torrens and Thomas Frederick Elliot, Esquires, and Edward Ernest Villiers, Esquire, commonly called the Honorable Edward Ernest Villiers, greeting:

WHEREAS by an Act made and passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled "An Act to empower His Majesty to erect South Australia into a British Province or Provinces, and to provide for the Colonization and Government thereof," it was among other things enacted, that it should be lawful for his said late Majesty, his heirs and successors, by warrant under his or their sign manual, to be countersigned by one of his or their Principal Secretaries of State, to appoint three or more persons to be Commissioners for carrying certain parts of the said Act, and the powers and authorities therein contained, into execution; and it was there by further enacted, that the said Commissioners should be styled "The Colonization Commissioners of South Australia."

And whereas his said late Majesty King William the Fourth did, by a certain warrant under his royal sign manual, countersigned by one of his Principal Secretaries of State, in pursuance and exercise of the powers in him vested in and by the said recited Act, nominate and appoint Robert Torrens, W. A. Mackinnon, W. Hutt, J. G. S. Lefevre, G. Palmer, junior, J. Montefiore, S. Mills, E. Barnard, J. Roberts and J. Pennington, Esquires, to be Commissioners for carrying into effect all such parts as aforesaid of the said Act, and for carrying the powers and authorities in the said Act in that behalf contained into execution:

And whereas on the demise of his said late Majesty King William the Fourth, We did, by a certain warrant under Our Royal Sign Manual, bearing date the 14th day of October, 1837, countersigned by one of Our Principal Secretaries of State, in pursuance and exercise of the powers in Us vested in and by the said recited Act, nominate and re-appoint the said Robert Torrens, W. A. Mackinnon, W. Hutt, J. S. G. Lefevre, G. Palmer, junior, J. Montefiore, S. Mills, E. Barnard, J. Roberts and J. Pennington, Esquires, during Our pleasure, to be Commissioners for carrying into effect all such parts as aforesaid of the said Act, and for carrying the powers and authorities in the said Act in that behalf contained into execution:

And whereas We have deemed it expedient to revoke the said warrant of the 14th day of October, 1837:

Now, therefore, by these presents, and in virtue of the powers in Us vested, We do revoke, annul and make void Our said warrant of the 14th day of October, 1837, and the same is hereby revoked, annulled and made void accordingly:

And We do by these presents, in pursuance and exercise of the powers in Us vested in and by the said recited Act, nominate and appoint you, the said Robert Torrens, Thomas Frederick Elliot, and Edward Ernest Villiers, commonly called the Honorable Edward Ernest Villiers, to be, during Our pleasure, Commissioners for carrying into effect all such parts as aforesaid of the said recited Act made and passed in the fifth year of the reign of His said late Majesty as aforesaid, as the same is amended by an Act made and passed in the second year of Our reign, intituled "An Act to amend an Act of the fourth and fifth years of his late Majesty, empowering his Majesty to erect South Australia into a British Province or Provinces."

Given at Our Court at Windsor, the tenth day of January, 1840, in the third year of Our reign. (Countersigned) J. RUSSELL.

Copy of a Letter from Lord John Russell to the Colonization Commissioners for South Australia, transmitting the above Commission. Downing-street, 14th Jan. 1840.

Gentlemen,  
REFERRING to my letter of this date, with which I have transmitted to you Her Majesty's Commission, constituting you Commissioners for the sale of waste lands in the Colonies, and for applying the proceeds of such sales towards the removal thither of emigrants from this country, I now transmit to you another Commission under the Royal Sign Manual, constituting you Commissioners for the colonization of South Australia.

I have, &c.  
J. RUSSELL.  
Colonel Torrens, T. F. Elliot, Esq. and Hon. Edward E. Villiers.

The following Bill is published by order of the Legislative Council.

A Bill to impose a Tax upon Wild Lands.

WHEREAS there are many tracts of wild Lands situate in various parts of this Province, which from being unimproved retard the settlement of the Country, and whereas the imposing of a Tax on the said Lands would have the effect of compelling the owners to improve the same:—

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of January next, there be annually laid or imposed the sum of five shillings of lawful money, upon every hundred acres of granted wilderness or unimproved lands, contained in this Province, except as hereinafter excepted, the said Tax to be paid by the respective owners or proprietors thereof, and to be levied, collected and applied in manner hereinafter prescribed.

II. And be it enacted, That the Justices of the Peace for the several Counties in this Province, at their first General Sessions in each and every year, shall appoint one or more fit and proper person or persons in each Town or Parish to be a collector or collectors of wild Land Tax, within the respective Towns or Parishes for which they shall be so appointed, who shall be sworn to the faithful discharge of their duty, and shall be liable to all the pains and penalties for neglect of duty, or refusal to serve as any Town or Parish officers are liable to by the laws now in force.

III. And be it enacted, That the Collectors shall annually, so soon after their appointment as they conveniently can, give notice in some newspaper published in the County, and in case there is no newspaper published in the said County, which comprises the said Parish, then they shall post up advertisements in two of the most Public places in the Parish for which they are appointed, which notice or advertisement shall notify the respective proprietors or owners of wild Lands in the said Parish, to pay the Tax imposed by this Act, in thirty days after the date of such notice, or in default thereof they will be prosecuted, which notice shall be in the form in the Schedule to this Act annexed.

IV. And be it enacted, That if any proprietor or owner of wild Land, shall neglect or refuse to pay the amount of the Tax imposed by this Act, for the space of thirty days after the publication of such notice, then the said Collector may sue for the said Tax in an action of debt or assumpsit in any Court having jurisdiction to the amount thereof, in his own name, in like manner as for his own proper debt, or such Collector may proceed to obtain payment of the said Tax of such proprietor or owner in the following manner, that is to say, if such proprietor or owner or some one on his behalf doth not appear to pay such Tax, the Collector shall cause public notice to be given of such Tax, by advertisement in one public newspaper published in the County where the Land lies, or in the Royal Gazette, if there be no newspaper published in the said County, which advertisement shall be continued for two months, unless such proprietor or owner or some person on his or their behalf, shall appear to pay to the Collector the said Tax, and the charge for advertising the same; and in case no person shall appear within that time and pay such Tax and charge aforesaid, it shall and may be lawful for any two Justices of the Peace in the County where the said Lands lie, on the application of such Collector, by warrant under their hands and seals, to order the Sheriff or Coroner of the County, to sell at Public Auction to the highest bidder (first giving thirty days' notice of such sale in the manner before mentioned,) so much of the said Land as may in his judgment be sufficient to pay such Tax, with all the costs and charges attending the recovery of the same, retaining the surplus (if any) for the use of such proprietor or owner; and the said Sheriff or Coroner is hereby empowered and directed to execute a deed to the purchaser thereof, his heirs and assigns, and to deliver seisin and possession of the same to such purchaser.

V. And be it enacted, That any person, thinking himself aggrieved by any assessment under this Act may appeal to two Justices of the Peace for the County where the Lands lie after he shall have had notice of such assessment: and the said Justices shall examine into the appeal, and if the same shall be supported to their satisfaction give such relief as they may think just, either by directing the sum overrated not to be collected, or if collected and paid, to be repaid.

VI. And be it enacted, That the said Tax shall be deemed to become due on the tenth day of May in each year, and no prosecution for the recovery thereof shall be had or taken until that day.

VII. And be it enacted, That the deed or conveyance of the Sheriff or Coroner, shall be prima facie evidence that all previous proceedings have been regular, and no omission of any notice or proceeding previous to any sale made under this Act, shall extend to render such sale invalid, but the person guilty of any such omission or neglect shall be liable to punishment therefor, and shall answer the party aggrieved for any damage he may sustain thereby: Provided always, that the Sheriff or

Coroner or other officer by whom the deed of conveyance was executed, shall at the time of the execution of such deed make affidavit before the Justice or other officer authorized by Law to take acknowledgments and proof of the execution of deeds, who shall and is hereby required to take the same affidavit and endorse the same thereon, that the said Land by such deed conveyed was regularly seized, advertised and sold as by Law directed.

VIII. And be it enacted, That in the event of any Sheriff or Coroner dying or going out of office before any sale is completed, or conveyance made, of which notice has been given, such sale may be completed and conveyance made by his successor in office, in the same manner and subject to the same provision as sales of real estate in execution are by Law made.

IX. And be it enacted, That when any proprietor or owner of any tract or quantity of land, containing three hundred acres or less, shall have actually settled thereon, or in case of non residents, shall have inclosed and cultivated in the proportion of five acres for each and every hundred acres of land of which such person shall be the owner or proprietor for the time being, as aforesaid, such tract of land shall be deemed cultivated and improved land, and exempt from taxation under this Act.

X. And be it enacted, That in all cases wherever the improvements made in manner aforesaid, upon any tract or quantity of Land shall not equal the proportion of five acres to every hundred acres contained in such tract or quantity of Land, every hundred acres for which the said improvement falls short, shall be deemed wild Land, and subject to the tax imposed by this Act: Provided always, that nothing herein contained shall be construed to extend to actual settlers on lots not exceeding three hundred acres each:—

And further provided, That in case any proprietor or owner of any tract or quantity of Land, containing more than three hundred acres shall have actually settled thereon, and shall not have enclosed and cultivated at the rate of five acres to each and every hundred acres, such proprietor or owner shall only be liable to taxation under this Act for every hundred acres not so excepted by cultivation and enclosure, which may exceed the said three hundred acres.

XI. And be it enacted, That it shall be the duty of such Collector, immediately after the tenth day of May in each year, having previously given the notice prescribed by the third Section of this Act, to proceed to the collection of the Tax imposed by this Act, and on receipt thereof or any part thereof, from time to time to pay the same over to the Commissioners of Roads for the said Parish, or any one of them, to be by such Commissioner or Commissioners expended in improving the roads in the district of the said Parish where such Lands lie; and the said Collectors shall on or before the first day of the General Sessions of the Peace, render an account of all sums collected under this Act, duly attested to, particularly specifying the name of such proprietors or owners of wild Lands, as have been taxed, with the amount paid by each, and whether any and what sums remain due, which accounts shall be accompanied by the vouchers of the Commissioner or Commissioners of Roads for all monies paid to such Commissioner or Commissioners, and shall be audited by the said Justices, and the said Collector or Collectors shall be liable to all the pains and penalties for neglect or refusal to account for, or pay over the monies so to be collected by them as any Collectors of Rates are made liable by Law.

XII. And be it enacted, That such Collector shall be entitled to retain for their trouble, at and after the rate of ten per cent upon all monies actually paid over by them.

XIII. And whereas by reason of the Boundary Lines of many of the Parishes in the Province, not having been run, and it being uncertain in what Parish many Lots of Land lie, Be it therefore enacted, That such Lands shall in every respect, for the purpose of taxation under this Act, be considered as a part of the Parish in which the occupiers thereof have performed the Statute Labour on the Highways, until the true boundaries are ascertained, and shall be taxed accordingly.

XIV. And be it enacted, That the Commissioners of Roads, shall include in the return they annually make to the General Sessions, all sums they may so receive from the aforesaid Collectors, particularly specifying the amounts thereof.

XV. And be it enacted, That this Act shall commence and take effect on the first day of January which will be in the year one thousand eight hundred and forty, and shall continue and be in force for two years thereafter and no longer.

#### SCHEDULE.

Notice is hereby given, That unless the tax imposed by an Act of the General Assembly, intituled "An Act to impose a tax upon Wild Lands," be paid to me by the respective Owners or Proprietors of Wild Land in this Parish, within thirty days from the date hereof, I shall proceed for the recovery thereof according to Law. Dated the day of in the year of our Lord one thousand eight hundred and forty in the Parish of A. B.

A. B.  
Collector of Wild Land Tax.

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 the 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 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. By the Court.  
D. LUDLOW ROBINSON, REG.  
(First Publish'd, 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 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 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, 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. W. M. BOTSFORD.  
(First Publish'd, 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, 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 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 Publish'd, 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 had 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 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.  
BENTON and DIBBLEE,  
Attorneys for Petitioning Creditor.  
(First Publish'd, 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 Nackewick Street, 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 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 adjacent to the Hermitage Lot, and lately occupied by Mr. W. H. Gull.

Also,—Several Houses, Out Houses, and Barns with a portion of Land adjoining to each, together with several Farm Lots attached, 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 Ballew, 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.

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 in the County of York, adjoining Land, located to Ninian Lindsay, in Deputy Jacob Allan's Survey, on the Western side of Upper Trout Creek, a branch of the Magaguandivie 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.  
Fredericton, 24th March, 1840.

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 7; containing 250 acres, more or less, with a new dwelling House and Barn, and Mill House, situate at the outlet of a Lake of inexhaustible water, together with Rail Road and Rail Carr 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 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, in 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.

#### 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., 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.

#### FREDERICTON FLORAL

#### AND Horticultural Society.

THE Subscribers of the above Society are

hereby informed that the Legislature having been pleased, with their usual good judgment and liberality, to grant the sum of Thirty Pounds in aid of the Society's funds, the Committee of Management have therefore directed to be immediately imported, a large assortment of Fruit Trees, Flowers, Flowering Shrubs, &c. of such choice varieties as they trust will prove both useful and ornamental. That on their arrival they will, with a Catalogue, be exhibited at Mr. Watts' Garden, where Members will be supplied therefrom, under the direction of the Committee of Management (at costs and charges,) in such proportion as will ensure a fair distribution to all. But in order to participate in this advantage, it will be requisite that the subscriptions for the present year, as well as all arrears, be previously paid to the Society's Treasurer; and the public at large are now invited to support the Institution, by becoming Members, and thereby extending its usefulness throughout the Province.

By order of the President,  
GEORGE LEE, JUN.  
Sec. & Tr.

April 7, 1840.—3w.

#### TO RENT,

THE STORE at present occupied by TIBBETS & SCRIBNER, next adjoining the one occupied by Mr. H. Garcelon; it is an excellent stand for business, having a good Cellar under, and Store Loft above, and fronts on both Streets.

Also, an OFFICE in the Subscriber's Brick Building, corner of Queen and Regent Streets. For further particulars, enquire of

F. W. HATHEWAY.  
April 7.