



# EXTRA ROYAL GAZETTE.

## FREDERICTON, N. B., April 21, 1841.



By Authority.

### PROVINCIAL APPOINTMENTS.

Lawrence B. Rainsford, Esquire, to be Commissioner to expend the sum granted for improving the Approaches, by the construction of a Causeway to the Ormocoet Bridge on both sides of the River.

John Allen and Benjamin Wolhaupter, Esquires, to be Commissioners for superintending the erection of a Militia Store in Fredericton.

HEAD QUARTERS, FREDERICTON, 30th March, 1841.

### MILITIA GENERAL ORDER.

The Lieutenant Governor and Commander in Chief has been pleased to make the following Promotions, &c.

#### N. B. Regiment of Artillery.

Captain Thomas Nicholson, to be 2nd Major, 30th March.

Lieutenant William Hughson, to be Captain, vice Nicholson, 30th March.

Lieutenant Stephen K. Foster, to be Captain, vice W. P. Ranney, resigned, 31st March.

#### 1st Battalion Carleton Militia.

William Ketchum, Gent., to be 1st Lieutenant of the Rifles attached to 1st Battalion, Carleton, vice Bustin, left the County, dated 12th April, 1841.

Henry Halsall, Gent., to be 2nd Lieutenant, vice Segee, left the County, 12th April, 1841.

#### Cavalry attached to 1st Battalion, Carleton.

Coronet Richard R. Ketchum, to be 2nd Lieutenant, vice Perley, transferred to the Artillery, 12th April, 1841.

William F. Dibblee, Gent., to be Cornet, vice Ketchum, promoted, 12th April, 1841.

#### By Command.

GEORGE SHORE, A. G. M.

HEAD QUARTERS, FREDERICTON, 13th April, 1841.

### MILITIA GENERAL ORDERS.

The Commander in Chief has been pleased to make the following Promotions, &c., in the 2d Battalion York County Militia.

Thomas Jones, Esquire, to be Paymaster with the rank of Captain, vice J. Allan, left the County.

#### TO BE LIEUTENANTS.

Ensign James Nelson, vice Moodie, left the Province, dated 13th April.

Ensign Joseph C. Allan, vice Campbell, resigned, dated 14th April.

#### TO BE ENSIGNS.

William Kilburn, Gent., vice Golder, retired, dated 13th April.

Andrew Hammond, vice Ingraham, ditto, 14th April.

Elijah Miles, vice Cronkhite, deceased, 15th April.

Joseph Parent, vice Nelson, promoted, 16th April.

James Brown, vice Haggerman, deceased, 17th April.

Captains William Kitchen and Daniel Jouett, from long services are permitted to retire with their rank.

#### By Command.

GEORGE SHORE, A. G. M.

We publish for general information the following Report which has been received by His Excellency the Lieutenant Governor, from the Right Honorable the Secretary of State for the Colonies.

Colonial Land and Emigration Office, 9, Park Street, Westminster, 27th January, 1841.

Sir,—We have the honor to report, for the information of Lord John Russell, and with a view to its being communicated to the proper Authorities in the North American Provinces, that we have instructed our Naval Agents to transmit through the Post, by the earliest Mail Steamers leaving this Country after every Passenger Vessel has cleared for sea at their respective Ports, a Duplicate List of her Passengers, addressed to the Immigration Agent of the Colony to which the Ship is bound.

We have adopted this measure under a belief that it would be equally advantageous to the Emigrants and to the Colonists. From a knowledge of the number of Passengers to be expected before the arrival of the Vessel in which they embarked, the Colonial Authorities would be enabled whenever they should deem it advisable, to make timely provision for their reception and disposal, and to take the necessary precautions against the evils which usually attend the sudden influx of large bodies of poor people not possessed of accurate information, into places where no adequate preparation has been made for their arrival. Capitalists also

and others in want of labour would be enabled, by reference to the Immigration Agent, to know what supply they might shortly expect; and the Agent himself would be enabled to exercise a check on the Lists furnished by the Master, and more immediately to detect any improper addition to the number on board, after the Vessel had left the Port from which she cleared at the Custom House.

These are some of the reasons for which it has appeared to us that the early transmission to the Colonies of Duplicate Passenger Lists would not be without utility; and from the inquiries we have instituted on the subject, amongst the several Government Agents in this Country, we see no reason to suppose that the execution of the measure will be attended with any practical inconvenience.

We beg to enclose for transmission to the Colonies, a List of the Officers to whom we have given the Instructions alluded to in this Letter, and of the Ports at which they are resident.

We have the honor to be, Sir, Your most obedient humble Servants, (Signed) FREDERICK ELLIOTT. EDWARD E. VILLIERS.

#### List of Government Agents referred to.

- Lieutenant LEAN, R. N., London. Lieutenant HENRY, R. N., Liverpool. Lieutenant FORREST, R. N., Leith. Lieutenant HEMANS, R. N., Greenock. Lieutenant HADDER, R. N., Dublin. Lieutenant FRIEND, R. N., Cork. Lieutenant STARKE, R. N., Belfast. Mr. LYNCH, R. N., Limerick. Lieutenant RAMSAY, R. N., Londonderry. Lieutenant SHUTTLEWORTH, Sligo.

The following Tracts of vacant Crown Lands will be sold at Public Auction, at this Office, on Monday the 7th day of June next. Sale to commence at 12 o'clock, noon.

TERMS.—10 per cent. of the purchase money to be paid at the time of sale, and the remainder within 14 days after.

168 acres, Restigouche, north side of Eel River, between Francis Roberts and J. Hamilton's, near Dalhousie. Upset price, 3s. per acre.

One Town Lot in Bathurst, No. 79. Upset price, £9.

100 acres, Westmorland, in the Parish of Salisbury, east of Babcock and Gildart's. Upset price, 3s. per acre.

200 acres, Westmorland, near Lot No. 16, Coverdale River. Upset price, 3s. per acre.

200 acres, King's, Lots 15 and 16, third tier, Norton. Upset price, 3s. per acre.

JOHN S. SAUNDERS, Surveyor General.

Crown Land Office, March 29, 1841.

### MINING LOTS IN WESTMORLAND.

Crown Land Office, March 29, 1841.

Public Notice is hereby given, that the following Districts in the County of Westmorland, viz.:

Beginning at the southwest angle of Mining Lot No. 1, (already leased to John Alexander and others,) about 3 miles northwest from the Town of Dorchester, thence running by the Magnet north 2° east 3 miles, thence north 88° west 12 miles, crossing the River Petticoe in that distance, thence south 2° west 6 miles, thence south 88° east 15 miles, again crossing the Petticoe River and passing to the southward of Dorchester, thence north 2° east 3 miles, and thence north 88° west 3 miles to beginning,—comprising a part of the Parish of Dorchester and the greater part of Hillsborough, will be marked off into Mining Lots or Blocks of three miles square, on each side of a centre base line to run north 88° west, from the southwest angle of Mining Lot No. 1 to No. 10, agreeable to a Plan or Diagram of the same, to be seen either at this office or with the Clerk of the Peace in Dorchester.

The right of Mining on each Lot, separately, will be offered for sale at Public Auction at this Office on Monday the 5th day of July next, at 12 o'clock, noon, subject to the Regulations and Conditions herewith published, and any amendment or addition thereto which may be made by His Excellency the Lieutenant Governor in Council before the day of Sale, of which amendment or addition due notice will hereafter be given in the Royal Gazette.

The expense of Surveying or marking the base line will be proportionally divided immediately after the Sale, between the lots which may be sold; and the proportionate part of the expense of Survey will be required to be paid in addition to the purchase money, and at the same time.

JOHN S. SAUNDERS, Surveyor General.

#### 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.

The following tracts of vacant Crown Land will be offered at Public Auction, at this Office, on Monday the 3d day of May next. Sale to commence at 12 o'clock, noon.

TERMS.—10 per cent. of the purchase money to be paid at the time of Sale, and the remainder within 14 days after.

100 acres, Northumberland, between Lots 57 and 58, South side S. W. Miramichi, Ludlow. Upset price, 3s. per acre.

50 acres, King's, part of Lot No. 3, Parish of Studhol, next South of Thomas King's Grant. Upset price, 3s. per acre, subject to improvements.

100 acres, Saint John, Lot No. 6, on East side New Road from Quaco to Hammond River. Upset price, 3s. per acre.

200 acres, Carleton, Lot No. 1, East side of Cold Stream, Becaguinic. Upset price, 3s. per acre.

JOHN S. SAUNDERS, Surveyor General.

Crown Land Office, March 6, 1841.

### MILL SITE IN NORTHUMBERLAND.

By Order of His Excellency the Lieutenant Governor in Council, the Lot of Land in the County of Northumberland, embracing both sides of the Oxford Cove and Brook, on the north side of the northeast Branch of Miramichi, will be offered for sale by Public Auction at this Office, at 12 o'clock noon, on Monday the 7th day of June next.

This Lot contains 195 acres, with a front of 100 Rods, it is part of the Indian Reserve on the north side of the River, only a few miles above the Town of Newcastle, and includes a Valuable Mill Site, on which the purchaser will be required to erect a good Grist Mill, to be completed, and ready for use, within 18 months after the day of Sale. Upset price, one hundred pounds.—Terms, ten per cent of the purchase money to be paid on the day of Sale, and the remainder within fourteen days after.

JOHN S. SAUNDERS, Surveyor General.

Crown Land Office, March 18, 1841.

### ANDREW SCOTT,

Tallow Chandler, (Saint John, N. B.)

RESPECTFULLY intimates to the Inhabitants of Fredericton and its vicinity, that he has removed to his New Establishment on Portland Bridge, where he hopes to receive a continuation of that support which has been so liberally bestowed on him since his commencement in the above business.

Being confident that his Candles are not inferior to any in the Market, he assures himself that a trial is only necessary to ensure the patronage of those who have not yet favoured him with their support.

CASH PRICES:—Moulds, (common) 10½d. Do. (Wax Wick) 11d. Dipts, 9d.

St. John, March 10, 1841.—4w.

### NEW BRUNSWICK, IN CHANCERY.

Tuesday, 6th April, 1841.

Between Robert Rankin, John Pollock, Arthur Pollok, Allan Gilmour, James Gilmour, Alexander Rankin, Allan Gilmour, Junior, and John Pollock, Junior, Plaintiffs, and Nathaniel Blake, Joseph Blake, Eli Hoskins, and Oliver Smith, Defendants.

FORASMUCH as the Court was this present day informed by Mr. G. Botsford, being of Plaintiffs' Counsel, that the Plaintiffs on the twenty fifth day of September last, exhibited their Bill in this Court, against the Defendants, as by the Certificate of the Registrar appears; and sued out process of Subpoena, requiring the Defendants to appear to, and answer the same; but that the said Defendants, Nathaniel Blake, and Joseph Blake, did, on or about the sixth day of June last, clandestinely leave and depart from this Province, to avoid being served with the process of this Court, and still remain without the limits of this Province, and cannot be served with the process of this Court, as by Affidavit appears; and the said Certificate and Affidavit being now read: It is ordered that the said Defendants, Nathaniel Blake, and Joseph Blake, do appear to the Plaintiff's Bill, on or before the nineteenth day of July next.

By the Court. D. LUDLOW ROBINSON, REGR. [First Published, 7th April, 1841.]

### NEW BRUNSWICK, IN CHANCERY.

Wednesday, March 3, 1841.

Between Hugh Morrell, Plaintiff, and John Mullans, Defendant.

FORASMUCH as the Court was this present day informed by Mr. Robinson, being of the Plaintiff's Counsel, that the Plaintiff on the sixteenth day of April last, past, exhibited his Bill in this Court against the Defendant, as by the Certificate of the Registrar appears; and sued out process of Subpoena, requiring the said Defendant to appear to, and answer the same; but that the said Defendant, John Mullans, now resides at Terrydoe, in the County of Derry, in Ireland, out of the limits of this Province, and that the said John Mullans absconded from this Province after the cause of action upon which this suit was commenced and served, and hath been absent therefrom for upwards of three years, as by affidavit appears; and the said Certificate and Affidavit being now read: It is ordered that the said Defendant, John Mullans, do appear to the Plaintiff's Bill, on or before the first day of December 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, REGR. [First Published, 17th March, 1841.]

By Thomas Wyer, Esquire, one of Her Majesty's Justices of the Inferior Court of Common Pleas, in and for the County of Charlotte, in the Province of New Brunswick.

To all to whom these presents shall come, Greeting:

NOTICE is hereby given, That upon the application of Robert Cockburn, to me duly made, according to the form of the Acts of Assembly, in such case made and provided; I have directed all the Estate, as well real as personal, within the Province, of James Murphy, late of the Parish of Saint Patrick, in the County of Charlotte, (who departed from and without the limits of this Province, on or about the first day of April last past, and then went to live and reside at Calais, in the State of Maine, one of the United States of America, where he hath ever since resided, being a period of more than six months, and that he, the said James Murphy, was at the said time of his departure, and ever since hath been indebted to the said Robert Cockburn, in the sum of eighteen pounds and upwards,) to be seized and attached, and that unless the said James Murphy do return and discharge his said debt or debts within six months from the publication hereof, all the Estate, as well real as personal, of the said James Murphy, within this Province, will be sold for the payment and satisfaction of the Creditors of the said James Murphy. Dated at St. Andrews, the 3d day of March, 1841.

THOS. WYER, J. C. P. JAMES W. CHANDLER, Atty. for Pet. Creditor.

[First Published, 10th March, 1841.]

By the Honorable Robert Parker, 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 Daniel O'Hara, 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 Henry S. Gault, late of the City of Saint John, Trader, (which said Henry S. Gault, is departed from and without the limits of this Province, or keeps concealed within the same, with intent and design to defraud the said Daniel O'Hara, and the other Creditors of the said Henry S. Gault, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law as is alleged against him,) to be seized and attached, and that unless the said Henry S. Gault, 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 Henry S. Gault, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Henry S. Gault. Dated at Saint John, N. B., the sixteenth day of March, 1841.

R. PARKER. M. H. Perley, Attorney for Petitioning Creditor.

[First Published, 24th March, 1841.]

### FOR SALE.

THE Lot, buildings, &c. now occupied by the subscriber and family, will be sold together or in two parts, as will best suit purchasers; purchase money may stand for years, by giving satisfactory security for the payment thereof, together with the interest—the interest to be paid half-yearly.—Also, the House, Lot, &c. at the upper end of the Town, now in the occupation of JOHN B. WHEELER. For further particulars apply to GEORGE F. H. MINCHIN. GEORGE MINCHIN. Fredericton, March 31, 1841.

### Commercial Bank of New Brunswick,

CAPITAL £150,000.

14 SHARES of the Capital Stock of the above Bank for sale. Apply ASA COY.

Fredericton, Feb. 24, 1841.—4w.

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