

NEW

SERIES.

# THE ROYAL GAZETTE.

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Volume 7.

FREDERICTON, NEW BRUNSWICK, WEDNESDAY FEBRUARY 17, 1841.

Number 30



By Authority.

IN COUNCIL, February 2, 1841.

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 11th day of April next, and five shillings additional will be charged on each purchase, for postage, &c.

NORTHUMBERLAND.	
David Duncan, 3s. per acre, down.	
L. Monaghan, do. do.	
J. Nonsworthy, do. do.	
F. McCarty, do. do.	
R. Jardine, do. do.	
KING'S.	
William Allmon, 2s. 6d. per acre, down.	
J. Pidgeon, Jur., 3s. per acre, down.	
D. Pidgeon, do. do.	
M. Kelly, do. do.	
QUEEN'S.	
F. Welton, 3s. per acre, down.	
M. McDermot, do. do.	
W. Elkin, do. do.	
R. Elkin, do. do.	
G. Elkin, do. do.	
E. Elkin, do. do.	
A. Elkin, do. do.	
Thomas Sutton, 2s. 6d. per acre, down.	
CARLETON.	
J. Rideout, 3s. per acre, down.	
John Hood, 5s. per acre, down, and £1 10s. expense of survey.	

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

Duncan Cameron.	
J. W. Lounsbury.	
A. Jones.	
P. Blanch.	
R. T. Trueman.	
R. Briggs.	
T. Stableford, Jr.	
J. Stableford.	
Samuel Keith.	
Thomas Pollock.	
Thomas Gilbert.	

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

P. Pileley.	Donald Taylor.
Thomas Ford.	W. Blacklock.
J. Demsey.	B. Kay.
P. Kelly.	J. Stevens.
C. Arceneau.	C. Gorman.
V. Arceneau.	J. Gray, Jr.
J. Beers.	W. Farmer.
O. Guiguen.	J. Huggard.
W. Fillmore.	J. M'Allister.

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

John Niles and Paul Niles to have 100 acres each, at 3s. per acre, down, in the manner recommended by Mr. Palmer, on completion of the survey.

James Crawford, complied with.

Ambrose Newman, to have the lot as surveyed at 8s. per acre, down, and the £5 already paid to be allowed.

John Murphy, complied with.

Church Wardens of Weldford, do.

Oliver Brine, do.

William Mason, do.

Joseph Childs, do.

Messrs. Crookshank & Walker, complied with.

Richard Jardine, the former order in favor of James M'Kie to be rescinded and Jardine to have the land at 3s. per acre, down.

Thomas Sutton, the sale to John Shannon to be cancelled and his money returned and Sutton to have the land at 2s. 6d. per acre, down.

John Maxwell not complied with.

A. Ritchie, & Co. to stand over for the Deputy's Report.

H. & J. Montgomery, to stand over for the Deputy's Report.

John Bedell, required to produce proof of his statement.

A Robertson, (for licence on Coal Branch,) not complied with.

Wellington Gilmore, to stand over for the Deputy's Report.

H. B. Rainsford, to stand over.

James Tibbitts, allowed on payment of the sum of £24.

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 11th day of April next.

J. Alexander, Pocmouchie.

W. Robertson, Petitediac.

R. S. Demill, Bay DesVent River.

R. Ralston, Nashwalk.  
R. Stevens, Becaguinic.  
J. Teakles, Salmon River.  
P. Stewart, Restigouche.  
V. Hicks, Buctouche.  
A. Rankin, Northumberland.  
J. S. Craig, Magaguadavic.  
L. Lawrence, Digdequash, (Shingles.)  
G. Porter, Eel River.  
J. Buchanan, Pollett River.  
J. Cunard, Northumberland.

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

200 acres, Gloucester, Lots 62 and 63, West of the Miramichi Road. Upset price, 3s. per acre.

100 acres, Westmorland, front half of Lot No. 13, on the North East side of the Road from Butternut Ridge to North River. Upset price, 3s. per acre, the purchaser to pay J. W. Lounsbury for his improvements.

400 acres, Westmorland, North East side of Square Lake, Botsford, adjoining north of Blunch's clearing. Upset price, 3s. per acre, the purchaser to pay the expense of the survey.

44 acres, Westmorland, on the North bank of Aulack River, immediately below the New Aboideau. Upset price 30s. per acre.

70 acres, King's, North East part of vacancy in rear of A. Delong's grant, Studholm's Mill Stream. Upset price, 3s. per acre.

150 acres, King's North half of land surveyed for Thomas Stableford, second tier, south of Dutch Valley, Sussex. Upset price, 3s. per acre, and the purchaser to pay for the improvements.

150 acres, King's, South half of land surveyed for Thomas Stableford, second tier South of Dutch Valley, Sussex. Upset price, 3s. per acre, the purchaser to pay for the improvements.

100 acres, King's, South half of Lot No. 6, third tier, Corn Hill Settlement, Studholm. Upset price, 3s. per acre.

200 acres, King's, East of John M'Kenna, Cedar Camp Creek Settlement. Upset price, 3s. per acre.

24 acres, Queen's, Lots Nos. 11 and 12 South Range, of the Pasture Lots in rear of Gagetown. Upset price, 20s. per acre.

JOHN S. SAUNDERS,  
Surveyor General.

Crown Land Office, February 8, 1841.

The following tracts of vacant Crown Land will be offered at Public Auction, at this office, on Monday the 1st day of March next. Sale to commence at 12 o'clock, noon.

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

100 acres, Northumberland, at the Forks of Burnt Church River. Upset price, 3s. per acre.

144 acres, Westmorland, west side of the MacLachlan road, Moncton, as Surveyed for Abner Jones. Upset price, 3s. per acre.

200 acres, Westmorland, (same situation as the above,) as Surveyed for Lewis Constantine. Upset price, 3s. per acre.

100 acres, Westmorland, as Surveyed for Pharez Constantine, Block No. 4, Pollett River. Upset price, 3s. per acre.

300 acres, Westmorland, on the north side of the new Road to New Canaan River, as Surveyed for James D. Murphy. Upset price, 3s. per acre.

200 acres, Westmorland, as Surveyed for Mariner Leeman on the east side of Coverdale River. Upset price, 3s. per acre.

200 acres, Westmorland, as Surveyed for George Taylor in Block No. 5, Pollett River. Upset price, 3s. per acre.

100 acres, Charlotte, Lot No. 3, east side of the New road to Woodstock. Upset price, 3s. per acre.

JOHN S. SAUNDERS,  
Surveyor General.

Crown Land Office, January 9, 1841.

## SHERIFF'S SALES.

### County of York.

Will be sold by Public Auction, on Thursday the eleventh day of March, 1841, at the Sheriff's Office in Fredericton, between the hours of twelve and four o'clock, P. M.:

ALL the right, title and interest of Charles Nevers, of, in and to the following tracts or parcels of Land, viz: That certain tract of Land, granted to the late James Eccles, on the Eastern side of the River Saint John, in the Parish of Douglas, on which the late John Nevers formerly resided.

Also, A tract of Land in the same Parish, conveyed to the said Charles Nevers, by John N. Foster, by Deed, dated 15th December, 1836, being 32 rods in width, on the River Saint John, bounded on the East by Land owned by Ichabod Grant, and on the West by Land owned by the late John Foster.

Also, At the same time and place will be sold: All the right and title of Patrick M'Nabb, to that Farm on the Eastern side of the River Nashwaak, in the Parish of Saint Mary's, granted to the late James Nabb, in the grant to the late 42d Regiment, and whereon the said Patrick M'Nabb now resides; The said tracts of Land having been taken by virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, SHERIFF.  
Sheriff's Office, Fredericton, Sept. 7, 1840

To be sold by Public Auction on Wednesday the 11th day of August next, at the Market House in Fredericton, between the hours of 2 and 4 o'clock, P. M.:

ALL the right, title and interest of Edward Adams and William Adams, to a Lot of Land on the South side of the South West Branch of the Miramichi River, in the Parish of Saint Mary's, bounded on the upper side by Lands owned by Thomas Adams, and on the lower side by a certain White Birch Tree: All the real Estate of Edward or William Adams, in the County of York.

Also, At the same time and place will be sold: All the right, title and interest of George W. Smith, to his portion of the Estate of the late Henry Smith, Esquire, in the County of York.

The above Property having been taken by virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, SHERIFF.  
Sheriff's Office, Fredericton, Feb. 9, 1841.

Will be sold by Public Auction, at the Market House in Fredericton, between the hours of 12 and 4 o'clock, on Thursday, the 24th day of September next:

TWO lots of Land on the south east side of the Hanwell Road, being the lots No. 26 and 27, containing 500 acres, more or less, with an allowance of ten per cent for roads and waste.

Also at the same time and place,  
A tract of Land in the said Parish, lying on the south east side of the Hanwell Road, being the lots No. 28 and 29, containing 200 acres with ten per cent allowance.

Also, A Tract of Land in said Parish, lying on the South East side of the Hanwell Road, containing 300 acres, with ten per cent allowance, and being known and distinguished as the Reed Grant.

The whole of the above property together with all and singular the other real Estate of the Honorable Thomas Baillie, within the County of York, having been taken in virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, SHERIFF.  
Fredericton, Feb. 18, 1840.

The above Sale is postponed until the last Saturday in March, 1841.

E. W. MILLER, Sheriff.  
Sept. 30, 1840.

To be sold by Public Auction, on Tuesday the 4th day of May next, at the Sheriff's Office, in Fredericton, between the hours of one and three o'clock, P. M.:

ALL the right, title and interest which Isaac Woodward and John G. Woodward have or had at the time of the registering of the memorial of the judgment obtained against them by the Plaintiff, at whose suit the same has been seized and taken, of, in and to Lots Nos. 5 and 6, on the south side of the Hanwell Road, together with a Lot in rear thereof in the Parish of Kingsclear, containing 500 acres, more or less: The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of Augustus W. Whipple.

Also at the same time and place,  
All that certain Farm or tract of Land, in the Parish of Queensbury, belonging to the Estate of the late Peter Muzeroll, deceased, adjoining next below Lands owned by Joseph Muzeroll: the same having been taken by an Execution issued out of the Supreme Court, at the suit of Joseph Stephens.

Also, All the right, title and interest and claim of William Hazen, of, in and to Lots No. 179 and 180, fronting on the river Saint John, in the Parish of Dumfries: The same having been taken by an Execution issued out of the Supreme Court, at the suit of Adam D. Allan.

Also, All the right, title and interest of Edmund P. Cliff, of, in and to the Lot of Land whereon he now resides, situate in the Parish of Queensbury, in the County of York: The same having been taken by virtue of several Executions issued out of the Supreme Court.

E. W. MILLER, SHERIFF.  
Sheriff's Office, Fredericton, 2d Nov. 1840

### County of Gloucester.

To be sold by Public Auction on the second Tuesday in April next, at the County Court House in Bathurst, between the hours of twelve and five o'clock in the afternoon:

ALL the Estate, right, title, and interest of John Henry, of, in and to that piece or parcel of Land and premises, on which he now resides, in the Parish of New Brandon, being the centre third part of Lot number seventeen in the front tier of Lots bounded in front by the Bay de Chaleur, Western by a portion of said Lot occupied by one Joseph Miller, in the rear by ungranted Lands, and Eastern by the remaining one third of said Lot number seventeen, and containing one hundred acres more or less, together with all the Houses, Out-Houses, Buildings and improvements to the same belonging or appertaining. The said Property having been seized by me to satisfy two several Executions issued out of the Supreme Court of this Province against the said John Henry.

HENRY W. BALDWIN,  
Sheriff of Gloucester.  
Sheriff's Office, Gloucester, 15th Sept. 1840.

To be sold by Public Auction in front of the Court House in Bathurst, on the second Saturday in June next, between the hours of twelve and five o'clock in the afternoon:

ALL the Estate, title, right and interest of James Robertson, of, in and to the lot or parcel of Land, bounded northerly by the Parish of Bathurst, and known and distinguished as lot No. 5, originally granted to James Robertson, Senior, containing two hundred and forty acres more or less, together with the Dwelling House, Barn, Out House, Mill, and water privileges, improvements and appurtenances to the same appertaining.

Also, a certain other lot of land situated in the settlement of Little Roche, in the Parish of Beresford, in the County of Gloucester, known and distinguished as lot No. 13, containing one hundred acres, bounded northerly by lands granted to Joseph Atheneau Boudro; southerly by lands granted to Charles Doucet, and in front by the Bay de Chaleur; seized to satisfy an Execution issued out of the Supreme Court of this Province at the suit of William Napier.

HENRY W. BALDWIN, SHERIFF.  
Sheriff's Office, Bathurst, 7th July, 1840.

### County of Carleton.

To be sold at Public Auction, at the Court House in Woodstock, on Saturday the 31st day of July next, between the hours of 12 and 4 o'clock, P. M.:

ALL the right and title of Benjamin Tibbets, to a certain piece or parcel of Land, situate in the Parish of Andover, County of Carleton, being Lots No. 100 and 101, containing 200 acres, more or less; with two large and commodious dwelling Houses, two large Barns, a Store, and a number of convenient out-Houses thereon, together with a first-rate Grist Mill, dwelling House and Fannery; likewise, 200 acres of Land, more or less, situate on the road leading from Tobique settlement to the Restook, in the rear of the front lots: taken by virtue of an Execution issued out of the Supreme Court, at the suit of Stephen Wiggins and Frederick Wiggins, against the said Benjamin Tibbets.

JOHN F. W. WINSLOW,  
Sheriff of Carleton.  
Woodstock 27th January, 1841.

### County of Westmorland.

To be sold at Public Auction, on the twenty fourth day of March next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:

ALL the right, title and interest of Benjamin Crandall, of, in and to certain Lands and Mills, called the North River Mills, together with all privileges, buildings and improvements thereto belonging, situate in the Parish of Salisbury, in the County of Westmorland,—the same having been seized by virtue of an Execution issued out of the Supreme Court, at the suit of Benjamin Harding.

Also, at the same time and place,—All the right, title, interest, property claim, and demand of William Flaherty, of, in and to certain Upland and Marsh Land, situate on the Road leading through Shepody, at Hamilton's Creek, in the Parish of Hopedale, in the County of Westmorland, sold by James Hamilton and Nancy his Wife to John Smyth, and purchased by said Flaherty at Sheriff's Sale, and conveyed to him by Deed from the Sheriff, dated 9th September, 1835, and registered the same day; and all other the Real Estate of said William Flaherty, wheresoever in my Bailiwick,—the same having been seized by virtue of an Execution issued out of the Supreme Court at the suit of Henry Gilbert against the said William Flaherty.

W. P. SAYRE, Sheriff.  
Dorchester, 17th September, 1840

To be sold by Public Auction, on the twenty eighth day of April next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:

ALL the Real Estate of John Kelly, situate in the Parish of Moncton: The same having been seized by virtue of several Executions against him issued out of the Supreme Court.

Also,—At the same time and place, the Real Estate of George M'Lane, situate in the Parish of Coverdale: The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of James L. Wilnot.

W. P. SAYRE, SHERIFF.  
Dorchester, 17th October, 1840.

### Queen's County.

To be sold at Public Auction, at Samuel May's Tavern in Gagetown, Queen's County, on the first Tuesday in July next, between the hours of twelve and five in the afternoon:

ALL the right, title, interest, property, claim and demand of Joseph C. Rider, in and to a certain Tract of Land, and Mill Privilege, together with a Saw Mill and other Buildings and improvements thereon, situate, lying and being at or near the Rapids on the Washademoak River, in Queen's County, about thirty miles from the entrance of the said River; seized and taken in and by virtue of an execution issued out of the Supreme Court at the suit of Samuel Reynold's, for the sum of one hundred and fifty two pounds, seventeen shillings and seven pence. Dated at Gagetown, the 12th day of October, 1840.

N. H. DEVEBER, Sheriff.  
Dorchester, 17th October, 1840.

To be sold by Public Auction at the house of Samuel Mays, Inn-keeper, in Gagetown, Queen's County, on the last Saturday in May next, between the hours of twelve and five of the afternoon:

ALL the right, title and interest of George S. Ackery and James H. Ackery, in and to two certain Lots or Tracts of Land, situate, lying and being on the Northwest side of the Washademoak Lake, in Queen's County, known and distinguished in the grant thereof from the Crown to William Ackery, by the Numbers twenty six and twenty seven, containing together four hundred acres, more or less: The same having been seized and taken in and by virtue of an Execution issued out of the Supreme Court against William Ackery, George S. Ackery and James H. Ackery, at the suit of Leveret H. DeVeber. Dated at Gagetown, 18th November, 1840.

N. H. DEVEBER, SHERIFF.

### NEW BRUNSWICK, IN CHANCERY.

Friday the eleventh day of December, in the year of our Lord one thousand eight hundred and forty.

Between Charles Lee, Francis E. Beckwith, and Henry B. Rainsford, Plaintiffs, and Thomas Baillie, William Hall, Robert Power, Robert W. Crookshank, William Walker, Peter Duff, John M. Wilnot, the President, Directors and Company of the Central Bank of New Brunswick, and Robert Rankin, Arthur Pollok, John Pollok, James Gilmore, and Alexander Rankin, Defendants.

FORASMUCH as the Court was this present day informed by Mr. Wilnot, being of the Plaintiff's Counsel, that the Plaintiffs, on the second day of June last, exhibited their Bill in this Court against the Defendants, as by the Registrar's Certificate appears; and took out process of Subpoena, requiring the Defendants to appear to, and answer the same: but that William Hall, one of the Defendants, resides in Devonshire, (England,) and has never been in this Province, and that the said Defendant, William Hall, cannot be served with such process, as by Affidavit appears; and the said Certificate and Affidavit being now read: It is ordered, that the said Defendant, William Hall, do appear to the Plaintiff's Bill on or before the thirty first day of May next: and it is further ordered, that this order be published in the Royal Gazette for the space of three months.

D. LUDLOW ROBINSON, REGR.  
[First Published, 23d Dec., 1840.]

### NEW BRUNSWICK, IN CHANCERY.

Friday the eleventh day of December, in the year of our Lord one thousand eight hundred and forty.

Between Beverly Robinson, Executor of the last Will and Testament of Peter Fraser, deceased, Plaintiff, and Roswell Drown, Defendant.

FORASMUCH as the Court was this present day informed by Mr. Robinson, being of Plaintiff's Counsel, that the Plaintiff, on the tenth day of October last, exhibited his Bill in this Court against the Defendant, and sued out process of Subpoena, directed to the said Defendant, and requiring him to appear to, and answer the same: but that the said Defendant departed from this Province some time in the year of our Lord one thousand eight hundred and thirty three, and has not since resided within this Province, and cannot be served with the process of this Court, all which by Affidavits appears; and the said Affidavits being now read: It is ordered, that the said Defendant, Roswell Drown, do appear to the Plaintiff's Bill on or before the thirty first day of May next.

By the Court.  
D. LUDLOW ROBINSON, REGR.  
[First Published, 23d Dec., 1840.]

### NEW BRUNSWICK, IN CHANCERY.

Friday the eleventh day of December, in the year of our Lord one thousand eight hundred and forty.

Between James Rait, Plaintiff, and Henry Seelye, and Randal Whidden, Defendants.

FORASMUCH as the 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 Court against the Defendants, on the thirteenth 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, and answer the same: but that the Defendant, Randal Whidden, 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 Whidden, do appear to the Plaintiff's Bill on or before the thirty first day of March 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, 23d Dec., 1840.]

### NEW BRUNSWICK, IN CHANCERY.

Friday the eleventh day of December, in the year of our Lord one thousand eight hundred and forty.

Between Robert Rankin, Arthur Pollok, Allan Gilmore, James Gilmore, Alexander Rankin, Allan Gilmore, Junior, and John Pollok, 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 Plaintiff's Counsel, that the Plaintiffs on the twenty fifth day of September last, exhibited their Bill in this Court, against the Defendants, 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 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 thirtieth day of April next.

By the Court.  
D. LUDLOW ROBINSON, REGR.  
[First Published, 23d Dec., 1840.]

### IN THE SUGROGATE COURT FOR THE COUNTY OF YORK.

Friday, 20th November, 1840.

In the matter of the Estate of Simon H. Estey, deceased, Intestate.

GEORGE F. STREET, Surrogate.

UPON reading the Petition of Nelson A. Cliff, (the Sole Administrator of the Estate of the said Simon H. Estey, who died Intestate,) duly attested to and this day preferred, whereby, and by the Accounts and Inventory thereunto annexed, it appears that the whole personal Estate of the said Simon H. Estey, which has come to the hands of the said Administrator amounts only to the sum of £17 15s.; and there appearing by the Inventory filed in this Court to be no other personal Estate of the said deceased, and that the debts due from the Estate so far as they have yet been ascertained amount to £30 11s. 1d., and that the expense of Inquest, Funeral and Administration amount to the sum of £11 3s. 3d., making in the whole £101 14s. 4d., debts against the said Estate, and that after fully administering all the personal Estate, there remains a balance of £83 19s. 4d. of debts due from the Estate, for the payment whereof there are no personal effects.—And it also appearing that the said Intestate left Real Estate