

# THE ROYAL GAZETTE.

Printed and published by JOHN SIMPSON, Printer to the QUEEN'S Most Excellent Majesty, at his Office near the Province Building.

Volume 6.

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

Number 42.



By Authority.

AT THE COURT AT BUCKINGHAM PALACE,

The 5th of March, 1840.

PRESENT.

The Queen's Most Excellent Majesty.  
Lord Chancellor, Earl of Albemarle,  
Lord President, Viscount Palmerston,  
Lord Privy Seal, Viscount Melbourne,  
Marquis of Normandy, Viscount Morpeth,  
Lord Stewart, Sir John Hobhouse, Bt.  
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, intitled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank."

No. 1228. An Act in addition to an Act, intitled "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 re-building a part of the District of the City of Saint John, burnt in the month of August in the present year.

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 Jonett, to be Commissioners for that part of the Road from Fredericton to the Bend of Petitediac extending to the Sahnou 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 grant.

George Hayward, Esquire, to be Commissioner for expending £200 for the Royal Road.

John McLean and Thomas Cox, to be Commissioners to expend £500 granted for the removal of a Bar at the entrance of the Jemseg.

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.

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.  
Edward M'weeney, 3s. per acre, by instalments, or 2s. 6d. per acre, down.

## KENT.

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

## WESTMORLAND.

Patrick Blanch, 2s. 6d. per acre, down.  
Edward M'weeney, 3s. per acre, down.  
Wm. Hopper, 3s. per acre, down, (for 100 acres only.)

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

## KING'S.

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

## SUNBURY.

Adam Noble, 3s. per acre, down.

## CARLETON.

James Monaghan, 3s. per acre, down.

James Bradley, do. do.

## GLOUCESTER.

Joseph Maillet, Jun. 2s. 6d. per acre, down.

Thomas Falle, 3s. per acre, down.

John Marks, do. do.

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,

Joseph 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, do.

Peter Thibedeau, Kent.

Stephen Richard, do.

James Carruthers, do.

Angus M'Leod, do.

T. Oliver Arnold, Jun. Westmorland.

Matthias Summers, do.

John Neish, Charlotte.

Alexander Hunter, do.

William Johnston, do.

Thomas Maywood, do.

James M. Belding, Kings.

William Gray, do.

James Lawson, Queen's.

Patrick Hughes, Carleton.

E. & Hugh O'Brien, Westmorland.

The answers to the Petitions of the undermentioned Persons are as follows.

Wm. M'Leod, referred to the Quarter Sessions of Northumberland, for a report as to the value, and whether advisable to be granted.

Wm. Loggie, Jun. do. do.

Hamilton Fleming, complied with.

Richard Dunn, a copy of Mr. Dunn's Petition 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 Mullin, complied with.

Edward Hunter, do. do.

John Corcoran, to have a grant of the vacant tract of the land, without any further payment.

A. M'Laughan, 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 expense.

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

Tobique Mill Company, not complied with.

Benjamin Tibbitts, (for licence on Tobique,) not complied with.

Daniel Irvine, complied with on paying up the arrears due by Hugh Lackey.

B. Atherton complied with, on giving an approved Bond for double duty, to be paid on the 1st July next.

Charles Connell, complied with on payment of the Bond for £88 15s.

Joseph Cunard, complied with.

R. R. Ketchum, complied with, on the Petitioner giving approved Bonds payable on the 21st February, 1841, for 20s. per ton duty, subject to the claim of the Tobique Mill Company.

John M'Kean, the surrender accepted and payment of the arrears required forthwith.

Daniel Parent, not complied with.

George H. Martt, 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 unpaid.

William Todd, Jr., and George W. Porter. Ordered, that the Petitioners be allowed to 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 Timber on the right hand Branch of the River Tobique, on the Berth applied for by Charles Connell, James Taylor and Jacob M'Kean, will be offered at Auction, at this Office, on Monday the 6th day of July next, for competition between them only. Upset price, 2s. per ton.

The 300 acres in the Clarence Hill Settlement, 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. Sloat, 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, Nackawic.

James Burnes, Molus River.

Jacob M'Keen, Tobique.

B. B. Jewett, Gaspereau.

T. C. Grant, Howard Settlement.

C. Campbell, Gulquac.

J. Trafion, Canoose.

H. Montgomery, Jacques River.

Joseph Connell, Wakefield.

John Smith, North River.

Henry B. Allison, Cains River.

John D. Cantillon, S. W. Miramichi.

S. Davidson, Petitediac.

Henry Sypher, Newcastle River.

Jonathan White, Richmond River.

James R. Cliff, Nackawic.

W. C. Pendleton, Salmon River.

Crown Land Office, May 4, 1840.

day the 6th day of July next, for competition between them only. Upset price, 2s. per ton.

The 300 acres in the Clarence Hill Settlement, 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. Sloat, 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, Nackawic.

James Burnes, Molus River.

Jacob M'Keen, Tobique.

B. B. Jewett, Gaspereau.

T. C. Grant, Howard Settlement.

C. Campbell, Gulquac.

J. Trafion, Canoose.

H. Montgomery, Jacques River.

Joseph Connell, Wakefield.

John Smith, North River.

Henry B. Allison, Cains River.

John D. Cantillon, S. W. Miramichi.

S. Davidson, Petitediac.

Henry Sypher, Newcastle River.

Jonathan White, Richmond River.

James R. Cliff, Nackawic.

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.

TERMS—Ten per cent of the purchase money to be paid at the time of sale, and the remainder within ten days after.

100 acres, Westmorland, Parish of Botsford, in rear of the Grant to John Walton, and A. Bass. Upset price, 3s. per acre.

10 acres, north side north branch Petitediac, between D. Wheaton, and R. Walker, Westmorland. Upset price, 3s. per acre, the purchaser to pay Robert Harrison for the improvements thereon.

200 acres, Westmorland, on the Shemogue Road, as surveyed by Deputy Palmer, next to the grant to John Carter. Upset price, 3s. per acre.

50 acres, Westmorland, east end of lot No. 17, Coverdale River. Upset price, 3s. per acre.

100 acres, Saint John, in rear of grants to M. Moran, and James West, near Quaco. 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 of No. 26, south side Shepody Road. Upset price, 3s. per acre.

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.

PUBLIC Notice is hereby given, that His Excellency the Lieutenant Governor has appointed Saturday the twenty third of May next, to be set apart for the purpose of commemorating throughout the Province the Birth and the Marriage of our Most Gracious Queen; and His Excellency doubts not that it will be observed by all classes of Her Majesty's subjects, with those feelings of dutiful respect and attachment so often evinced by the loyal inhabitants of New Brunswick, and with every demonstration of pleasure and rejoicing at these auspicious events.

Fredricton, 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 within 14 days after.

50 acres, Northumberland, north side of Barnabes River, in rear of lots 41 and 42. Upset price, 3s. per acre.

100 acres, Westmorland, south part of the lot formerly occupied by Robert Mann, eastern part of the lot of the Butternut Ridge. Upset price, 3s. per acre, the purchaser to pay for the improvements in addition.

100 acres, King's, south half of lot No. 2, second tier, north of the road from Butternut Ridge to Studholm's Mill Stream. Upset price, 3s. per acre.

110 acres, Carleton, Lot No. 23, third tier, 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-

weather's Survey, between the head of Smith's Creek, and Studholm's Mill Stream. Upset price, 3s. per acre.

JOHN S. SAUNDERS,  
Surveyor General.

Crown Land Office, April 3, 1840.

PUBLIC 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 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 Excellency'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.

Secretary's Office, 30th March, 1840.

## IN CHANCERY.

MONDAY, 27th APRIL, 1840.  
WHEREAS in and by an Act of the General Assembly, made and passed in the second year of the Reign of Her Majesty Queen Victoria, intitled, "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 aforesaid, should be in force and effect from the time notice thereof should be given by the Master of the Rolls to the Royal Gazette, until altered by any subsequent 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 established in pursuance of the direction of the said Act, which said Table of Fees so made and established, has been duly filed in the Registry of the said Court of Chancery.

By order of His Honor the Master of the Rolls.

D. LUDLOW ROBINSON, REGISTRAR.

NOTICE is hereby given, that we the subscribers have been duly appointed Trustees for all the creditors of John Towse, late of Hopedale, in the County of Westmorland, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly, in such case made and provided, and do hereby require all persons indebted to the said John Towse, on or before the first day of June next, to pay to us, or to some one of us, all such sums of money or other debt, duty or thing, which they owe to the said John Towse, and deliver the said effects of the said John Towse, which they, or any one of them may have in his, or their hands, power or custody, to us or some one of us as aforesaid, and we do also desire all the creditors of the said John Towse, on or before the first day of July next, to deliver to us, or some 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 Assembly, in such case made and provided. Given under our hands at Fredericton, in the County of Westmorland, the twenty third day of April, in the year of our Lord one thousand eight hundred and forty.

ANDREW WELDON, 3d.

JOHN ROBB,

WILLIAM K. CHAPMAN.

CHRISTOPHER MILNER, Attorney.

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 Cyrus Stockwell, late of the said City, Hotel Keeper, (which said Cyrus Stockwell is deceased from and without the limits of this Province, with intent and design to defraud the said Mark Dele, 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. HZEN, Mayor, &c.

M. H. PERLEY, Attorney for Petitioning Creditor.