

NEW

SERIES.

THE ROYAL GAZETTE.

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Volume 8.

FREDERICTON, NEW BRUNSWICK, WEDNESDAY, SEPTEMBER 8, 1841.

Number 7



By Authority.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBEAN 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 MACBEAN 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 whomsoever.

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.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBEAN 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 fifteenth day of June next, I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to the third Tuesday in September next.

Given under my Hand and Seal at Fredericton, the thirty first day of May, in the year of our Lord one thousand eight hundred and forty one, and in the fourth year of Her Majesty's Reign.

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

SECRETARY'S OFFICE,

Fredericton, 30th August, 1841.

As some misunderstanding appears to exist in the minds of the Public, as to what Certificates are required, previous to the payment of the several sums to which the Supervisors and Commissioners of Roads are respectively entitled, The following notice on the subject is republished for the information of those concerned.

Notice to Supervisors and Commissioners of Roads.

As by the arrangements made for prompt payment at the Treasury, the Warrants for sums appropriated for the Great and Bye Roads throughout the Province, will in future be paid as the money may be required for those services, the Supervisors and Commissioners are hereby directed, in drawing on the Province Treasury for the monies entrusted to them, to state in their orders or drafts, that the sums so drawn for are actually due for work performed, and they will in all cases be held responsible for the correctness of these statements.

By order of His Excellency the Lieut. Governor.
WM. F. ODELL.
Secretary's Office, 18th June, 1839.

Government Notice.

SECRETARY'S OFFICE,

18th August, 1841.

It appearing that the Supervisors and Commissioners of Roads had entered into contracts for the execution of ordinary repairs, previous to receiving the Notice contained in the Government Advertisement of the 27th July last; the Lieutenant Governor has been pleased to direct that, in cases where such contracts had been made, previous to the circulation of that Notice, the work may be proceeded with to its completion; and the Supervisors and Commissioners are required immediately to transmit to this Office copies of all such contracts.

By Order.
WM. F. ODELL.

Government Notice.

SECRETARY'S OFFICE,

23d August, 1841.

Petitions having been addressed to His Excellency the Lieutenant Governor, for permission to purchase allotments of Land, and the parties having omitted to deposit the sum of Twenty Shillings with the Receiver General, the order of the Lieutenant Governor in Council, of the 4th April, 1838, is herewith republished for general information.

In Council, 4th April, 1838.

Ordered, That after the first June next, every Petitioner for Land be required to deposit with the Receiver General, the sum of Twenty Shillings, to be credited as part of the purchase money, upon the completion of the purchase, but to be forfeited if the purchase be not completed; or in case the prayer of the Petition be not granted, the deposit to be returned.

By Order.
WM. F. ODELL.

PROVINCIAL SECRETARY'S OFFICE,

FREDERICTON, 19th August, 1841.

The Public are hereby informed that no Grants of Land will in future be delivered to any Person, applying on behalf of another, unless such applicant produce a written order from the Grantee so to do.

WM. F. ODELL.

[The Newspapers generally are requested to give publicity to the above Notice.]

HEAD QUARTERS, FREDERICTON,

31st August, 1841.

MILITIA GENERAL ORDER.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to order, on the suggestion of Lieutenant Colonel J. C. VAIL, that the Drill and Inspection of the 2nd Battalion King's County Militia, shall take place as follows:—

The 1st Division at Sussex, on the 29th September next.

The 2nd Division at Studholm's Mill Stream, on the 30th September.

The 3rd Division at Smith's Creek, (Parish of Studholm,) on the 1st October; and the whole Battalion to assemble for General Inspection in the Parish of Sussex, on the 2nd of October.

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

CROWN LAND OFFICE,

August 13, 1841.

Deputy Surveyors and all others who make a practice of transmitting to this Office Petitions for the purchase of Crown Land Timber, are again hereby informed that all payments on account thereof, must be made only to Her Majesty's Receiver General, and it is requested therefore, that in future no monies whatever may be sent to this Department.

JOHN S. SAUNDERS,
Surveyor General.

PUBLIC NOTICE

IS hereby given, That the right of License on the Tract of Land between Bear and Fork Brooks, Little River, Sunbury, formerly under 5 years license to John G. Woodward, to be divided into two blocks of about 4,000 acres each; will be offered at Auction, separately, for general competition, at this Office, on Monday the 4th of October next. Upset price, 2s. per ton for Timber, and 3s. 6d. per M. for Lumber.

The following Tracts of vacant Crown Lands will be offered for sale by Public Auction at this Office on Monday the 4th day of October next. Sale to commence at 12 o'clock, noon.

TERMS.—Upset price, three shillings per acre. Ten per cent. of the purchase money to be paid at the time of sale, and the remainder within 14 days after.

116 acres, Gloucester, West side of Grand Shippegan Harbour, surveyed for Thomas Falle.

60 acres, Gloucester, S. side of Shippegan Island, surveyed for Bruno Ache.

100 acres, Gloucester, Lot No. 6, East side of Grand Pokemouche River.

100 acres, Gloucester, in rear of Lot No. 55, on the West side of Shippegan Harbour.

50 acres, Northumberland, east side of Bartibog River, surveyed for Miles Carroll.

200 acres, Westmorland, north side of north branch of Petitediac, surveyed for William L. Eagles.

150 acres, Westmorland, lot B, north side of Road from New Canaan to North River.

145 acres, Westmorland, on the Road from New Canaan to North River, surveyed for R. Johnson.

200 acres, King's, lots 8, 9, fourth tier, below Sussex Vale, surveyed for James Gray.

125 acres, Queen's, lot 14, east of Washdemack Lake, in Wickham, surveyed for R. Craft.

540 acres, Carleton, on the proposed Road from Restook to Grand Falls, between the 8th and 10th mile trees.

200 acres, Carleton, in the 6th tier of Richmond Settlement, surveyed for George DeBeek.

200 acres, Carleton, in the 6th tier, Richmond Settlement, surveyed for W. Price.

200 acres, Carleton, next to the Presbyterian Church grant, in Richmond.

200 acres, Carleton, being the second lot south of the Presbyterian Church grant, in Richmond.

One Town Lot in Gagetown, Queen's, fronting Grimross Creek, being the vacancy between Lydia Scribner's grant and the School Lot, with a front of fifty feet. Upset price, 12s. per foot, front.

JOHN S. SAUNDERS,
Surveyor General.

Crown Land Office, August 9, 1841.

SHERIFF'S SALES.

County of York.

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, title and interest of Bernard Carroll, to the House on the corner of King and Regent streets, and now occupied by the widow of the late Christopher Brown: The same having been taken by virtue of an execution issued out of the Supreme Court.

Also at the same time and place: 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.

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, to Lots Nos. 8 and 9, in the Poquiquet Settlement, in 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 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, 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 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 M'Loughlin, 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.

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 the other 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 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 George N. Smith, of, in and to Lot No. 4, fronting on Lake Esna, in the Parish of Kingsclear, granted to John A. Beckwith, containing 100 acres, more or less.—The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of J. and J. F. Taylor.

E. W. MILLER, Sheriff.
Sheriff's Office, Fredericton, 5th May, 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 ninth day of October next, at the Market House, in Fredericton, between the hours of one and three, 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 Douglald 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 5, 1841.

King's County.

On Saturday the 11th day of September next, will be sold at Public Auction at the Inn kept by Andrew W. Hennigar, in the Parish of Hampton:

ALL the right, title and interest, of John Henni- gar, Senior, in and to the following Lots of Land, (to wit,) The whole of the Lot No. 13, Timothy Wetmore's first Survey in the Grant to Abigail Waters, and others containing 200 acres, more or less.—Also, the Southeastern half of Lot No. 14, in said T. Wetmore's first Survey of Lots on the River Kennebec, with all the Buildings and improvements on said Lots: The same having been taken by virtue of an Execution issued out of the Supreme Court, against the said John Hennigar, at the suit of Richard C. Rodgers.—Sale to commence at 2 o'clock, P. M.

A. DAVIDSON, Sheriff.
Sheriff's Office, Kingston, March 4, 1841.

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.

NEW BRUNSWICK, IN CHANCERY.

Tuesday the twentieth day of July, in the year of our Lord one thousand eight hundred and forty one. Between Beverly 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 Affidavits 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 Acts 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, Attys. for Pet. Creditor.
[First Published, September 1, 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 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 for the Province of New Brunswick.

To all whom it may concern, Greeting: NOTICE is hereby given, That upon the application of Thomas Traflet, 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 Traflet, 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 last past, and is 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.

CHAS. DEFF, Attorney for Petitioning Creditor.
6th. [First Published, July 28, 1841.]

THE SUBSCRIBER

Has for Sale, on Consignment, the undermentioned articles of

MERCHANDIZE.

WHITE and GRAY COTTONS; Striped & Regatta Cottons; Cotton do., Swansdown, Cotton Sheetings, Linen do., Linen Diapers, Linen Table Covers, Linen Towels, Brown Plaid, Irish Linen, Unbleached do., Bed Tick, Printed Cottons, Furniture do., Silk Handkerchiefs, Gingham & Cotton do., French Cambric do., Roll'd Jaconets, Bobbinets, Cambric Muslins, Embossed Cotton, 2 Boxes Artificial Flowers, French Silk Velvet, Black Gros de Naples, Lace Capes, Bread Cloths, Buckskins, Plain and Fancy Tweeds; Drab & Fancy Moleskins; Cotton Drills, White Canton, Buff Jean, Fancy Cotton Trowersing, Scarlet & Grey Padding; Scotch Carpeting, Hemp do., Tweed, Cloth & Moleskin; Pantaloon; Light and Dark Vests, White & Black Buckram; Linen Checks, Cotton do., Scotch Homespuns, Flannel Shirts, Striped & Regatta do., White do., Children's Shoes, Worsted & Cotton Bindings, Linen Threads, assorted, Worsted & Cotton Shawls; Fild Shawls and Handkerchiefs; Gents. Gossamer Hats, Pieces Muslin de Laine, Pieces Saxony, Pieces Orleans Cloth, (Black and Fancy) Cotton Dresses, Muslin de Laine do., Pieces Black Worsted Serge, Pieces Tartan Camlet, Pieces Gingham, Cambric Dresses, Ladies Rosewood Work Boxes, Boxes Pipes, Sides Upper Leather, Sides Kip Cordwary, 2 doz. Yellow Roanskins, Tea Kettles, Iron Pots, Half Boxes and Barrels Raisins; Boxes Smoked Fish, Bakepans, Griddles.

2 Copying Presses, Reams Wrapping Paper, 3 Browns Illustrated Bibles, 8 vols. Scottish Pulpit, 5 vols. Select Christian Authors. JOSEPH GAYNOR.
Fredericton, August 11, 1841.—4w.