



THE ROYAL GAZETTE.

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Volume 6.

FREDERICTON, NEW BRUNSWICK, WEDNESDAY, APRIL 22, 1840.

Number 39



By Authority.

PROVINCIAL APPOINTMENTS.

James A. MacLachlan, Commissioner for the road from the Great Falls round Lake Tamsiquata.
William Foshay, Commissioner for the road from the Oromocto to Gagetown.
Philip Palmer and John Jordan, to explore a road from Point Wolf to Quaco.
Michael Harley, Commissioner for the road from Salmon River to Richibucto.
Patrick Clinch, Commissioner for the line of road from the Red Rock to the Nerepis.
Thomas Jones, Commissioner to improve the towing path from Tobique to the Great Falls.
Honorable Harry Peters and George Hayward, Esquire, Supervisors from Fredericton to Saint John, via Nerepis, and from Gagetown to the Nerepis road.
L. B. Rainsford, Commissioner for the Road from Oak Bay to Woodstock.

IN COUNCIL, April 1, 1840.

The undermentioned applicants for the purchase of Crown Lands, may have the lands applied for by them on the following terms, if payment be made before the 8th day of June, next, and five shillings additional will be charged on each purchase, for postage, &c.

GLOUCESTER.

Robert Young, 3s. per acre, down.
Martin Murphy, 2s. 6d. per acre, down, or 3s. by instalments.
John Tumay, 3s. per acre, down.
Michael Whalen, do. do.
Martin O'Donnell, do. do.
Thomas Nooncy, Jr. do. do.
Alexander Cameron, do. do.
Roderick M'Donald, do. do.
Michael Samuels, do. do.
James Palmer, do. do.
William Brown, do. do.
James Sullivan, do. do.
Thomas Hannay, Jr. do. do.
Levi Parsons, do. do.
William Hay, do. do.
Alexander Gray, do. do.

KENT.

Fabian Collett, 3s. per acre, down.
William Cochrane, 10s. per acre, down.
Thomas Stevenson, 2s. 6d. per acre, down.
William Stevenson, 3s. per acre, down.
George Collett, do. do.
Michael Pickett, do. do.
James Campbell, do. do.
Helene White, do. do.
David McIntosh, 2s. 6s. per acre, down.

WESTMORELAND.

Charles M'Fee, 3s. per acre, down.
Thomas Bleakney, do. do.
Edward O'Dougherty, do. do.
Robert Cockes, do. do.
George Hoar, do. do.

KING'S.

Edward Jones, 3s. per acre, down.
William Grigg, 2s. 6d. per acre, down.
James Leitch, 3s. per acre, down.

YORK.

L. A. Wilnot, 3s. per acre, down.
The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 1st day of June next, (see advertisement.)

Daniel O'Donnohew.
T. Oliver Arnold, Jr.
Gardner Corry.
Henry Baird.
James Cudlip.

The Petitions of the undermentioned persons are referred for want of survey.

Hames Hamilton, Restigouche.
Hugh M'Kenzie, do.
Edward Murphy, do.
James Forien, Jr. Gloucester.
William Forien, do.
Samuel Proctor, do.
W. C. Hall, do.
Thomas Rivers, do.
Mary Hawa, Northumberland.
Cornelius Mahony, do.
Dennis Duonvan, do.
John Hackett, Jr. do.
Urban Brand, Kent.
Allan Carter, do.
Urban Cormier, do.
James M'Fee, Westmoreland.
Alexander Steeves, do.
Charles Holsted, do.
Wm. M'Aughey, King's.
John Livingstone, do.
Garnett Wright, do.
William Quinn, Queen's.
William Fry, do.
John Comb, Sunbury.

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

Alexander M'Laggan, not complied with.

Benjamin Wolhaupter, (for 50 acres land), not complied with.
John Keith, referred.
Tobique Mill Company, referred.
Thomas Falle, referred.
John Marks, do.
Richard Jardine, complied with.
John Sullivan, do.
William Campbell, do.
J. A. Street, (see answer in name of M. Murphy.)

Thomas Wetherall, complied with.
M. Bunsfield, not complied with.
Thomas Cripps, the land to be granted to him on A. C. Evanson's paying up the balance due.

Patrick Deering, no further relief can be afforded him.
E. & H. O'Brien, referred.

James Cudlip, the tract applied for by him will be offered at Auction, and a remission to be allowed him of £150 in the purchase money.
W. Skinner, cannot be complied with.
Edward Guest, referred to the Surveyor General who will explain the circumstances to him.

Charles Connell, referred.
Joseph Cunard, not complied with, the certificate being insufficient.

Wm. J. Bedell, to stand over until Mr. Allan render his accounts.
John Street, complied with.
James Taylor & J. Keen, not complied with.

William Mahood, Warrant to issue for the sum of £10, 10s.
John M'Millan, for a Mill Reserve, to stand over.

R. M'Leod, do. do. do.
R. Crocker, do. do. do.
Gilmour Rankin & Co. do. do. do.

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 1st day of May next.

William Gill, Magaguadavic River.
Robert Ferguson, Restigouche River.
Thomas Johnston, St. Nicholas River.
John Tweedie, Black River.

Terence Curran, St. Nicholas River.
John M'Lean, Cumberland Creek.
Henry Kelly, Narawecia River.
Gardner Corry, New Canaan River.

John Bedell, County of Carleton.
A. Rankin, Betts' Mill Brook.
N. Hilton, Taxes River.

C. K. Smith, Shediak River.
Adam B. Sharp, Carleton.
George Murray, Molus River.

Sherman Tapley, Munquart River.
Sherman Tapley, Shekithauk River.

Robert Kerr, Munquart River, and on payment of arrears due before 1st May next.

John C. Foster, Begagumec, on payment of tonnage before the 1st May next, but not to be applied towards the purchase of his land.

The Petitions of the undermentioned Persons for licence are complied with.

John Carson, Pokiok River.
Thomas Brown, Nashwak River.
James Taylor, Three Brooks.
J. M'Millan, Buctouche River.

Crown Land Office, April 3, 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 Barnabie's River, in rear of lots 41 and 42. Upset price, 3s. per acre.

100 acres, Westmoreland, south part of the lot formerly occupied by Robert Mann, eastern part of the lot of the Butterut 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 Butterut 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 Fairweather'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.

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 Landings. Upset price, 3s. per acre.

150 acres, Westmoreland, east side of Square Lake, adjoining the grant to J. M'Dougal. Upset price, 3s. per acre.

100 acres, Westmoreland, adjoining lands granted to John Reilly, Shemogue Road, Parish of Botsford. Upset price, 3s. per acre.

100 acres, Westmoreland, adjoining Alexander M'Kay's grant, Parish of Botsford. Upset price, 3s. per acre.

200 acres, Westmoreland, between J. Wortman and George Foster, Annagance River. Upset price, 3s. per acre.

150 acres, Westmoreland, west of land applied for by William Lean, near Cape Tormentine. Upset price, 3s. per acre.

100 acres, Westmoreland, north of land applied for by Charles Lean, near Cape Tormentine. Upset price, 3s. per acre.

140 acres, Westmoreland, in rear of Thomas Brewster and others near Cape Enrage, Harvey. Upset price, 3s. per acre.

100 acres, Westmoreland, 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, M'Donald'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.

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 Bailie, Defendants.

FORASMUCH 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 appears; and had sued out process of Subpoena, requiring the Defendants to appear to answer the same, but that the Defendants William Porden Kay, Edward Nicholas Kendall and John Kay, do not reside within this Province, but have a known place of residence in that part of Great Britain and Ireland, called England; and that the said William Porden Kay and John Kay, reside in London, and the said Edward Nicholas Kendall at Crovden in Surrey; and that the said Defendants, William Porden Kay, Edward Nicholas Kendall and John Kay, cannot be served with the process of this Court 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.]

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 Defendants 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 it is further Ordered, That this Order be published in the Royal Gazette for the space of three months.

By the Court,
D. LUDLOW ROBINSON, REGISTRAR.
[First Published, March 11, 1840.]

FOR SALE.
AN ENGLISH made GIG. Enquire of
W. J. BEDELL.
Fredericton, 17th March 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 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 debts, 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 debts, 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 and do not now both either of them reside 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 DIBBLE.
Attorneys for Petitioning Creditor.
[First Published, November 13, 1839.]

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, Registrar.

TOBIQUE Mill Company.

GENERAL AGENCY.
E. H. LOMBARD having this day resigned his Office as General Agent of the Company, the Board of Directors have accordingly cancelled the Commission issued to Mr. LOMBARD on the 17th June, 1839.

By Order of the Board,
R. GOWAN, SECRETARY.
9th March, 1840.

NOTICE.

IF this should meet the eyes of SETH GRISWOLD and JOHN GRISWOLD, sons of JOHN GRISWOLD, late of Litchfield, in the State of Connecticut, and Grand Nephews of SETH GRISWOLD of Queensbury, in the County of York and Province of New Brunswick, deceased, and if they will come to this Province of New Brunswick, and apply to DAVID M. ROBERTS, IRA INGRAM or LEWIS HUESTIS, of the said Parish of Queensbury, Executors of the last Will and Testament of the said SETH GRISWOLD, deceased, they will hear of something to their advantage.

Queensbury, 29th Oct. 1839.
The Editors of the New York Albion or Emigrant, Montreal and Quebec Gazettes, are requested to give the above three insertions in their respective papers, and forward their accounts to this Office for payment.

FOR SALE OR LEASE, For One or a Term of Years.

The whole or a part of the following Property.

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

Also for Sale or Lease, the new SAW MILL at M'Gundy Stream, with

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

Apply to MARK NEEDHAM.

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

MARK NEEDHAM.

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

Apply to MARK NEEDHAM.
Fredericton, Dec. 26, 1839.

NOTICE.

ROYAL MAIL STAGE,
BETWEEN
Fredericton and Woodstock.

THE Subscriber intends running a daily STAGE between Fredericton and Woodstock, commencing on the 23d December, inst.; through which, persons arriving from Saint John, &c., can find an immediate conveyance to Woodstock, Canada, the United States, &c.

Comfortable Stages and first rate Teams will be provided, and every attention given to passengers. The hours for leaving each of the above places will be as follow:—

From Fredericton, Monday, at 7, A. M.
Tuesday, 3, P. M.
Wednesday, 7, A. M.
Thursday, 7, A. M.
Friday, 7, A. M.
Saturday, 3, P. M.

From Woodstock, Monday, at 7, A. M.
Tuesday, 1, P. M.
Wednesday, 7, A. M.
Thursday, 7, A. M.
Friday, 1, P. M.
Saturday, 1, P. M.

The Stage Books will be kept at Jackson's Hotel, Fredericton, and Mrs. Grover's, Woodstock. Fare, Fifteen Shillings.

JOHN FROWN.
Fredericton, December 5, 1839.

NOTICE.

TWO or three YOUNG MEN can be accommodated with Boarding and Lodging in a private family, situated in a pleasant part of the Town. For further information apply at the Royal Gazette Office.

Fredericton, March 23, 1840.

FOR SALE.

AN excellent tract of LAND, on Taxes River, in the Parish of Northesk, County of Northumberland, containing about 460 acres including two fine Islands—Also, another tract on Renous River, containing about 120 acres of beautiful Intervale, and two hundred acres on the Miramichi Road. For further particulars apply to STEPHEN MILLER, Esquire, or to the Subscriber.

J. F. W. WINSLOW.
Fredericton, January 20, 1840.

TO RENT
And possession given immediately.

A STORE and Counting Room in the new building adjoining the Store of the Subscribers in Queen Street.

These apartments will be found suitable for a Dry Good Store or offices.

J. & A. SMITH.
Fredericton, November 11, 1839.