

THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, WEDNESDAY JANUARY 13, 1841.

Number 25



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.

A PROCLAMATION.
WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to the fourth Tuesday in December instant; I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to Wednesday the twentieth day of January next, then to meet at Fredericton for the despatch of business.

Given under my Hand and Seal at Fredericton, the fourth day of December 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.
Wm. F. ODELL.

The following tracts of vacant Crown Land will be offered at Public Auction at this Office on Monday, the 1st day of February 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.

150 acres, Northumberland, at the mouth of Wild Cat Brook, east side of the North West Miramichi River. Upset price, 3s. per acre.

130 acres, Westmorland, Lot K. on the North Branch of Pettediac River. Upset price, 3s. per acre.

100 acres, King's, being Lot No. 1, Northwest of Smith's Creek, near the Jordan Mountain. Upset price, 3s. per acre.

200 acres, Queen's, being Lot No. 8, in rear R. M'Farlane, Long Creek, Washademoac. Upset price, 3s. per acre.

150 acres, Carleton, Lot No. 28, 4th tier, Wicklow. Upset price, 3s. per acre.

200 acres, Carleton, between the grants to Moses Snow and George West, Wicklow. Upset price, 3s. per acre.

100 acres, Carleton, being half of Lot No. 16, on the north side of the River Becaguine with half the front. Upset price, 3s. per acre.

130 acres, Carleton, being the vacancy between Mm. Wilson & Geo. M'Kenzie, Richmond. Upset price, 4s. per acre.

JOHN S. SAUNDERS, Surveyor General.

Crown Land Office, December 3, 1840.

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 33 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 wherein 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.

Will be sold at 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.

To be sold at Public Auction at the Sheriff's Office, in Fredericton, on Thursday the eleventh day of February next:

ALL the right, title and interest of Joseph Blake and Nathaniel Blake, or of either of them, of, in and to the following tracts and lots of land and premises, viz:

All the rest, residue and remainder of the term unexpired of, in and to all the lower or southerly moiety or half part of that tract of land situated in the Parish of St. Mary's, in the said County, formerly granted to George Agnew and Urban G. Agnew, and known as lot No. 3, the whole lot containing 600 acres, (excepting 60 acres of the said moiety heretofore sold to Henry Smith, Esquire), the said moiety conveyed to the said Nathaniel Blake by Christopher Murray and Wife for the term of 999 years by Indenture, dated the 1st day of October, 1835, together with all Mills, Mill Dams and appurtenances, and subject to the rent of one peppercorn.

Also, All that tract of land in the Parish of St. Mary's aforesaid, granted to one Thomas Wright, situate on the Penack Stream and containing about 900 acres, the same having been conveyed to the said Nathaniel Blake, by one John Turner, by Deed, dated the 31st day of December, 1838, together with all buildings, &c.

Also, All that certain lot in the Parish aforesaid, situate on the north west side of the Nashwaak River, bounded on the one side by lands owned by the Heirs of the late Cornelius M'Langhlin, and being part of the aforesaid grant to George and Urban G. Agnew, commonly called the Holly Brook Farm, containing 100 acres, together with all buildings, &c., the same having been conveyed to the said Nathaniel Blake by William J. Bedell by Indenture, bearing date the 8th day of May, 1837.

Also, All the right of shares of George Weade, James Weade and John Weade, in the tract of land formerly owned by the late Philip Weade, deceased, situate in the Parish aforesaid, the said shares having been purchased by the said Joseph and Nathaniel Blake at Sheriff's Sale, and conveyed to them by the Sheriff of York, by Deed dated the 27th day of January, 1840.

Also, All the shares of James Gilman and Mary his Wife, or either of them, of, in and to the property last aforesaid, the same having been conveyed to the said Joseph and Nathaniel Blake by the said James Gilman and Mary his Wife, by Indenture, dated the 14th day of February, 1839.

AND ALSO, All other the real Estate of the said Joseph Blake and Nathaniel Blake, or of either of them, and situate in the said County of York.

All the right and title of Joseph Blake, or Nathaniel Blake, to a Lot of Timber Land, containing 22,700 acres, being Block 6, 7, 8, 9, 10 and 11, on the north east side of the River Nashwaak, above the New Brunswick Land Company's purchase, granted to William J. Bedell, Esq.

The above Properties having been seized and taken by virtue of several Executions issued out of the Supreme Court. Sale to commence at 1 o'clock, P. M.

E. W. MILLER, Sheriff.

Sheriff's Office, Fredericton, 30th day of July, 1840.

To be sold at Public Auction at the Market House in Fredericton, on Saturday the thirtieth day of January next, between the hours of eleven o'clock in the morning and four o'clock in the afternoon:

ALL the right, title and interest which Asa Dow now has or had at the time of the registering of the same, in and to the following parcels of Land, viz: That certain tract of Land, situated 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 the following parcels of Land, viz: That certain tract of Land, situated on the Road leading through Shepody, at Hamilton's Creek, in the Parish of Hopewell, 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 any 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.

Also, Lot No. 31, in the same Block, included in the same grant, in the said Parish of Dumfries, bounded on the upper side by Land owned by John Dow, on the lower side by Land owned by Charles Hartley, and in front by the River Saint John, and containing 925 acres more or less.

Also, Lot 45 in the same Block included in the same grant, in the said Parish of Dumfries, granted to Gabriel Davenport, bounded on the East side by Land owned and occupied by James Dickinson, on the East side by Lot No. 46, and on the front by the River Saint John, and containing 200 acres more or less.

Also, A Lot situate West of the Howard Settlement, in the Parish of Dumfries, known as the Mill Lot granted from the Crown to the said Asa Dow, containing 100 acres more or less.

Also, Lots No. 16, 17 and 18, in the Parish of Southampton, containing 714 acres more or less, formerly owned by Benjamin Brooks, together with all improvements, buildings, privileges and appurtenances to the said pieces or parcels of Land belonging, or so much of the same as will satisfy the several Executions issued out of the Supreme Court, under which the same has been seized and taken.

E. W. MILLER, Sheriff.

Fredricton, July 24, 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 Kingsland, 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 the 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, interest and claim of William Hazen, of, in and to Lots No. 179 and 189, 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 A. Henry, of, in and to that piece or parcel of Land in the Parish of Bathurst, in the County of New Brunswick, being the centre third part of Lot number seventeen in the front 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, right, title, and interest of James Robertson, of, in and to that lot or parcel of Land on which he now resides, situate on the north side of Middle River Basin, in 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 belonging or appertaining.

And 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 Athenae Boudro; southerly by lands granted to Charles Doucett, 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 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 the following parcels of Land, viz: That certain tract of Land, situated on the Road leading through Shepody, at Hamilton's Creek, in the Parish of Hopewell, 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 any 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 at Public Auction on the twenty second day of January 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 Thomas Martin, of, in and to all that certain piece or parcel of Land, situate, lying and being in the Parish of 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 Hopewell, 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 any Bailiwick, the same having been seized by virtue of an Execution issued out of the Supreme Court at the suit of John Kirby.

W. P. SAYRE, Sheriff of Westmorland.

Dorchester, July 10, 1840.

To be sold by Public Auction, on the twenty eight 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 Covalde: 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, 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.

To be sold at Public Auction at the House of Samuel Mays, Inn keeper, in Gagetown, Queen's County, on the first Saturday in February next, between the hours of twelve and five of the afternoon:

ALL the right, title and interest of the Salmon River Coal Company, in and to that lot or tract of Land in the Parish of Chipman, in Queen's County, containing two hundred acres more or less, originally granted to Andrew Flemming by letters Patent, under the Great Seal, bearing date the 28th day of July, 1832, together with the buildings and improvements thereon; and also, all the right, title and interest of the Salmon River Coal Company, in and to a Crown Lease of all and every Mine or Mines of Coal in or under the said Land for the term of fifty years from the 21st day of October one thousand eight hundred and thirty five: The same having been taken in and by virtue of an Execution issued out of the Supreme Court, at the suit of Thomas Barlow, Ezekiel Barlow and Edwin Ketchum. Dated at Gagetown, the 24th day of July, 1840.

N. H. DEVEBER, Sheriff of Queen's.

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. Ackerly and James H. Ackerly, 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 Ackerly, 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 Ackerly, George S. Ackerly and James H. Ackerly, at the suit of Leveer 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. Reinhardt, 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 Register'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.

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.]

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 Beverley 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.]

NOTICE is hereby given, that we the Subscribers, have been duly appointed Trustees for the Creditors of James Balloch, late of the City of Saint John, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly, in that case made and provided, and we do hereby require all persons indebted to the said James Balloch, on or before the first day of January next, ensuing the date hereof, to pay to 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 James Balloch, and to deliver all other effects of the said James Balloch, which they, or any, or either of them may have in his, her, or their hands and possessions or custody, to us or some one of us as aforesaid, and we do also desire all the Creditors of the said James Balloch, on or before the same first day of January next, to deliver to us, or some one of us as aforesaid, their respective accounts and documents against the said James Balloch, in order that right and justice may be done, agreeably to the form of the said Act of Assembly, in such case made and provided. Given under our hands at the City of Saint John, the twentieth day of October, 1840.

ROBT. D. WILNOT,

A. JACK,

JOHN H. GRAY.

W. JACK, Atty. for Petitioning Creditors.

[First Published, October 28, 1840.]

NOTICE.

PURSUANT to authority in us vested by Licence of the Governor and Council, the following parcels of Land belonging to the Estate of the late Judge Bliss, will be sold by Public Auction at the County Court House in Fredericton, on Monday the fifth day of February next, at 12 o'clock, at noon.

Lot No. 1, containing 60 acres, and Lot A, containing 250 acres in Northampton, next below Peter Fox, and fronting on the River St. John.

Also, Lot No. 62, on Sugar Island, containing 10 acres, with a Barn thereon.

Also, A Lot of 100 acres in St. Mary's, fronting on the River St. John, and running back across the Royal Road, this is a good Wood Lot, and will be sold to suit purchasers. Terms will be made known at sale.

L. A. WILNOT,

Administrator.

Fredricton, 28th December, 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.

Fredricton, 18th September, 1840.

Furnished Apartments TO BE LET.

WITH Kitchen Utensils, &c., complete, the residence of a Gentleman left the place. Application to be made to GEORGE WOODS.

Fredricton, Dec. 29, 1840.—4w.