

THE ROYAL GAZETTE.

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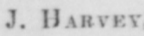
FREDERICTON, NEW BRUNSWICK, WEDNESDAY SEPTEMBER 16, 1840.

Number 8



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 ninth day of September, instant; I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to the fourth Tuesday in December next.

Given under my Hand and Seal at Fredericton, the second day of September in the year of our Lord one thousand eight hundred and forty, and in the fourth year of Her Majesty's reign. By His Excellency's Command, W. M. F. ODELL.

IN COUNCIL, September 1, 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 10th day of November next, and five shillings additional will be charged on each purchase, for postage, &c.

RESTIGOUCHE. James Hamilton, 3s. per acre, down. Alex. McKenzie, 2s. 6d. per acre, down, or 3s. by instalments.

GLOUCESTER. J. W. Maskill, 3s. per acre, down. George Deblois, do. do. Charles Hackett, do. do.

NORTHUMBERLAND. Edward Walsh, 2s. 6d. per acre, down. Thomas Bayle, 3s. per acre, down. Patrick Bayle, do. do. W. Russell, do. do. George Crocker, do. do.

KENT. John Harnett, 2s. 6d. per acre, down. Urban Brand, 3s. per acre, down. L. Thibedeau, do. do. M. D. Aigle, do. do. J. L. Richard, do. do.

SAINT JOHN. John Meaklim, 3s. per acre, down. KING'S. M. Robinson, 3s. per acre, down. QUEEN'S. James Lawson, 3s. per acre, down. Charles Johnson, do. do.

SUNBURY. John M'Minn, 3s. per acre, down. The lands applied for by the undermentioned persons, will be offered at Public Auction at this Office on Monday the 2d day of November next, (see advertisement.)

Thomas M. Deblois. Bela Packard. John Humphrey. Simon Vaughan, (300 acres only to cover his improvements.) Alexander Gillespie.

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

John Knight, G. VanHorne. James White, N. Stilliam. John Norton, Jr., H. Bradshaw. John Cochran, Jr., W. Vail. James Johnson, D. A. Hamilton. John Nonan, Hugh Moore. Simon Richard, J. Bradshaw. W. M'Dugald, John Marr. Francis Matthews, Eli Catlen. A. F. Martin, R. Lindsay. J. D. B. Wells, John M'Cunn. W. Hopper, G. Adare. M. O'Doherty, A. Adare. R. Campbell, P. Foley. J. C. Cadman, W. Gray, Jr. J. F. Price, Thomas Pollock. M. M'Naughten, F. W. C. Beavan. James Quig.

The answers to the Petitions of the undermentioned Persons are as follows:— Andrew Blair, not complied with. David Vaughan may have 1,000 acres, on paying the balance at 5s. an acre, reserving a road through the same to the back Settlement. Robert Gibson, to stand over for further information from the Surveyor General. Abraham Jones, do. do. do. Clement Thibaud and Polite Vantour cannot be allowed for less than 3s. an acre. William End, complied with, on Petitioner's re-conveying the Island to the Crown.

Julia Singleton, allowed a free grant of 100 acres. William Woodforde, complied with. Bernard Duffy and George Hoar, Ordered, that Bernard Duffy have a grant of 50 acres as prayed for.

George M. Porter, Ordered, that Petitioner be allowed to relinquish his land on payment of single duty, together with the Seizing Officer's dues. Wm. Todd, Jr. and J. M'Allister, Jr., Ordered, that John Hill be allowed to relinquish his land on payment of single duty, together with the Seizing Officer's dues.

Samuel Abbot and John Wilson, complied with, on their producing satisfactory proof that no timber has been taken off the land. Joseph N. Clarke, not complied with. Ninian Lindsay, 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 10th day of November next.

W. M'Namee, Cain's River. R. Ralston, Portage Road. V. A. Harding, River St. John. George Porter, Eel River. A. Mastin, Eel River. Joseph Cunard, Gloucester and Kent. S. Davidson, Petitecodiac. Thomas Murphy, Nashwaak. Wm. McLeod, Kent. H. Harrison, Restigouche. A. Ritchie, Restigouche. John M'Lean, Queen's. Andrew Dixon, Kent. C. Connell, Carleton. John Hutchings, Queen's. N. M'Eacharn, Kent. W. J. Bedell, Carleton. R. Hutchison, Northumberland. James Taylor, York and Carleton. Melzer Drake, Cain's River. A. Dickinson, Carleton. Thomas Coughlan, Sabbie's River. A. B. Sharp, Serpentine River. D. Wright, York. S. Berry, York.

G. Morrow, Sunbury. B. Beveridge, Carleton. J. Bailey, Sunbury. W. Taylor, Kent. G. E. Ketchum, Carleton. P. Sutherland, Restigouche. A. Rankin, Gloucester. W. E. Perley, Sunbury. W. Albee, York. J. Cunard, Gloucester. J. S. Taylor, Queen's. John Pond, York. A. Glenecross, Kent. J. Doherty, Kent. J. M'Millan, Kent. C. K. Smith, Kent. E. M'Neal, (Queen's,) on payment of arrears.

A. S. Carman, Little River, do. do. John M'Lean, Queen's, do. do. James Frink, Canoose, do. do. D. Small, Six Mill Brook, do. do. J. Campbell, Jr. Palphrey, do. do. J. Jardine, Kent, do. do. Thomas Boies, York, do. do.

A Licence to cut such Timber on the Berth on the Restook Portage applied for by A. S. Carman and Jacob M'Keen, will be offered at Auction for competition between them only at this Office, on Monday the 2d of November next. Upset price, 1s. 6d. per ton.

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

Daniel Small, Sabbie's River, not complied with. J. F. Estabrooks, Little River, do. do. Richard M'Keen, do. do. Francis Ferguson, do. do. Henry Day, complied with. George E. Ketchum, do. Jacob Dow, complied with, on producing satisfactory proof of the quantity cut. William Moore, do. do. do. R. Brockway, Jr. (respecting Bond,) complied with.

R. Brockway, Jr. single duty will be received on 30 M. lumber and double duty on the remaining 40 M.

Wm. Todd, Mr. Bowser will be allowed to relinquish his 5 year's licence, on producing to the Surveyor General satisfactory testimony that no Timber has been cut thereon since June 1836.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 2d day of November 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.

2 Lots of 100 acres each, Gloucester, on Bass River, above the Miramichi Road, (as surveyed for Thomas M. Deblois.) Upset price, 3s. per acre.

200 acres, Gloucester, on Bass River, (above the Miramichi Road in rear of the First tier.) Upset price, 3s. per acre.

239 acres, Westmorland, in rear of the Granted Lands at the Bend of Petitecodiac

River, next to R. Crossman's, and as surveyed for John Humphrey. Upset price, 3s. per acre.

300 acres, Saint John, being one half of the 600 acre tract surveyed in rear of the front lots at Quaco, for Simon Vaughan and to cover his improvements. Upset price, 3s. per acre.

100 acres, Queen's, between John Austin and Bernard Campbell, north side Salmon River. Upset price, 3s. per acre.

1154 acres, Carleton, being division No. 10, Block 4, Blair's Survey, on the head of the Cold Stream, Beguamick. Upset price, 3s. per acre.

JOHN S. SAUNDERS, Surveyor General. Crown Land Office, September 3, 1840.

ERRATUM.—In the Militia General Orders of 1st September, in place of JOHN HOBIN, read GEORGE W. HOBIN, to be Ensign in 1st Battalion Queen's County Militia.

KING'S COLLEGE, September 7, 1840. His Excellency the Chancellor has been pleased to appoint the Rev. Dr. Jacob to be Professor of Divinity, in the place of the Rev. Dr. Somerville, who has resigned the chair.

The attention of Parents and Guardians is requested to the following provisions of the Statutes:—

"BOOK I. TIT. 9.—OF THE TUTOR'S. 1. To every Student, on his admission, and until he shall be of four years standing, a Tutor shall be assigned, selected from among the Professors or Graduates, by or with the assent of the President, or the Vice President.

2. It shall be the office of the Tutors to assist and direct the private studies of their Pupils, inspect their religious and moral conduct, control their expenses, and regulate those parts of their education and behaviour, which are not within the province of the Professors, and are too minute for the attention of the President, or Vice President.

3. The Tutors shall receive from their Pupils an annual sum, to be appointed by the Council."

The Vice President, being of opinion that considerable benefit might attend a change of practice in respect to the selection of Tutors, invites the Parents or Guardians of the Students now belonging to the College, to signify the Professor or Graduate whom they may severally wish to be assigned for the Tutor of their Sons or Wards; the Vice President being prepared in all cases to give his assent to the selection, unless objections of serious importance should be found to arise.

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 Petitecodiac 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 Petitecodiac 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 Petitecodiac 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 Petitecodiac 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 Petitecodiac,) 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.

NOTICE is hereby given, That we the Subscribers have been duly appointed Trustees for all the Creditors of Edward N. Kendall and William P. Kay, surviving partners of William Braithwaite, deceased, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of Assembly in such case made and provided, and do hereby require all persons indebted to the said Edward N. Kendall and William P. Kay, as surviving partners as aforesaid, or to the said Edward N. Kendall, or the said William P. Kay, in their individual right, on or before the first day of September next, ensuring the date hereof, to pay us, or some one of us, all such sum or sums of money, or other debt, duty or thing, which they owe to the said Edward N. Kendall and William P. Kay, either as surviving partners as aforesaid, or in their individual capacity, and to deliver all the effects of the said Edward N. Kendall and William P. Kay, as aforesaid which they or any one of them may have in his, her or their hands, power or custody, to us or some one of us as aforesaid, and we also authorize and empower those parties who may have been misled in the form of the Acts of Assembly in such case made and provided: Given under our hands this tenth day of July in the year of our Lord one thousand eight hundred and forty.

JAMES TAYLOR, DAVID S. KERR, THOMAS STEWART, Trustees.

NOTICE is hereby given, that all persons who have been cutting or taking, or who shall hereafter cut or take Logs or Timber from the Lands of the New Brunswick and Nova Scotia Land Company in this Province without direct Licence from the Commissioners so to do, will be proceeded against as trespassers.

And notice is further given, that the Messrs. Blakes, late of Nashwaak Mills, had no authority to give leave or permission to any persons to cut or take Logs or Timber from any part of those Lands, and therefore those parties who may have been misled in that respect, will be allowed to pay a fair Stumpage for the Logs and Timber they have cut in satisfaction of the trespass, provided they do so on or before the first day of October next, after which time they will be proceeded against as trespassers.

R. HAYNE, Commissioner, N. B. & N. S. Land Company. Fredericton, July 27, 1840.

FOUND.

A BUNCH OF KEYS have been left at this Office, the owner may have the same by proving property. Royal Gazette Office, Aug. 25, 1840.

BARRACK CANTEEN.

OFFICE OF ORDNANCE, St. John, N. B. 3rd August, 1840.

NOTICE is hereby given, that the CANTEEN in the Barracks at Fredericton, is to be Let upon the following conditions, for THREE YEARS, from the 1st October next, to the 30th September, 1843.

No person but of unexceptionable character, or who will not undertake, bona fide, to reside in his own person, will be approved; and two Sureties will be required for the regular payment of the Rent, and of all sums which may become due in respect of the said Canteen, and for the due performance of the several conditions and stipulations of the Lease.

The person whose proposal shall be accepted, and his Sureties, must execute the Indenture of Lease and Covenants relating thereto, the particulars whereof may be known by applying at this Office, or to the Barrack Master at Fredericton.

The names of two respectable persons, with their Christian names, professions and places of abode, who will join the Tenant in executing the Indenture, as his Sureties, must be inserted in the proposals; and the Ordnance Department does not undertake to procure the Tenant a Licence.

Sealed Proposals, addressed to the Respective Officers of Her Majesty's Ordnance, with the words "Tender for Canteen" written on the outside cover, will be received at the above Office, on or before twelve o'clock, at noon, of Friday the 11th September next, after which hour any proposals received cannot be noticed.

By the Mutiny Act, Canteens are not liable to have Troops billeted on them.

All persons making Tenders, to specify the various descriptions of articles they will undertake to furnish of the best quality and at the general retail prices, and comprising every commodity usually in demand by the Troops; Samples to be produced if required, and they are to take notice that they will be held to the strict performance of the Covenants of their Leases and full payment of their rents without any remission or reduction further than the Covenants of the Lease itself set forth.

The form of the Tender to be as follows:— I hereby offer for the Canteen in the Barracks at Fredericton, for Three Years from the first October next, the Rent of Ten Pounds sterling per annum, for the House as a Dwelling, and the further Rent of sterling per Month, for every Ten Private Soldiers who may occupy the Barracks during that period, and propose Mr. of , and Mr. of , as my Sureties for the same.

The Rent of the Canteen as a Dwelling is fixed at the sum stated above, therefore the bidders will be upon what is offered for every Ten Men occupying the Barracks. This number will be ascertained from the Barrack Master's Monthly Returns, which are made up on the first day of every month; and no changes in the occupation of the Barracks which may take place in the progress of the month, either for or against the Tenant, will be taken into account. No less number than ten will be charged against the Tenant, nor will any odd number be calculated: thus, if the Barracks should be occupied by 148 men on the first day of the month, only 140 will be calculated for that month. The bidders are also desired to introduce no fractional parts of a penny in their offers, as they will not be noticed, nor will any Tenders be noticed except such as are strictly according to the above Form.

The Rent to be paid in British Money, or Spanish or Mexican Dollars at the rate of 4s. 2d. each.

NOTICE.

ALL Persons indebted to the Subscriber are respectfully requested to call and make an early settlement of their accounts, or liquidate their notes. He further notifies them and all other persons who may become indebted to him that he shall in future in all cases make up and charge interest on the amount of his outstanding debts, computing the time, three months from the purchase of the Goods.

F. W. HATHEWAY. Fredericton, August 17, 1840.

FOR SALE.

A FARM containing 300 acres, situate on the Meadows of the Magaguadavic in the County of York, and adjoining Land owned by Mr. ROBERT BRACKWAY. It is about one third Meadow Land and cuts at present about 20 tons of hay, and with a trifling expense may be made to cut more than one hundred; the Meadow is covered every spring by the water, and the hay growing upon it is of the first quality. The Great Road between Fredericton, St. Andrews and St. Stephens, crosses the River on the Lot, and it must very soon be a valuable stand for a house of entertainment, as the Road is about being finished. Persons wishing to purchase, will please apply to the Subscriber at Fredericton, THROPHOLIS R. ESTEY, PHILLO SEELYE, St. George.

or to August 5, 1840.—3m.

A few copies of the RULES of the SUPREME COURT may be had on application at this Office. Royal Gazette Office, June 3, 1840.