

NEW

SERIES.



# THE ROYAL GAZETTE.

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Volume 7.

FREDERICTON, NEW BRUNSWICK, WEDNESDAY AUGUST 26, 1840.

Number 5



By Authority.

By His Excellency Major General Sir JOHN HARVEY, K. C. B. and K. C. H. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

J. HARVEY, Lt. Governor.

## A PROCLAMATION.

WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to Tuesday the twenty third day of June instant; I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to the fourth Tuesday in September next.

Given under my Hand and Seal at Fredericton, the nineteenth day of June, in the year of our Lord one thousand eight hundred and forty, and in the third year of Her Majesty's reign.

By His Excellency's Command,  
WM. F. ODELL.

HEAD QUARTERS, FREDERICTON,  
15th August, 1840.

## MILITIA GENERAL ORDERS.

The days appointed by the Militia General Order, dated 12th May last for the Drill and Inspection of the 2d Battalion Westmorland Militia having been found inconvenient, the Commander in Chief has been pleased to direct the Staff Adjutant to postpone his visit to this Battalion the present year. The days allotted for his instruction are therefore transferred to the 1st Battalion, in addition to those already named in the above mentioned Order.

The Commanding Officer of the 1st Battalion Westmorland Militia, in consequence of this alteration, will be pleased to make the requisite arrangement for receiving the Staff Adjutant, Captain Priestley, on the 28th, 29th and 30th days of September, and the 1st and 3d days of October.

## PROMOTIONS, &amp;c.

1st Battalion Northumberland Militia.  
Captain R. M'Leod to be Major, vice Gilmore promoted.

## TO BE CAPTAINS.

Lieutenant Joseph Russell, vice A. Henderson, deceased, dated 15th August.  
Lieutenant D. Keith of a new Company, dated 16th August.  
C. M'Curley, vice D. Shaw, deceased, dated 17th August.

## TO BE LIEUTENANTS.

Ensign A. Cameron, vice J. Russell, promoted 15th August.  
Ensign J. Sinclair, vice C. M'Curley, promoted 16th August.  
James Miller, Gent., of a new Company, 17th August.

## TO BE ENSIGNS.

James Cameron, Gent., vice A. Cameron, promoted 15th August.  
Peter M'Dougal, Gent., vice J. Sinclair, promoted 16th August.  
Owen M'Ewen, Gent., of a new Company, 17th August.

## By Command.

GEORGE SHORE, A. G. M.

## IN COUNCIL, August 4, 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 12th day of October next, and five shillings additional will be charged on each purchase, for postage, &c.

## RESTIGOUCHE.

Peter Sales, 3s. per acre, down.  
NORTHUMBERLAND.  
John Hackett, Jr., 3s. per acre, down.  
Patrick Hall, 2s. 6d. per acre, down.  
Patrick Shinnick, 3s. per acre, down.  
Joshua Arbo, do. do.  
James Fowle, do. do. provided  
Levi Parsons does not come forward and pay for the same within three months from this date.

## SAINT JOHN.

Felix Thomas, 100 acres at 2s. 6d. per acre, down.  
Henry Henahan, Jr., 3s. per acre, down.  
Patrick Flannagan, do. do.

## KING'S.

Richard Roach, 3s. per acre, down.  
Samuel Thorn, do. do.  
George R. Price, do. do.  
W. F. Price, do. do.  
David M'Allister, do. do.  
James M'Allister, do. do.  
William Brannen, do. do.

## QUEEN'S.

Henry Hopewell, 3s. per acre, down.  
Thomas Eatman, do. do.

YORK.  
Elisha Cronkrite, 3s. per acre, down.  
David Hickey, do. do.  
Robert Anderson, 3s. per acre, by instalments.

The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 5th day of October next, (see advertisement.)

William Ellis.  
John Turner.  
Wilford Fisher.

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

Thomas M. Debois.  
John Finlay.  
E. M'Mahon.  
Patrick Bayle.  
L. Monaghan.  
Thaddeus White.  
Michael Casey.  
Charles Colpitt.  
John Niles.  
Richard Crozier.  
Henry Brittain.  
Patrick Gallagher.  
James Brown.  
N. Clark.  
J. Hutchinson.  
James Little.  
David Little.  
Matthew Little.  
William Little.  
Samuel Kitchen.  
Robert Parker.  
Patrick Kerns.  
W. Murphy.

The answers to the Petitions of the undermentioned Persons are as follows:—

Peter Vantour, complied with.  
George Mills, not complied with.  
Thomas E. Perley, not complied with.  
Hypolite Henry, a deduction of sixpence per acre, to be made in the price of his land.  
David Wark, not complied with.  
J. Holbrook, complied with.  
W. M'Carthy, complied with on payment of £6 10s. the balance due.  
R. M'Cutchen, cannot be entertained.  
Joseph Roddick, complied with.  
Joseph Ross, complied with.  
B. Belding, complied with at 3s. per acre, down, and that the former order in Council respecting this land in favour of Garret Wright of 2d June be rescinded.

B. Wolhaupter, complied with.  
J. Keillor & W. R. Chapman complied with.  
Abraham Moores, not complied with.  
James Smith, complied with.  
Charles Matthews, complied with.

Michael Denny, ordered that so much of the order of 2d June, in favour of D. Coldwell as relates to No. 14 be rescinded and that Petitioner have the 100 acres prayed for at 3s. per acre, down.

Jacob Mersereau, not complied with.  
Thomas E. Perley, not recommended to be allowed.

Aaron Hovey, not complied with.  
W. Connell, the Petitioner to have credit on his bond for the amount of duty on 213 tons.

John Perry, complied with on his paying the Seizing Officer his dues, when the bond may be cancelled.

Melanethun Thorn, do. do.  
Michael Samuel, complied with on payment of the sum of £98 16s.

Lawrence Halcrow, complied with and further recommended that John Gorman's application complied with, 2d June, 1840, be rescinded.

Archibald M'Lean, complied with.  
Wellington Gilmour, not complied with.  
John Wilson, £7 17s. 6d. to be returned.  
Benjamin Tibbits, complied with (2 Petitions.)

Charles Day, deferred until Deputy Rainsford's report is received.  
Daniel Irvine, complied with, and on paying Lackey's arrears.

James A. Phillips, not complied with.  
J. and G. M. Porter, do. do.

Trustees of D. Barber, cannot be entertained; the Attorney General's opinion accompanying the petition, referred to the Surveyor General, together with the Attorney and Solicitor General to report thereon.

A. S. Carman and Smith and M'Donald, ordered that the Timber be delivered to Mr. Carman on his paying the duties due to the Crown, and all expenses incurred in seizing and collecting the Timber.

G. and J. Munro, complied with.  
John L. Marsh, Petitioner to be allowed to relinquish his lease on payment of £95.  
Amos Plummer, ordered that £22 6s. be returned to him.

The Petitions of the undermentioned persons for licence to cut Timber and Lumber on Crown Lands, are complied with on payment of the duty before the 12th of October next.

Charles Connell, Tobique.  
John Shea, Tobique.  
W. Valentine, Digdequash.  
D. M'Kay, N. W. Miramichi.  
S. Tapley, Munquart.  
J. Clark, New Canaan.  
N. Clark, New Canaan.  
J. W. Underhill, Sabbies River.

W. M. Clark, New Canaan.  
J. Cunard, Tracadie.  
J. Cunard, Barnabie's River.  
J. Dunphy, Cain's River.  
A. Hovey, S. W. Miramichi.  
J. Leighton, Bay des Veut River.  
J. M'Millan, Bactouche.  
Wm. Hitchings, Digdequash.  
J. Stratton, Cumberland Creek.  
Thomas Cail, Coal Branch.  
Thomas Pickard, Tobique, but the former deposits not to be allowed.

J. M'Keen, Mamozekel, do. do.  
P. Stewart, Restigouche.  
A. Ritchie, Upsalquitch.  
W. H. Miller, York.  
E. Scribner, New Canaan.  
D. Keith, New Canaan.  
J. Christie, River St. Croix.  
B. Beveridge, Tobique.  
J. M'Namara, Salmon River.  
Patrick Long, Clearwater Brook.  
P. Sutherland, Upsalquitch.  
Ross Campbell, Salmon River.  
J. S. Taylor, Salmon River.  
J. Humphrey, Peticodiac.  
W. Doherty, St. Nicholas River.  
W. Loch, Six Mile Brook.  
P. Curran, River St. Croix.  
B. Tibbits, Tobique, on paying all arrears.  
J. M'Adam, River St. Croix.  
M. Thorn, New Canaan.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 5th day of October 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.

100 acres, Saint John, being lot No. 4, north of Andrew Ellis, north of Quaco. Upset price, 3s. per acre.

50 acres, Charlotte, being the west half of lot No. 8, south of the Baillie settlement. Upset price, 3s. per acre.

An Island known by the name of the "Farmer," near Long Island, east side of Grand Manan, Charlotte. Upset price, £25 for the Island.

JOHN S. SAUNDERS,

Surveyor General.  
Crown Land Office, August 8, 1840.

CROWN LAND OFFICE,  
August 11, 1840.

The right of working the Coals, and other Minerals in the following described Districts in the County of Westmorland, subject to the following regulations and conditions, will be offered at Public Auction at this Office on Monday the 5th day of October next, at the upset price of Fifty Pounds on each District. Sale to commence at 12 o'clock, noon.

## MINING LOTS IN THE COUNTY OF WESTMORLAND.

## DESCRIPTION OF THE LOTS.

The first Lot to extend from the junction of the Peticodiac and Memramcook Rivers, north till it meets a prolongation of the lower side line of Lot No. 45, granted to Peter LeBlanc in Dorchester, and to extend eastward from the Peticodiac River to the rear line of the first tier of Lots on the east side of the Memramcook, and to be bounded on the south by the lower side line of Lot No. 14, granted to Charles Dixon, containing 30 square miles, more or less.

The second Lot to extend from the Peticodiac River, easterly to the rear line of the first tier of Lots on the east side of the River Memramcook, to be bounded on the South by the lower line of Lot No. 45, (granted to Peter LeBlanc), and its prolongation; and to be bounded on the north by the lower line of the escheated DesBarres Tract, and its prolongation, containing 18 square miles, more or less.

The third Lot to extend from the Peticodiac across to the Memramcook River, to be bounded on the south by the lower line of the escheated DesBarres Tract, and on the north by a line to be run due east (true east) from the mouth of Hall's Creek, (at the Bend of the Peticodiac), till it strikes the River Memramcook, containing 40 square miles, more or less.

## REGULATIONS AND CONDITIONS.

1st. That the upset price on each lot be £50 (fifty pounds), and the whole amount of the purchase money on each lot to be paid on the day of sale to the Receiver General, or other person authorized to receive the same.

2d. That the right of Mining on each Lot be separately put up for the term of twenty five years, at a fixed rent of five per cent on the value of the minerals raised, with the exception of Coal, on which a duty of one shilling currency per chaldron shall be paid quarterly, on the 1st January, 1st April, 1st July and 1st October, in each year to the Receiver General, or an Agent for that purpose to be appointed by the Government.

3rd. That two years be given to each purchaser from the day of sale to explore and select his Mining ground, within the Lot purchased by him, which ground so to be selected

is in no case to exceed three miles square. But no mining operations are to be commenced or prosecuted until the lease be taken out.

4th. That the purchaser of each Lot, after having explored and selected his ground, shall cause a Survey and Plan thereof to be made by some duly authorized Deputy Surveyor of the Province, and filed in the office of the Surveyor General; and that after such plan shall have been confirmed at the said office, a lease of the mines comprised therein shall be forthwith made out in accordance therewith.

5th. That after the said lease is executed and delivered, the lessee shall be allowed to work the said mines for three years, free of any rent or charge.

6th. That if the lessee shall not have actually commenced mining within two years after the date of the lease, the same shall be forfeited.

7th. That if the rent be behind or unpaid for the space of thirty days after the same shall become due, the lease shall be forfeited.

8th. That the lease contain a clause of renewal; and that the Government may take the improvements at a valuation to be made by arbitrators mutually chosen by the Surveyor General for the time being, and by the lessee or his assigns.

9th. That in no case shall a lease be executed for more than three miles square.

10th. That if the lessee, or his assigns shall neglect to work the mines within his lease for any one year during the continuance thereof, the said lease shall be forfeited and revert to the Crown.

JOHN S. SAUNDERS,

Surveyor General.

By His Excellency Major General Sir JOHN HARVEY, K. C. B. and K. C. H. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

J. HARVEY, Lt. Governor.

## A PROCLAMATION.

WHEREAS a Form of Prayer and Thanksgiving for the late merciful preservation of the Queen has been prepared and ordered to be used in all Churches and Chapels throughout England and Wales, and the Town of Berwick upon Tweed; I do hereby order and direct the same to be used in all Churches and Chapels throughout this Province, so soon as the Ministers thereof shall receive the same, and to be continued for thirty days thereafter.

Given under my Hand and Seal at Fredericton, the twenty eighth day of July, in the year of our Lord one thousand eight hundred and forty, and in the fourth year of our Reign.

By His Excellency's Command,  
WM. F. ODELL.

## A FORM OF PRAYER AND THANKSGIVING TO ALMIGHTY GOD.

Almighty and everlasting God, Creator and Governor of the world, who by Thy gracious Providence hast oftentimes preserved Thy chosen Servants, the Sovereigns whom Thou hast set over us, from the malice of wicked men; we offer unto Thee all praise and thanksgiving for Thy late mercy vouchsafed to us in frustrating the traitorous attempt on the life of our Sovereign Lady Queen VICTORIA.

Continue, we beseech Thee, Thy watchful care over her. Be Thou her shield and defence against all the devices of secret treason, and the assaults of open violence. Let the light of Thy countenance shine upon her, and upon her Royal Consort; and bless them with all happiness. Direct and prosper her counsels, and so guide and support her by Thy Holy Spirit, that putting her whole confidence in Thee, she may faithfully rule Thy people committed to her charge, to their good and to the glory of Thy holy Name.

And to us and all her subjects, O Lord, impart such a measure of Thy grace, that under a deep and lasting sense of the mercy at this time vouchsafed to us, we may always shew forth our thankfulness unto Thee, by dutiful loyalty to our Sovereign, and constant obedience to Thy commandments.

Give ear, we beseech Thee, O merciful Father, to these our supplications and prayers, which we humbly offer before Thee in the name and through the mediation of Jesus Christ our only Saviour and Redeemer. Amen.

Then shall follow the Prayer for Unity.

O God the Father of our Lord Jesus Christ, our only Saviour, the Prince of Peace; Give us grace seriously to lay to heart the great dangers we are in by our unhappy divisions. Take away all hatred and prejudice, and whatsoever else may hinder us from godly Union and Concord: that, as there is but one Body, and one Spirit, and one hope of our Calling, one Lord, one Faith, one Baptism, one God, and Father of us all, so we may henceforth be all of one heart, and of one soul, united in one holy bond of Truth and Peace, of Faith and Charity, and may with one mind and one mouth glorify thee; through Jesus Christ our Lord. Amen.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 7th day of September 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.

100 acres, Kent, North side of the West Branch of St. Nicholas River, as surveyed for A. Morton, in Johnston's Mill reserve. Upset price, 3s. per acre.

400 acres, Westmorland, being lots 12, 13, 14 and 15, East of John Keillor, North Mountain Settlement. Upset price, 3s. per acre.

300 acres, Westmorland, on the North east side the Road leading from the North River to the Butternut Ridge, and South east of Thomas Hope, (not to interfere with Hugh M'Monagle.) Upset price, 3s. per acre.

85 acres, King's, lot No. 10 second tier South of the Kennebecasis River. Upset price, 3s. per acre.

50 acres, Queen's, adjoining the lot improved upon by J. D. Worden, South east of the "Narrows" of the Washademoac Lake. Upset price, 3s. per acre.

40 acres, Carleton, being the East part of the North half of lot No. 15, fourth tier Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 16, third tier, Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 11, third tier, Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 12, third tier, Presquille Settlement. Upset price, 3s. per acre.

220 acres, Carleton, lot No. 13, third tier, Presquille Settlement. Upset price, 3s. per acre.

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

## NORTHUMBERLAND

## STAGE

BETWEEN FREDERICTON AND MIRAMICHI.  
THE Subscriber returns his sincere thanks for the liberal support he has obtained since he commenced running the above Stage, and now wishes to inform the public that he has commenced running on this line twice a Week.

A Stage will start from Fredericton every Monday and Thursday, at 7 A. M., and arrive in Miramichi, on Tuesday and Friday at 4 P. M.

Passengers and Luggage for Douglastown and Chatham, will be conveyed there on the arrival of the Stage at Newcastle.

A Stage will start from Miramichi on Monday and Thursday, and arrive at Fredericton on Tuesday and Friday at 4 P. M. This Stage will leave Hamill's Hotel, in Newcastle, on the above mentioned days, at 7 A. M. The Subscriber will be in Chatham and Douglastown, every Wednesday and Saturday, to deliver and receive Letters and Papers. He has made arrangements with Mr. M'Beath to carry Passengers to the upper Ferry, where he will be in readiness to receive them.

FARE from Fredericton to Newcastle, 40s. do. to Douglastown & Chatham, 42s. 6d. The same from Miramichi to Fredericton.

Each Passenger will be entitled to take with him 40lbs. of Luggage. All extra Luggage to pay 2d. per lb.

The Subscriber has on the above line, teams not inferior to those in any part of the Province, which will be attended with experienced drivers at all times.

JAMES M. KELLY.

May 26, 1840.

N. B. All Petitions for Land, Timber or Logs, will be strictly attended to, and answers brought back the same week; charge for each Petition 5s. All Instalments paid, and receipts brought back, free of expense.

## NEW GOODS.

Just received and for sale by the Subscriber, at low rates for Cash or approved Credit.

SUPERFINE Black and Blue Broad CLOTHS; Cassimeres, Buckskins, &c.

A variety of Fancy Stripes, for Summer wear, Cottons, Prints, Muslins, Summer Slops, together with numerous other articles in this line.

In Hardware—Locks, Hinges, Bolts, Nails, Cut and Wrought; and various other articles of fine Cutlery.

Paints and Oils.

F. W. H. Keeps constantly on hand an assortment of the very best Superfine Flour, Rye Flour, Corn Meal, Fish, Pork, Yellow Corn, Rice, together with all other articles of Provisions and Groceries.

Just received in addition to the former Stock of Bread Stuffs.

150 Bbls. Corn Meal.  
75 do. Rye Flour; which he will sell at very reduced prices in lots.

F. W. HATHEWAY.

Fredericton, July 28, 1840.

A few copies of the RULES of the SUPREME COURT may be had on application at this Office.

Royal Gazette Office, June 3, 1840.