

THE ROYAL GAZETTE.

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Volume 8.

FREDERICTON, NEW BRUNSWICK, WEDNESDAY, OCTOBER 6, 1841.

Number 11



By Authority.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBRAIN, GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to Tuesday the twenty first day of September instant, I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to the third Tuesday in December next.

Given under my Hand and Seal at Fredericton, the fifteenth day of September, in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of Her Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBRAIN, GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS a Proclamation, bearing date the twenty ninth day of July last, was issued, commanding all Persons who have illegally occupied any Lands reserved by the Crown for the benefit of the Indians, forthwith to quit the same, and to abstain from cutting or removing Timber therefrom; And whereas it is expedient furthermore effectually to prevent the infraction of the prohibition; I do therefore hereby require and strictly command all Persons whatsoever to abstain from cutting or removing any Timber from the said reserved Lands without Licence, or from otherwise trespassing thereon upon any pretence whatsoever: And I do further require and command all seizing Officers to be vigilant in detecting any trespasses that may be committed on any of the said reserved Lands, and promptly to seize all Timber that may be found to have been cut thereon, without Licence for that purpose first obtained.

Given under my Hand and Seal at Fredericton, the sixteenth day of August, in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of Her Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBRAIN, GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS a Proclamation, bearing date the twenty sixth day of July in the year of our Lord one thousand eight hundred and thirty seven, was issued by the Lieutenant Governor, forbidding all persons from occupying any part of the Wild Lands within this Province, comprehending the Territory in dispute between Great Britain and the United States of America, known under the denomination of the *Disputed Territory*, or trespassing thereon by cutting Timber or otherwise: And whereas by another Proclamation, bearing date the twenty second day of October in the year of our Lord one thousand eight hundred and thirty nine, this prohibition was repeated, and the Warden of the said Territory was duly appointed and authorized to arrest, seize, take and destroy all Timber which might be cut in violation thereof: And whereas it is deemed necessary that the aforesaid prohibition should continue to be strictly enforced; I do hereby call upon and direct all Peace Officers and other Liege Subjects of Her Majesty within this Province to be aiding and assisting in enforcing the same, and also in effecting the seizure of any Timber cut in violation of the aforesaid Proclamations by any persons whatsoever.

Given under my Hand and Seal at Fredericton the twenty ninth day of June in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of Her Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

HEAD QUARTERS, FREDERICTON,
28th September, 1841.

MILITIA GENERAL ORDER.

A Court of Enquiry, consisting of the undermentioned Officers, to assemble at Saint John, on Monday the eleventh day of October next, at 11 o'clock, A. M., for the purpose of enquiring into such matters as will be brought before them.

PRESIDENT.

Major George D. Robinson, 1st City Militia.

MEMBERS.

Major J. V. Thurgar, City Rifle Battalion.
Captain C. Drury, 1st City Militia.

PROMOTIONS, &c.

2d Battalion Saint John County Militia.

Lieutenant John B. Pattison to be Captain vice Fitzgerald, deceased.

Ensign Andrew G. Crookshank to be Lieutenant, vice Pattison, promoted.

John Colville Crookshank, Gent. to be Ensign vice G. Crookshank, promoted.

By Command.
GEORGE SHORE, A. G. M.

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

TERMS.—Upset price, 3s. per acre, —ten 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 Napan and Black Rivers, South of Wm. Jardine.

200 acres, Northumberland, S. E. Branch of Black River, as surveyed for John Sinclair.

100 acres, Northumberland, South side of Napan River, next Lot 35.

100 acres, Westmorland, West Branch of Coverdale River, as surveyed for W. Bannister.

200 acres, Westmorland, Lots 6, 7, third tier, Des Barrés tract.

200 acres, King's, being Lot 3, North Branch of Studholm's Mill Stream, South of Hon. W. Chipman.

50 acres, King's, S. W. of Lot 6, Kennebecasis Island.

100 acres, King's, Lot 17, third tier, Parish of Norton.

50 acres, Queen's, West of Nerepis Road, in rear of Lots 6, 7.

300 acres, Queen's, Lots 4, 5, North side of Coal Creek, and Lot 9, South side ditto.

100 acres, Queen's, Lot 12, 4th tier, Parish of Wickham.

45 acres, York, N. E. part of Lot 2, S. E. side of St. Andrews Road, Garden's Creek.

14 acres, Kent, Lots 12, 13, third tier, St. Nicholas, Town Plat. Upset price, 10s. per acre.

JOHN S. SAUNDERS,
Surveyor General.

Crown Land Office, September 6, 1841.

NEW BRUNSWICK, IN CHANCERY.

Tuesday the twentieth day of July, in the year of our Lord one thousand eight hundred and forty one.

Between Beverley Robinson, Executor of the last Will and Testament of Peter Fraser, deceased, Plaintiff,

And Roswell Drown, Defendant.

At the Rolls.

FORASMUCH as the Court was this present day informed by Mr. Robinson, being of the 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 Affidavit appear; 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 fifth day of November next.

By the Court.
D. LUDLOW ROBINSON, REGR.

[First Published, July 28, 1841.]

By the Honorable Ward Chipman, Her Majesty's Chief Justice of the 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 Thomas E. Millidge, of Saint John, Merchant, 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 Hugh Mackay, James Mackay, and Daniel Mackay, late of the City of Saint John, Merchants, (which same are departed from and without the limits of this Province, with intent and design to defraud the said Thomas E. Millidge, and the other Creditors of the said Hugh Mackay, James Mackay, and Daniel Mackay, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law, as it is alleged against them,) to be seized and attached, and that unless Hugh Mackay, James Mackay, and Daniel Mackay, do return and discharge their said debt or debts, within three months from the publication hereof, all the Estate as well real as personal of the said Hugh Mackay, James Mackay, and Daniel Mackay, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Hugh Mackay, James Mackay, and Daniel Mackay. Dated at Saint John, the twenty fifth day of August, in the year of our Lord one thousand eight hundred and forty one.

WARD CHIPMAN.
W. F. KINNEAR, Atty's for Pet. Creditor.

[First Published, September 1, 1841.]

By the Honorable Ward Chipman, Chief Justice 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 John McConkey, of the City of Saint John, (Merchant), 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 Nicholas W. Busted, late of the City of Saint John, (Trader), (which said Nicholas W. Busted is departed from and without the limits of this Province, or keeps concealed within the same, with intent and design to defraud the said John McConkey, and the other Creditors of the said Nicholas W. Busted, (if any there be) of their just dues, or else to avoid being arrested by the ordinary process of the Law, as it is alleged against him,) to be seized and attached, and that unless the said Nicholas W. Busted 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 Nicholas W. Busted, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Nicholas W. Busted. Dated at the City of Saint John, the seventh day of September, in the year of our Lord one thousand eight hundred and forty one.

JAMES J. KAYE, Atty. for Pet. Creditor.

[First Published, September 22, 1841.]

By the Honorable Ward Chipman, Esquire, Chief Justice of Her Majesty's Supreme Court of Judicature for the Province of New Brunswick.

To all to whom these presents may come, Greeting:

NOTICE is hereby given, That upon the application of Ambrose B. Buxton, 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 James Edward Chipman, late of the City of Saint John, Merchant, (which said James Edward Chipman is departed from and without the limits of this Province, with intent and design to defraud the said Ambrose B. Buxton and the other Creditors of the said James Edward Chipman, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law, as it is alleged against him,) to be seized and attached; and that unless the said James Edward Chipman 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 James Edward Chipman, within this Province, will be sold for the payment and satisfaction of the Creditors of the said James Edward Chipman. Dated at the City of Saint John, this twenty eighth day of July, 1841.

WARD CHIPMAN.

W. JACK, Attorney for the Petitioning Creditor.

[First Published, August 4, 1841.]

By the Honorable Robert Parker, one of Her Majesty's Justices of the Supreme Court of Judicature of the Province of New Brunswick.

To all whom it may concern, Greeting:

NOTICE is hereby given, That upon the application of Thomas Trafton, 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 this Province, of James Fraser, late of the City and County of Saint John, Merchant, (who, being indebted unto the said Thomas Trafton in the sum of one hundred and eight pounds and upwards, departed from without the limits of this Province, and hath not resided within the same for the period of six months and upwards, now last past,) to be seized and attached; and that unless the said James Fraser do return and discharge his said debt or debts within six months from the publication hereof, all the Estate as well real as personal within this Province, of the said James Fraser, will be sold for the payment and satisfaction of the Creditors of the said James Fraser. Dated at Saint John N. B., this twenty second day of July, 1841.

R. PARKER.

CHAS. DUFF, Attorney for Petitioning Creditor.

Gm. [First Published, July 28, 1841.]

SHERIFF'S SALES.

County of York.

To be sold by Public Auction on the eight 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, claim and demand of Edward McConkey, of, in and to that certain tract or parcel of Land with the improvements thereon, situate at Tedish Portage, in the Parish of Botsford in rear of Lands granted to one Maloy, containing one hundred acres, more or less: The same having been taken by virtue of an Execution against the said Edward McConkey.

Also at the same time and place:

All the right, title, claim and demand of John McDonald, of, in and to that certain tract or parcel of Land with the improvements thereon, situate at Tedish Portage, in the Parish of Botsford in rear of Lands granted to one Maloy, containing one hundred acres, more or less: The same having been taken by virtue of an Execution against the said John McDonald.

W. P. SAYRE, SHERIFF.

Dorchester, 9th July, 1841.

To be sold by Public Auction on Saturday the ninth day of October next, at the Market House, in Fredericton, between the hours of 1 and 2 o'clock, P. M.:

ALL the right, title and interest of William McPherson, of, in and to Lots Numbers 67, 68, 69 and 70, on the River Nashwaak, in the Grant to Douglas Campbell and others of the late 42nd Regiment: The same having been taken by virtue of an Execution issued out of the Supreme Court.

E. W. MILLER, SHERIFF.

Sheriff's Office, Fredericton, April 3, 1841.

To be sold by Public Auction, on Saturday the 16th day of October next, at the Market House in Fredericton, between the hours of 1 and 2 o'clock, P. M.:

ALL the right, title and interest of John C. Ingraham, of, in and to Lots Numbers 92 and 94, granted to William Jones, on the western side of the River Saint John, in the Parish of Prince William: the same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of James E. McDonald.

E. W. MILLER, SHERIFF.

Sheriff's Office, Fredericton, April 14, 1841.

To be sold by Public Auction on Saturday the twentieth day of November 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 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 Saint Mary's, in the County of York, 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 first day of October, 1833, 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 Saint 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 McLaughlin, and being part of the aforesaid grant to George and Urban G. Agnew, commonly called the Holy 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.

Also—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, Esquire.

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.

The same having been taken by virtue of several Executions issued out of the Supreme Court against J. and N. Blake. E. W. MILLER, SHERIFF.

Sheriff's Office, Fredericton, 5th May, 1841.

To be sold by Public Auction on Saturday the 22d day of January, 1842, at the Sheriff's Office, in Fredericton, between the hours of 1 and 3 o'clock, P. M.:

ALL the right, title and interest of William Montgomery, of, in and to the Parish of Prince William: The same having been taken by virtue of an Execution issued out of the Supreme Court.

E. W. MILLER, SHERIFF.

Sheriff's Office, Fredericton, July 12, 1841.

To be sold by Public Auction on Friday the 8th day of October next, at the Sheriff's Office in Fredericton, between the hours of one and three o'clock, P. M.:

ALL the right and title of Joseph Colter, to the House now occupied by him, and adjoining the residence of Bernard Carroll, in King street: The same having been taken by virtue of an execution issued out of the Inferior Court of Common Pleas.

E. W. MILLER, Sheriff.

Sheriff's Office, Fredericton, 7th July, 1841.

King's County.

On the first Tuesday in April next, will be sold at the Inn kept by Thomas Hay, in the Parish of Westfield,

ALL the right, title, interest, property, claim and demand of Horatio Nelson Hicks Lugin, in and to a grant of Land to Peter Lugin and others, situate, lying and being in the Parish of Westfield, in King's County, and bounded on the front by the grant to Asher Codrington and others, and known as lots numbers 4, 5 and 6, and bounded on the rear by land granted to James Brittain, on the southwesterly side by land granted to William Nethery, and land granted to John McKeel and others, and on the northwesterly side by land owned and occupied by Henry Buley, containing in the whole 650 acres, more or less: The same having been taken by virtue of an Execution issued out of the Supreme Court against the said H. N. Hicks Lugin, at the suit of William P. Ranney. Sale to commence at one o'clock, P. M.

A. DAVIDSON, Sheriff.

Sheriff's Office, Kingston, 22d Sept. 1841.

On the second Tuesday in April next, will be sold at Public Auction, at the Inn kept by James Williams, in the Parish of Kingston:—

ALL the right, title and interest of Michael McGinley, in and to a certain piece or parcel of Land, situate in the Parish of Norton, in King's County, and lying between Land owned and occupied by Doctor S. Z. Earle, and Lands in the possession of Samuel Taylor, fronting on the Post Road leading to Westmorland, and containing two acres, more or less: The same having been taken by virtue of an Execution issued out of the Supreme Court against the said Michael McGinley, at the suit of John Dooley. Sale to commence at one o'clock, P. M.

A. DAVIDSON, Sheriff.

Sheriff's Office, Kingston, 22d Sept. 1841.

A FEW COPIES

1st and 2d Vols.

SEARS' Pictorial Illustrations of the BIBLE.

May be had at the Book Store of

MR. H. S. BEEK.

Fredericton, 15th September, 1841.

INDENTURES for Sale at this Office.

Feb. 11.

Queen's County.

To be sold at Public Auction at the House of Samuel Mays, Inn-keeper, in Gagetown, on the first Saturday in December next, between the hours of twelve and five of the afternoon:

ALL the right, title, interest, property, claim and demand of Edward Owen, in and to that certain Lot of Land, situate, lying and being on the North side of the Salmon River, in the Parish of Chipman, in Queen's County, and bounded as follows:—on the one side by Lands granted to Nathaniel Burpee, and on the other side by ungranted Lands, fronting on the Salmon River aforesaid, being twenty chains in front, and containing one hundred acres, more or less, with all and singular the improvements thereon, formerly the Property of Francis Cunningham, and conveyed by him to the said Edward Owen: The same having been taken in and by virtue of an Execution issued out of the Supreme Court, at the suit of Andrew Hamilton. Dated at Gagetown, the 26th day of June, 1841.

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

AUCTION.

FOR SALE,

The Brewery at the Nashwaaksis.

TO be sold at Public Auction, pursuant to a Decree of the High Court of Chancery, made in a cause of ODELL against Kay and others, with the approbation of the undersigned, one of the Masters of the said Court, at his Office in Fredericton, in the County of York, on Wednesday the first day of December next, between the hours of 12 at noon, and 2 o'clock in the afternoon of the same day: all that piece or parcel of Land, situate, lying and being in the Parish of Douglas, in the County of York, near the mouth of the River Nashwaaksis, formerly occupied as a Brewery and Mills, by the late Firm of BRAITHWAITE, KAY & Co. together with the Brewery, Mills, Malt House, Steam Engine, Machinery, and all other the Buildings, Erections, and appurtenances to the said piece or parcel of Land, Brewery and Mills belonging, or in any wise appertaining, subject to such conditions of sale as will be then and there produced.—Any further particulars may be had at the Office of Messrs. G. F. STREET and STRATON, Solicitors, in Fredericton, and of W. H. ODELL, Esquire, at the Secretary's Office in Fredericton. Dated at Fredericton, the 31st July, 1841.

GEORGE J. DIBBLEE,

Master in Chancery.

AUCTION SALE.

TO be sold at Public Auction, pursuant to a Decree of the High Court of Chancery, made in a cause of FLEMING against Cox, with the approbation of the undersigned, one of the Masters of the said Court, at his Office in Fredericton, in the County of York, on Wednesday the first day of December next, between the hours of 12 at noon, and two o'clock in the afternoon of the same day: all that certain piece, parcel, or tract of Land, Tenement and Premises, situate in King Street, Fredericton, bounded South Easterly by Land in the occupation of THOMAS BOWDEN, North Westerly and North Easterly by Lands owned and occupied by ROBERT CHESTNUT, and South Westerly by King Street, measuring in breadth on the front, forty feet, and thence running North Easterly at right angles, to King Street, sixty six feet, with all Buildings and Erections thereon, being the Premises occupied by the said Defendant, JOHN S. COX, subject to such conditions of sale as will be then and there produced.—Any further particulars may be had at the said Master's Office in Fredericton, and at the Office of D. L. ROBINSON, Esquire, Solicitor, in Fredericton.

GEORGE F. STREET,

Master in Chancery.

Fredericton, July 29, 1841.

HUE & CRY! £40 Reward.

WHEREAS THOMAS HARRISON, of the Parish of Sussex, in King's County, Farmer, did, on the night of the 28th ultimo, escape from the custody of Two Constables, who were conveying him, the said Thomas Harrison, to the Gaol of the said County, charged with having feloniously fired a Gun, loaded with Powder and Ball or Slugs, at ISAAC CLEVELAND, of the Parish aforesaid, and him, the said Isaac, did severely wound, so that his Life is despaired of:—

A REWARD of £40 is hereby offered for his apprehension, and lodgment in the Gaol of King's County, in the Province of New Brunswick; and all persons are hereby called upon to be aiding and assisting in the apprehension of the said Thomas Harrison.

Said THOMAS HARRISON is about 40 years of age, dark complexion, about 5 feet 8 or 9 inches high, down look, dark hair, round face.

Dated at Kingston, the 17th Aug., 1841.

A. DAVIDSON, Sheriff.

FOR SALE.

A BLACK MARE, 10 years old, and warranted sound, and good for either Draft or Waggon. Apply to

W. J. BEDELL.

Fredericton, 11th September, 1841.