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FREDERICTON, NEW BRUNSWICK, WEDNESDAY, MAY 13, 1840.

Noumaber 42.



By Authority.

AT THE COURT AT BUCKINGHAM PALACE,

The 5th of March, 1840. PRESENT.

The Queen's Most Excellent Majesty. Earl of Albemarle, Lord Chancellor, Viscount Palmerston, Lord President, Lord Privy Seal, Viscount Melbourne, Marquis of Normauby, Viscount Morpeta, Sir John Hobhouse, Bt. Lord Stewart, Lord Chamberlain,

Whereas the Lieutenant Governor of Her Majesty's Province of New Brunswick, with the Council and Assembly of the said Province, did in the months of March and September 1839, pass four Acts which have been transmitted entitled as follows, viz:

No. 1204. An Act imposing Duties for raising a Revenue.

No. 1227. An Act in addition to an Act, antituled "An Act to incorporate sundry per sons by the name of the President, Directors and Company of the City Bank."

No. 1228. An Act in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

No. 1254. An Act to authorize the issue of Treasury Debentures to raise money for the purpose of being loaned for the 1e-building a part of the District of the City of Saint John, burnt in the month of August in the present

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honorable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty, that the said Acts should be left to their operation; Her Majesty was thereupon this day pleased, by and with the advice of Her Privy Council, to approve the said report, whereof the Governor, Lieutenant Governor or Commander in Chief for the time being of Her Majesty's Province of New Brunswick, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

C. GREVILLE.

PROVINCIAL APPOINTMENTS.

Thomas O. Miles, Esquire, and Beverley Jouett, to be Commissioners for that part of the Road from Fredericton to the Bend of Petitcodiac extending to the Salmon River, and to expend £1500 of the grant.

The Honorable Amos E. Botsford, to be Commissioner for the remainder of the Road, and to expend £1000, the remainder of the

George Hayward, Esquire, to be Commissioner for expending £500 for the Royal

John M'Lean and Thomas Cox, to be Commissioners to expend £500 granted for the removal of a Bar at the entrance of the Jem-

The Honorable Hugh Johnston, Lemuel A. Wilmot, James Taylor and Benjamin Wolhaupter, Esquires, to be Commissioners for the care and management of Government House, and the premises therewith connected.

HEAD QUARTERS, FREDERICTON, 5th March, 1840.

MILITIA GENERAL ORDER. His Excellency the Commander in Chief has been pleased to appoint Lieut. Thomas E. Perley, of the Carleton Light Dragoons, to be Lieutenant in the New Brunswick Regiment

of Artillery.

os, only.)

By Command, GEO. SHORE, A. G. M.

IN COUNCIL, May 2, 1840.

The undermentioned applicants for the purchase of Crown Lands, may have the tracts applied for by them on the following terms, if payment be made before the 6th day of July next, and five shillings additional will be charged on each purchase, for postage, &c.

RESTIGOUCHE. James Doyle, 3s. per acre, down. James Calderwood, 3s. per acre, by instalments, or 2s. 6d. per acre, down.

Clement Thiebaud, 3s. per acre, down. Hypolite Vantour, do. Hypolite Henri,

WESTMORLAND. Patrick Blanch, 2s. 6d. per acre, down. Edward M'Sweeney, 5s. per acre, down. m. Hopper, 3s. per acre, down, (for 100

CHARLOTTE. L. Bartlett, Sen. 3s. per acre, down. M. & M. Gleason, do.

KING'S. M. Murphy, 2s. 6d. per acre, down. John Murphy, do. C. Parlee, 3s. per acre, down, William Orr, Jeremiah Shea, do. John C. Coates. do. Thomas Parlee, do. Wm. M'Culla, do. Robert M'Culla,

SUNBURY. Adam Noble, 3s. per acre, down. CARLETON.

James Monaghan, 3s. per acre, down. James, Bradley, do.

GLOUCESTER. Joseph Maillet, Jun. 2s. 6d, per acre, down. Thomas Falle, 3s. per acre, down.

John Marks, The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 6th day of July next, (see advertisement.)

John Walton, Jeseph Crandall, Jun. James Lamb, Wm. Hopper, Wm. Ellis, Andrew Ellis, Thomas Gregory, C. Johnston.

The Petitions of the undermentioned persons

are referred for want of survey. Tranquill Doncett, Gloucester. Michael Ache, Peter Thibedeau, Kent. Stephen Richard, do. James Carruthers, do. Angus M'Leod. T. Oliver Arnold, Jun. Westmorland. Matthias Summers,

John Neish, Charlotte. Alexander Hunter, do. William Johnston, Thomas Maywood, James M. Belding, Kings. William Gray, James Lawson, Queen's.

Patrick Hughes, Carleton. E. & Hugh O'Brien, Westmorland. The answers to the Petitions of the underentioned Persons are as follows.

Wm. M'Leod, referred to the Quarter Ses. ions of Northumberland, for a report as to the value, and whether advisable to be granted. Wm. Loggie, Jun. do.

Hamilton Fleming, complied with. Richard Dunn, a copy of Mr. Dunn's Pe-ition to be furnished to the Tobique Mill Company for their answer, and in the mean

time, the grant to be stayed. Thomas Emery, Jun. complied with. B. Wolhaupter, to stand over. Michael Multin, complied with.

Edward Hunter, do. John Corcoran, to have a grant of the vacant tract of the land, without any further payment. A. M'Laggan, not complied with.

Patrick Blanch, the former order in favor of A. Simpson, to be rescinded and the Petitioner to have the land at 2s. 6d. per acre, down. E. & Hugh O'Brien, a survey to be made at the Petitioners expence.

John Hamilton, Petitioner, is allowed the 100 acres surveyed for him, and 50 acres of lot No. 3, with a front proportionate to the

not complied with.

the arrears due by Hugh Lackey. B. Atherton complied with, on giving an ap-

the 1st July next.

of the Bond for £88 15s. Joseph Cunard, complied with. R. R. Ketchum, complied with, on the Pe-

titioner giving approved Bonds payable on the 21st February, 1841, for 20s. per ton duty, subject to the claim of the Tobique Mill Com-

John M'Kean, the surrender accepted and payment of the arrears required forthwith. Daniel Parent, not complied with.

George H. Hartt, do. do. James Taylor, referred to the Surveyor General, to report on the circumstances.

Trustees of D. Barber, not complied with. L. B. Rainsford, to stand over until the money is received, the Bond being as yet un-

Ordered, that the Petitioners be allowed to improvements in addition. take away the Timber on giving approved Bonds for the payment of double duties on the 1st July next.

A Licence to cut 250 tons White Pine Tim be offered at Auction, at this Office, on Mon
Lower Andover. Upset price, 3s. per acre.

1000 acres, King's County, lots 14, 15, 16,
17 and 18, in the second tier, of Deputy Fair
17 and 18, in the second tier, of Deputy Fair
18 capture and July next: And further Ordered, That this Order be published in the Royal Gazette for the space of three months.

D. LUDLOW ROBINSON, REGR. ber on the right hand Branch of the River

day the 6th day of July next, for competition | weather's Survey, between the head of Smith's between them only. Upset price, 2s. per ton.
The 300 acres in the Clarence Hill Settlement, which was purchased by the late John

Creek, and Studholm's Mill Stream. Upset

Lord, one thousand eight hundred and forty.

Between William H. Robinson and Beverley Roment, which was purchased by the late John M'Master, will be granted to his heirs on their making application for the same at this Office.

The Petitions of the undermentioned persons, for licence to cut Timber and Logs on Crown Lands are complied with, on payment of the duty before the 6th day of July next. Thomas Dunfield, Salmon River.

James Taylor, Shugomoc. B. Beveridge, Tobique. R. Ramsay, White's Brook. B. Sloot, Tobique. Thomas Pickard, Tobique. James S. Segee, Jardine's Brook. James Taylor, Carleton. A. Ritchie, Restigouche. J. Murchie, Benjamin River.

F. Ferguson, Nepisiguit. W. F. Hammond, Nackawicac. James Burnes, Molus River. Jacob M'Keen, Tobique. B. B. Jewett, Gaspereau. T. C. Grant, Howard Settlement. C. Campbell, Gulquac.

J. Trafton, Canoose. H. Montgomery, Jacquet River, Joseph Connell, Wakefield. John Smith, North River. Henry B. Allison, Cains River. John D. Cantillon, S. W. Miramichi. S. Davidson, Petitcodiac. Henry Sypher, Newcastle River. Jonathan White, Richmond River.

James R. Cliff, Nackawicac. W. C. Pendleton, Salmon River. Crown Land Office, May 4, 1840.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 6th day of July next. Sale to commence at 12 o'clock, noon. The undermentioned tracts of vacant Crown TERMS-Ten per cent of the purchase money

purchaser to pay Robert Harrison for the improvements thereon.

100 acres, Saint John, in rear of grants to Upset price 3s. per acre, the purchaser to pay his proportion of survey.

100 acres, Saint John, north of the grant to Patrick Deering, north of Quaco. Upset price, 3s. per acre, the purchaser to pay his proportion of survey.

150 acres, King's lot No. 27, and east part

300 acres, Sunbury, at the Forks on the north side of Three Tree Creek. Upset price, 3s. per acre.

JOHN S. SAUNDERS, Surveyor General. Crown Land Office, May 4, 1840.

UBLIC Notice is hereby given, that His Excellency the Lieutenant Governor has and Company, in the County of York, Tobique Mill Company, not complied with. Excellency the Lieutenant Governor has and Province aforesaid, (which said Edward N. Kendall and William P. Kay have departed from the complex of the province and large and la Benjamin Tibbitts, (for licence on Tobique,) next, to be set apart for the purpose of com-Daniel Irvine, complied with on paying up and the Marriage of our Most Gracious Queen; that unless the said Edward N. Kendall and William and His Excellency doubts not that it will be P. Kay do return and discharge their debt or debts observed by all classes of Her Majesty's subproved Bond for double duty, to be paid on jects, with those feelings of dutiful respect and Kendall and William P. Kay within the Province, Charles Connell, complied with on payment habitants of New Brunswick, and with every creditors of the said Edward N. Kendall and William demonstration of pleasure and rejoicing at these P. Kay. Dated this twelfth day of Nevember, in the auspicious events.

Fredericton, April 22, 1840.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 1st day of June 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 Between James Rait, Complainant, and within 14 days after. 50 acres, Northumberland, north side of

Barnabies River, in rear of lots 41 and 42. Upset price, 3s. per acre.

price, 3s. per acre.

Surveyor General. Crown Land Office, April 3, 1840. UBLIC NOTICE is hereby given, That in pursuance of regulations made by the

Lords Commissioners of Her Majesty's Treasury, the Right Honorable the Secretary of State for the Colonies has announced that hundred and thirty eight, exhibited their Bill in this court against the Detendants as by the Certificate of all Letters and Parcels accompanying the Lieutenant Governor's Dispatches which are not bona fide relating exclusively to the business of the Colonial Office, and bearing His Excellance. lency's signature as attesting that fact, will be

Secretary's Office, 30th March, 1840.

IN CHANCERY.

MONDAY, 27TH APRIL, 1840.
WHEREAS in and by an Act of the Genesal Assembly, made and passed in the second year of the Reign of Her Majesty Queen Victoria, intituded "As Act for the form." led, "An Act, for the improvement of the practice "in the Court of Chancery," it is among other things enacted, That from and after the passing of that Act, it should and might be lawful for the Chancellor, by and with the consent of the Master of the Rolls, to prepare and make a proper Table of Fees for the Court of Chancery, in lieu of the Table of Fees established at the time of the passing of that Act, in the said Court, which Table of Fees, so to be made and established as aforesai!, should be in force and effect from the time notice thereof should be given by the Master of the Rolls: the Royal Gazette, until altered by any Legislative enactment in this Province: NOTICE IS HEREBY GIVEN, That a Table of Fees for the said Court of Chancery, bearing date the twenty first day of April in this present year, has been duly made and

Court of Chancery.

By order of His Honor the Master of the Rolls.

D. LUDLOW ROBINSON, REGR. have been duly sworn to the faithful execution of the 100 acres, north side north branch Petitco- said trust, pursuant to the directions of the Act of diac, between D. Wheaton, and R. Walker, Assembly, in such case made and provided, and do Westmorland. Upset price, 3s. per acre, the hereby require all persons indebted to the said John Towse, on or before the first day of June next, ensuing the date hereof, to pay us, or some or one of us, all such sums of money or other debt, duty or thing, 200 acres, Westmorland, on the Shemogue which they owe to the said John Towse, and deliver Road, as surveyed by Deputy Palmer, next to the said effects of the said John Towse, which they, the grant to John Carter. Upset price, 3s. or any or either of them may have in his, or their hands, power or custody, to us or some or one of us 50 acres, Westmorland, east end of lot No. the said John Towse, on or before the first day of July as aforesaid, and we do also desire all the creditors of 17, Coverdale River. Upset price, 3s. per next, to deliver to us, or some or one of us as aforesaid, their respective accounts and documents against the said John Towse, in order that right and justice may be done, agreeable to the form of the said Act of M. Moran, and James West, near Quaco. Assembly, in such case made and provided. Given under our hands at Dorchester in the County of Westmorland, the twenty third day of April, in the year of our Lord one thousand eight hundred and

ANDREW WELDON, 3D. JOHN ROBB, WILLIAM K. CHAPMAN. CHRISTPHER MILNER, Attorney.

Justices of the Supreme Court of Judicature for the Province of New Brunswick.

To all to whom these presents shall come, Greeting: OTICE is hereby given, that upon the application of Henry Jackson to me duly made ac-

cording to the form of the Act of Assembly, in such case made and provided, I have directed all the estate as well real as personal, within this Province, of Edward N. Kendall and William P. Kay, late of Fredericton, Surviving Partners of the firm of Braiththis Province, and have not nor hath either of them mext, to be set apart for the purpose of commemorating throughout the Province the Birth months now last past,) to be seized and attached, and within six months after the publication hereof, all the year of our Lord one thousand eight hundred and thirty nine.

J. CARTER, J. S. C. BERTON and DIBBLEE.

Attornies for Petitioning Creditor.
[First Published, November, 13, 1839.]

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

Henry Seelye and Randal Whiddon, Defendants. PORASMUCH 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 100 acres, Westmorland, south part of the the nineteenth day of March last, as by the Certificate lot formerly occupied by Robert Mann, eastern part of the lot of the Butternut Ridge. Upset Subpœna requiring the Defendants to appear to answer the purchaser to pay for the William Todd, Jr., and George W. Porter. price, 3s. per acre, the purchaser to pay for the now resides, and for more than three years last past improvements in addition.

100 acres, King's, south half of lot No. 2, second tier, north of the road from Butternut the United States of America, as by Affidavit appears, and the said Couries are all the said courses. Ridge to Studholm's Mill Stream. Upset price, 3s. per acre.

Upset price, 3s. per acre.

and the said Certificate and Affidavit being read, it is ordered that the said Defendant Randal Whiddondo appear to the Plaintiff's Bill on or before the twenty 110 acres, Carleton, Lot No. 23, third tier, eight day of July next: And further Ordered, That ence to their place of previous education, or the

binson, Complainants, and
Mark Needham, Thomas Brown, John R. Partelow,
Henry Bliss, Peter Fraser, Robert W. Crookshank,
and Thomas Barlow, Defendants.

PORASMUCH as this Court was this present day informed by Mr. Robinson, being of Plaintiffs' Counsel, that the Plaintiffs had on the tenth day of lency's signature as attesting that fact, will be sent to the Post Office to be charged and delivered. And His Lordship has been pleased further to direct that even Letters on Her Majesty's Service addressed to other public Departments are not to be sent through that Office.

either of them reside within this Province, but have known place of residence in Great Britain; that the said Henry Bliss resides at number eleven, King's Brown, in Yorkshire, in that part of the United Kingdom of Great Britain and Ireland, called England, and that the said Thomas Brown and Henry Bliss cannot be served with the process of this Court, as by the Affidavit of James T. Hanford, now read, appears, and the said Certificate and Affidavit being appears, and the said Certificate and Affidavit being read and the truth of the above allegations being made out to the satisfaction of the Court, it is Ordered, that the said Defendants, Thomas Brown and Henry Bliss, do appear to the Plaintiffs' Bill on or before the 30th day of November 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. - UDLOW ROBINSON, REGISTRAR.

[First published in Gazette, 22d April, 1840.]

NEW BRUNSWICK IN CHANCERY. Tuesday the seventh day of April, in the year of our Lord one thousand eight hundred and forty. Between William Franklin Odell, Plaintiff, and

William Porden Kay, Edward Nicholas Kendall, John Kay and Thomas Baillie, Defendants. ORASMUCH as the Court was this present day informed by Mr. Solicitor General, of Counsel for the Plaintiff, that the Plaintiff exhibited his Bill in this Court against the Defendants on the twenty ninth day of November last, as by the Certificate of the Registrar apears; and had sued out process of Subpena, requiring the Defendants to appear to and answer the same, but that the Defendants William Ponden Kay, Edward Nicholas Kendall and John Kay, do not reside within this Province, but have a Terms—Ten per cent of the purchase money to be paid at the time of sale, and the remainder within ten days after.

By order of His Honor the Master of the Rolls.

D. LUDLOW ROBINSON, Regr.

Double Rolls and Ireland, called England; that the said William Porden Kay and John Kay, reside in London, and have been duly appointed Trustees for all the said Edward Nicholas Kendall at Croyden in County of Westmorland, an absconding debtor, and have been duly sworn to the faithful execution of the Rolls.

Ray, do not reside within this Province, but have a known place of residence in that part of Great Britain and Ireland, called England; that the said William Porden Kay and John Kay, reside in London, and the said Defendants, William Porden Kay, Edward Nicholas Kendall and John Kay, cannot be served with the process of this Court of Chancery.

By order of His Honor the Master of the Rolls.

D. LUDLOW ROBINSON, Regr.

To order the said William Porden Kay and John Kay, reside in London, and the said Defendants, William Porden Kay, Edward Nicholas Kendall and John Kay, respect to the said Defendants, William Porden Kay, Edward Nicholas Kendall and John Kay, respect to the said Defendants, William Porden Kay, Edward Nicholas Kendall and John Kay, respect to the said Defendants, William Porden Kay, Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respect to the said Edward Nicholas Kendall and John Kay, respec as by the Affidavit of George Frederick Street appears, and the said Certificate and Affidavit being read, and the truth of the above allegation being made out to the satisfaction of the Court. It is Ordered, That the said Defendants William Porden Kay, Edward Nicholas Kendall and John Kay, do appear to the Plaintiff's Bill on or before the first day of October next: And it is further Ordered, That the order be published in the Royal Gazette for the space of three months. By the Court,
D. LUDLOW ROBINSON, Registrar.

GEORGE FREDERICK STREET, Solicitor for Complainant. First Published in Gazette, April 15, 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,—

To all whom it may concern, Greeting,—

To TICE 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 of No. 26, south side Shepody Road. Upset price. 3s. per acre.

CHRISTPHER MILSER, Attorney.

City, Hotel Keeper, (which said Cyrus Stockwell is departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from and without the limits of this Province, departed from an acrea of the province o 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 alledged 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

ROBERT F. HZEN, MAYOR, &c. M. H. Perley, tt orney for Petitioning Creditor. [First Published, February 12, 1840.]

> KING'S COLLEGE, FREDERICTON, March 9, 1840.

WO Scholarships will be offered to ge neral competition in the College Library on Wednesday, June the 24th, at ten in the

The one is proposed to candidates who shall have been already matriculated. They will be examined in Xenophon's Anabasis, Horace, English and Latin Composition, Ancient History and Geography, the first six books of Euclid, the first part of Algebra, and the elements of Inorganic Chemistry.

The other is proposed to such as shall not have been matriculated; who will be examined in the first six books of Homer's Iliad, Cæsar's Commentaries, the principles of Greek and Latin Grammar, English History, Vulgar and Decimal Fractions, and the first four books of

The Scholarships are of Twenty Five Pounds per annum each, to be held to the expiration of the third year from the day of matriculation. They will be awarded to the candidates who shall discover the greatest proficiency in the several subjects of examination, without referreligious denomination to which they may

E. JACOB, VICE PRESIDENT.