

NEW

SERIES.

THE ROYAL GAZETTE.

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Volume 7.

FREDERICTON, NEW BRUNSWICK, WEDNESDAY SEPTEMBER 30, 1840.

Number 10



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. F. ODELL.

The undermentioned tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 24 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. Deblouis.) 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.

230 acres, Westmorland, in rear of the Gravelly Lands at the Head of Petitediac 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, Begunimick. Upset price, 3s. per acre.

JOHN S. SAUNDERS,

Surveyor General.

Crown Land Office, September 3, 1840.

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. 3, north of Andrew Ellis, north of Quaco. Upset price, 3s. per acre.

100 acres, Carleton, being the west half of lot No. 2, south of the same 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 Petitediac 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 Petitediac 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 Petitediac 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 Petitediac 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 Head of the Petitediac,) till it strikes the River Memramcook, containing 10 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, contrary per charter 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.

3d. 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 is to be selected 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 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.

late of Nashuaak 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.

REVISED EDITION

OF THE

PROVINCE LAWS.

THE Subscriber having been induced by numerous applications from different sections of the Province, to publish an additional supply of the above valuable work, for the use of those not entitled to copies from Government, such persons as may be desirous of procuring them will have the goodness to leave their names and places of residence, at an early period, at the Royal Gazette Office, or with either of the undermentioned Gentlemen, where Copies of the work may be seen:—

HON. E. B. CHANDLER,....Dorchester.
THOMAS WYER, Esquire,....St. Andrews.
J. W. WELDON, Esquire,....Richibucto.
GEORGE KERR, Esquire,....Chatham.
W. H. BALDWIN, Esquire,....Bathurst.
J. M. CONNELL, Esquire,....Woodstock.
MR. DAVID M'ILLAN,....St. John.
J. SIMPSON, QUEEN'S PRINTER.

DEEDS, LEASES,
Bonds and Mortgages.
For sale at this Office.

AUCTION.

To be sold at Public Auction on Thursday the first day of October next, between the hours of twelve o'clock, noon, and five P. M. opposite the Market House in Fredericton:

NINE HUNDRED acres of Land, in three Tracts, situate in the Parish of Andover, County of Carleton. The first Tract being 10 and 11, in third tier of James A. MacLachlan's survey, above the Restook, and containing 300 acres more or less. The second Tract being Lots 6 and 7, in the third tier of the same survey, and containing 250 acres more or less. The third Tract being Lots 12, 13 and 14, in the third tier of James A. MacLachlan's survey, above the Restook, and containing 303 acres more or less.

Also, A superior Pew in the Gallery of Christ Church.
Piccolo Piano Forte;
fine hand Organ;
large Turning Lathe; a small Do.;
A quantity of house-hold Furniture, consisting of—

Birch Side Board;
Sole and Arm Chair;
Mahogany Tables;
Common Table;
Cane Chairs;
Common Chairs;
Wash Stands;
Ward Robe;
Carpet;
French Bedsteads;
Mahogany Bedstead;
Tent Bedstead;
Child's Bedstead;
Stretcher;
Chests of Drawers;
Set Bed Steps;
Beds and Mattresses;
Blankets;
Pillows and Boilers;
A quantity of Blacksmith's Tools, viz.:
Hammers, Anvil, Sledge, Winch, &c. &c.
One Cow, a quantity of empty Casks;
3 Stoves and Pipes, and one Cooking Stove;
a quantity of Wood, 40 Sticks of Scantling, a Sleigh, Sled, Sleds, Boat, &c.; besides a variety of other articles. Terms made known at the time of sale.

JAMES TAYLOR,

D. S. KERR,

THOMAS STEWART,

Trustees of the Effects of Braithwaite, Kay & Co.

Fredericton, Sept. 15, 1840.

VALUABLE ISLAND LOTS

FOR SALE.

On Tuesday the 16th February, 1841, at 2 o'clock, P. M., at the Room over Mr. Hatheway's Store, in Fredericton, will be sold to the highest bidder, the following Valuable Island Properties, being part of the Real Estate of the late PETER FRASER, Esquire, viz:—

1. A large Lot on Sugar Island, containing 10 acres each, opposite the residence of Mrs. Manson. Thirty eight Lots on the Madame Keswick Island, containing 44 acres each, including the Little Keswick Island.

2. A College Lot, containing 12 acres, situate on the edge of Hill, on the South side of the Road leading to the College, subject to a rent of Twelve Shillings per annum. The rent can be redeemed, and the purchaser obtain a title or fee simple on payment to the College of Ten Pounds.

Terms.—25 per cent, on the day of Sale; the remainder in 4, 8 and 12 months, upon the purchaser giving exceptional security for the payment, with interest.

B. ROBINSON,

Executor.

Fredericton, 19th Sept. 1840.

The following Properties will also be sold at an early period after the above: Persons wishing to purchase by part thereof, are recommended to examine the same, and make application to the undersigned at Saint John, or to D. L. ROBINSON, Esquire, Barrister, in Fredericton:—

1. 1000 acres near the Mouth of the Restook.

2. 1000 acres at the Woodstock Ferry, containing 850 acres of excellent Land, with Stock, &c.

3. 1000 acres at Woodstock, known as Griffith's Island, containing 63 acres, with 200 acres on the bank of the River, opposite.

4. 1000 acres on Long Island, in the Parish of Prince William, one of the above may be classed with the richest Land in the Province, and is well worthy the attention of the public.

B. R.

Paints, Oil, Glass Nails, &c.

THE Subscribers have on hand a supply of No. 1 London Lead of superior quality, Black, Red, Blue, Green and Spanish Brown Pints, by the keg or a smaller quantity; boiled and raw Paint Oil, Spirits Turpentine, Putty and Whiting; board, shingle and lathing Nails; 12 x 10, 10 x 8, and 9 x 7 window Glass.

Also, a few Franklin Stoves, and a second hand cooking Stove and apparatus; all of which will be sold low for approved payment.

J. & A. SMITH.

September 22, 1840.
J. & A. S. have also on hand a quantity of Grind Stones of various sizes.

TO RENT,

THOSE TWO STORES AND LOFTS in the upper part of the Town, lately occupied by Mr. HARVEY GARCELON, as a Dry Good Store, and by Mr. H. M. TIMBERS. Rent reasonable, and possession given immediately.—Enquire of

F. W. HATHEWAY.

Fredericton, August 17, 1840.

NOTICE.

THE Person who borrowed of the Subscriber the last Edition of TIDD'S FORMS, will oblige by returning the same.

G. BOTSFORD.

September 10, 1840.

INDENTURES for Sale at this Office.
Feb. 11.

OFFICE OF ORDNANCE,
Saint John, N. B., 7th September, 1840.

TENDERS will be received by the respective Officers of the Ordnance on or before the 30th instant, from Persons disposed to Rent the Old Hospital Lot, at Fredericton, for the term of Seven Years, from the 1st October next. For further particulars enquire of the Barrack Master.

NEW, SPLENDID AND CHEAP

Books,

Royal Portraits, &c.

JOSEPH GRAHAM,

GENERAL PROVINCIAL AGENT,

Agent for a sale of a Series of Splendid Royal Portraits, viz:—

HIS LATE MAJESTY WILLIAM THE FOURTH,
HER PRESENT MAJESTY QUEEN VICTORIA,
HIS ROYAL HIGHNESS PRINCE ALBERT.

RESPECTFULLY informs the inhabitants of British North America, that he has been appointed TRAVELLING AGENT for the splendid and valuable Publications of Mr. JOHN JOHNSTON, Edinburgh; Mr. R. McPHEE, Glasgow; T. M. CRADOCK, London; and other principal Publishers of the present day.

Mr. G. is also authorized to receive orders for any of the Books on sale at the VICTORIA BOOK STORE, Saint John, N. B.

And also for the sale of a List of New Books, (See Catalogues,) which are all of Standard excellence, correct and genuine English Editions, embracing Works in Divinity, History, Arts, Sciences, Biography, and General Literature; with many other Books of Miscellaneous Instruction and Amusement;—all of which he offers for sale at such reduced prices as must induce every lover of Literature and Learning to form a small Library of their own—being an opportunity which seldom occurs in this country to get Books at such a cheap rate.

Jackson's Hotel, 23d Sept., 1840.

BAPTIST SEMINARY.

THE REV. Mr. MILES having been obliged by ill health to retire from the Superintendence of the Baptist Seminary, at Fredericton, the Committee have engaged Mr. CHARLES D. RANDAL, of Queen's College, Nova Scotia, a gentleman highly recommended for his classical attainments, as Principal of the Institution.

Associated with Mr. RANDAL, as Tutor in the Institution, the Committee valuable in Mr. J. W. HARTT, by whose arduous services the interests of the Seminary have been much advanced, and whose qualifications and experience as an instructor of youth are highly appreciated by the Committee, and well known to the public.

Mr. RANDAL will enter the Institution at the commencement of the ensuing Term, on the 5th of October, and as he will reside in the Building, Pupils boarding there will be placed under his immediate superintendence.

By order of the Committee,
JOHN T. SMITH, Secretary.
Fredericton, September 16, 1840.

NOTICE.

ALL Persons having any legal Demands against the estate of the late PETER FRASER, Esquire, deceased, are requested to present the same duly attested, to D. LUDLOW ROBINSON, Esquire, Barrister; and all persons indebted to the said Estate, are required to make immediate payment to the undersigned at Saint John, or the Cashier of the Central Bank in Fredericton, whose receipt will be valid.

B. ROBINSON, Executor.
Fredericton, 18th September, 1840.
Sentinel, Woodstock Times & St. John Courier

NOTICE.

WHEREAS my Wife Mary has left my bed and board without any just cause, all persons are hereby cautioned against harbouring or trusting her on my account, as I will pay no debts of her contracting.

DENNIS MURPHY.

Kingsclear, Sept. 16, 1840.—1wpd.

NAILS, NAILS,
CHEAP NAILS,
Manufactured and sold by
W. H. SCOVIL.

North Market Wharf, St. John, N. B.
CUT Lath, Shingle, Board and Finishing NAILS of all sizes.

Cut Flooring Brads, 3, 3 1/2, 4 inch.
"Finishing, do. 1, 1 1/2, 1 3/4, 2 inch.
"Sheathing, do. 2, 2 1/2, 2 3/4, 3 inch.
Copper Boat Nails assorted sizes.

A supply of the above description of nails always on hand, and for sale at very low prices, whole sale or retail.

Purchasers of nails will find it much to their advantage to call and inspect for themselves.
June 1839.

BARRACK CANTEN.

OFFICE OF ORDNANCE,

St. John, N. B. 3rd August, 1840.

NOTICE is hereby given, that the CANTEN 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 the Canteen, and conduct the business thereof 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.

Scaled 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, Cantenens 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 biddings 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. REUBEN 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.

THOPHOLIS R. ESTEY,
PHILO 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.