

NEW SERIES. THE ROYAL GAZETTE.

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VOLUME 1.

FREDERICTON, NEW-BRUNSWICK, NOVEMBER 3, 1830.

NUMBER 44.

By Authority.



By the Honorable WILLIAM BLACK, Esq. President and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

A Proclamation.

WHEREAS in consequence of the Demise of His late most sacred Majesty King GEORGE the FOURTH: I have thought fit to dissolve the General Assembly of this Province, which now stands prorogued to the first Tuesday in December next; I do for that purpose publish this Proclamation, and accordingly by these Presents do dissolve the said General Assembly; whereof all persons whom it may concern, will take due notice.

And I do hereby declare, that I have this day given orders that writs for calling a new General Assembly be issued in due form, the said writs to bear teste on Tuesday the fourteenth day of September, and be returnable on Monday the fifteenth day of November next.

Given under my Hand and Seal at Fredericton, the thirteenth day of September in the Year of our Lord, one thousand eight hundred and thirty, and in the First Year of His Majesty's Reign.

By His Honor's Command, JOHN SIMCOE SAUNDERS, Acting Secretary.

HEAD QUARTERS.

FREDERICTON, 25th Oct. 1830. MILITIA GENERAL ORDERS.

His Honor the President has been pleased to make the following Promotions, &c.

1st Batt. Saint John County Militia. Wm. Henry Travis, Gent. to be Lieutenant.

2d Batt. Saint John County Militia. Lieut. John Cunningham, to be Captain vice Mathews appointed Paymaster of the 1st Battalion.

Ensign William O. Cody, to be Lieutenant vice Ansley promoted.

W. R. Sentill, Gent. to be Ensign vice Cody. William Veal, Gent. do. dated 26th Oct.

2d Battalion York. William Mallory, to be Lieutenant vice N. Shaw resigned.

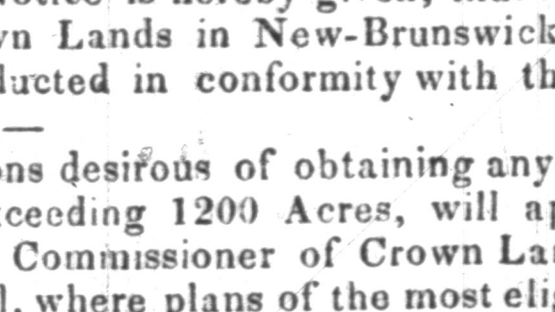
William Shaw to be Ensign.

3d Battalion King's County. William Gunter, Gent. to be Captain of a new Company.

Wm. Debow, do. Lieutenant do. John Ford Sherwood, do. Ensign do.

Acting Quarter Master General Gallagher, to be Quarter Master General to the Militia Forces vice Howe.

By Command, GEO. SHORE, Adj. Gen.



PUBLIC Notice is hereby given, that the Disposal of Crown Lands in New-Brunswick, will hereafter be conducted in conformity with the following arrangement:—

1st.—Persons desirous of obtaining any quantity of Land, not exceeding 1200 Acres, will apply at the Office of the Commissioner of Crown Lands and Survey-General, where plans of the most eligible vacant Tracts will be exhibited with the price attached to each Lot. Plans of Tracts in each County will also be lodged with authorised Deputies in several Districts of the Province.

2nd.—The Land will be sold subject to the usual conditions of Improvement, but no quit rent or further payment will be required from purchasers paying the whole of the purchase money at the time of sale.

3rd.—Settlers unable to pay the whole sum may have the option of paying the purchase money by four annual instalments with interest, one Instalment to be paid in advance, in which case a location Ticket will be given, for which the sum of Two Pounds must be paid down, and to be exclusive of the annual Instalments as above; the Patent to issue when the whole of the Instalments are paid.

4th.—Persons desirous of buying Land in Situations not included in the Tracts already surveyed must previously pay for the expense of survey.

5th.—Poor Settlers may receive grants of Fifty Acres on payment of a Fee not exceeding Twenty Shillings. The Land of course to be subject to the necessity of cultivation within a limited period, and the form of application to be as follows:—

To His Honor the President and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

Humbly Sheweth, That he is a British Subject, has not the means to purchase, and does not own any Land in this Province, and is desirous of obtaining fifty Acres for the purpose of immediate settlement and cultivation by himself; he therefore prays that a Lot may be granted to him situate as follows

He has not bargained or agreed for the Sale or transfer thereof. And as in duty bound will ever pray.

Fredericton, October 27th, 1829.

NOTE.—If the application is complied with, the applicant will receive a location Ticket, and on his complying with the conditions thereof, a Grant will issue to him.

NEW-BRUNSWICK—IN CHANCERY.

Friday, the 23d day of July, in the year of our Lord one thousand eight hundred and thirty. Between Thomas Phillips, Complainant, and Jacob Reeder Gray, Defendant.

FORASMUCH as this present day informed by Mr. Geo. I. Dibblee, being of the Plaintiff's Counsel, that the plaintiff had filed his Bill in this Honorable Court, against the defendant, on the 17th day of February, 1829, as by the certificate of the Registrar appeared, and took out process of subpoena against the defendant, returnable on the ninth day of May, then next following, requiring him to answer the said Bill, and that the defendant had not been served therewith, in consequence of his having departed from this Province since the complainant's cause of action against him accrued—or that he remains concealed within the limits of the same, or hath otherwise absconded, to avoid being served with the process of this Court, as by affidavit appears—and the said certificate and affidavit being read, and the truth of the above allegations being made out, to the satisfaction of the Court.—It is Ordered, that the Defendant do appear and answer the said Bill, on or before the second day of November next.

By the Court, D. LUDLOW ROBINSON, Registrar.

NEW-BRUNSWICK—IN CHANCERY.

Tuesday, the twenty fourth day of August, 1830. Between Samuel Begshaw, complainant, and Peter Fraser, George Ludlow, Robert Crookshanks, the elder, Hugh Johnston, and Robert W. Crookshanks, the younger, defendants.

FORASMUCH as this Court was this present day informed by Mr. Putnam, being of the Plaintiff's Counsel, that the Plaintiff had on the seventeenth day of May last filed his Bill in this Honorable Court against the above defendants, as by the Certificate of the Register of this Court appeared, and had taken out process of subpoena against the said defendants, but that George Ludlow, one of the above defendants, now resides, and for a long time since hath resided out of the limits of this Province, or within the jurisdiction of this Honorable Court, and the truth of the above allegations being made out to the satisfaction of the Court.—It is ordered, that the said defendant George Ludlow do appear and answer to the complainant's bill, on or before the first day of December next.

By the Court, D. LUDLOW ROBINSON, Reg'r. JAMES STE WART, Sol. for Compl't.

Aug. 25.

By William Botsford Esquire, one of His Majesty's Justices of the Supreme Court, of Judicature for the Province of New-Brunswick, &c. &c. &c.

NOTICE is hereby given that upon the application of Jonathan Levi Robinson of the County of Westmoreland and Province aforesaid, Yeoman, to me duly made according to the form of the act of the General Assembly in such case made and Provided, I have directed all the estate as well real as personal of George William Henry Turner late of the County and Province aforesaid, Yeoman, which said George W. H. Turner has either departed from and without the limits of the Province with intent and design to defraud the said Jonathan Levi Robinson, and the other Creditors (if such there be) of the said George W. H. Turner, 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 George W. H. Turner 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 George W. H. Turner within this Province will be sold for the Payment and satisfaction of the Creditors of the said George W. H. Turner. Dated at Dorchester, in the said County of Westmoreland, this seventeenth day of August, in the year of our Lord one thousand eight hundred and thirty.

By the Honorable William Botsford, one of the Justices of His 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 Ebenezer Smith to me duly made, I have directed all the Estate as well real as personal, within this Province, of James J. Smith, late of the Parish of Hanington, in King's County, Farmer, (which said James J. Smith hath departed from this Province with intent and design to defraud his creditors of their just dues, or else to avoid being arrested by the Ordinary process of Law as is alleged against him) to be seized and attached; and that unless the said James J. Smith do return and discharge his debts within Three Months from the publication hereof all the Estate as well real as personal of the said James J. Smith within this Province will be sold for the Payment and satisfaction of the Creditors of the said James J. Smith. Dated at the City of Saint John, the 28th day of July, A. D. 1830.

By John Keillor, Esquire, one of His Majesty's Justices of the Inferior Court of Common Pleas, in and for the County of Westmoreland.

WHEREAS, upon application to me duly made by James S. Morse, Esquire, pursuant to the directions of the Acts of the General Assembly, made, I have directed all the Estate as well real as personal of Thomas Smith, late of Botsford, in the County of Westmoreland, and Province aforesaid, Farmer, (which said Thomas Smith is indebted to the said James S. Morse, in the sum of fifteen pounds and upwards, and has departed this Province since the said debt was contracted, and has not returned or resided therein for the last six months and upwards,) to be seized and attached.—Now notice is hereby given that unless the said Thomas Smith do return and discharge the said debt within six months from the publication hereof; all the said Estate as well real as personal, will be sold for the payment and satisfaction of the said debt, and other creditors of the said Thomas Smith, if any such there be. Dated at Dorchester in the said County of Westmoreland, this seventeenth day of May in the year of our Lord one thousand eight hundred and thirty.

By John Keillor, Esquire, one of the Justices of His Majesty's Inferior Court of Common Pleas, in and for the County of Westmoreland.

To all whom it may concern, Greeting: NOTICE is hereby given that upon the application of David Coffin, of Hillsborough, in the County aforesaid, yeoman, to me duly made, agreeably to the directions of the Act of the General Assembly, in such case made and provided, I have directed all the estate,

as well real as personal, of Alexander Buchanan, late of Hopewell, in the County aforesaid, yeoman, (the said Alexander Buchanan having either departed from and without the limits of this Province, with intent and design to defraud the said David Coffin and others, the creditors of the said Alexander Buchanan, if any there be, of their just dues, or lying concealed within this Province, to avoid being arrested by the ordinary process of the law, as is alleged against him) to be seized and attached; and that unless the said Alexander Buchanan do return and discharge his said debt or debts, within three months from the publication hereof, all the estate real and personal, of the said Alexander Buchanan, within this Province, will be sold for the payment and satisfaction of his creditors. Dated at Dorchester, this thirteenth day of July, 1830.

By the Honorable JOHN MURRAY BLISS, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

To all whom it may concern, Greeting: NOTICE is hereby given that upon the Application of Daniel Smith, to me duly made, according to the form of the Act of Assembly, in such case lately made and provided, I have directed all the estate, as well real as personal, within this Province of New-Brunswick, of Robert Merritt, late of the Parish of Portland, in the County of Saint John, tanner, (which said Robert Merritt is departed from and without the limits of this Province, with intent and design to defraud the said Daniel Smith, and the other creditors of the said Robert Merritt, 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 Robert Merritt 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 Robert Merritt, within this Province, will be sold for the payment and satisfaction of the creditors of the said Robert Merritt. Dated at Saint John, the 23d day of June, one thousand eight hundred and thirty.

By the Court, J. M. BLISS.

July 28 3m

By the Honorable JOHN MURRAY BLISS, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

To all whom it may concern, Greeting: NOTICE is hereby given that upon the Application of Daniel Smith, to me duly made, according to the form of the Act of Assembly, in such case lately made and provided, I have directed all the estate, as well real as personal, within this Province of New-Brunswick, of Robert Merritt, late of the Parish of Portland, in the County of Saint John, tanner, (which said Robert Merritt is departed from and without the limits of this Province, with intent and design to defraud the said Daniel Smith, and the other creditors of the said Robert Merritt, 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 Robert Merritt 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 Robert Merritt, within this Province, will be sold for the payment and satisfaction of the creditors of the said Robert Merritt. Dated at Saint John, the 23d day of June, one thousand eight hundred and thirty.

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By the Court, J. M. BLISS.

July 28 3m

Also, at the same time and place, will be sold, All the right and title of Andrew Mersereau, of, in and to the lower or easterly half Lot No. 1, situate in the Parish of Margerville, bounded easterly by land in the possession of Elijah Miles, Esquire, southerly by the river St. John, and westerly by land owned by the said Elijah Miles, Esq. containing 250 acres more or less. The same having been seized by virtue of an execution issued out of the Supreme Court at the suit of Peter Fraser, Esquire, surviving executor of the last will and testament of Duncan M'Leod, deceased.

JOHN HAZEN, Sheriff.

Burton, 13th August, 1830.

COUNTY OF QUEEN'S.

By virtue of a writ of Testatum Fieri Facias to me directed will be Sold, at Public Auction, on the first Monday in May next between the hours of Twelve and Five of the afternoon, at the House of James Blizard in Gage-Town.

ALL the right, title, and interest, of Donald Patterson in and to a Lot of Land situate at the Salmon Creek Settlement in Wickham, Queens County, and known as Lot Number four containing acres, more or less, seized and taken in Execution at the suit of Alexander B. M'Donald.

N. H. DEVEBER Sheriff.

Dated at Gage-Town, the 12th day of October, 1830.

By Virtue of a Writ of Fieri Facias to me directed, will be Sold at Public Auction on the last Saturday in February next, between the hours of 12 and 5 of the afternoon, at the House of James Blizard, in Gage-Town.

ALL the right, title and interest of Jacob Albright, in and to three several Lots of Land, situate on the North side of the Grand Lake, in Queens County, and known as Lot Nos. 39, 40 and 41, containing together 600 Acres more or less, seized, and taken in Execution at the suit of William Robinson.

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

Gagetown, 7th August, 1830.

COUNTY OF WESTMORELAND.

To be sold by Public Auction at the Court House in Dorchester, on Tuesday the Twelfth day of April next, between the hours of Twelve and Five o'clock.

THE Real Estate of the late Gershom Maxwell deceased, situate on Cape Mazanguui in the Township of Sackville, the same having been taken by Execution at the suit of Charles J. Peters, Esquire.

W. P. SAYRE, Sheriff.

Dorchester, 7th October, 1830.

To be Sold at Public Auction, on Wednesday, the twenty-second day of December next, between the hours of twelve and five o'clock in the afternoon of the same day, at the Court-House in Dorchester, in the County of Westmoreland.

ALL the estate, right and title of John Fitzsimmons, in and to that certain lot or tract of LAND, known as lot Number One, situate and being in the Parish of Coveville, in the County aforesaid, and bounded easterly by the River Petitcodiac, containing one hundred and sixty-nine acres more or less. The same having been taken by virtue of an Execution issued out of the Supreme Court, against the said John Fitzsimmons.

W. P. SAYRE, Sheriff.

Dorchester, 9th June, 1830.

To be Sold on the last Monday in February next, at the Court-House in Dorchester, between the hours of twelve and five o'clock.

ALL the right and title of Thomas Easterbrooks, to a certain Message or Tenement and Land, adjoining, situate and being in Sackville, in Letter O, division, bounded westerly on the road leading to the late Nehemiah Wards, southerly on lands of William Easterbrooks, and easterly and northerly, on Land of James Easterbrooks Esqr., containing Twenty acres more or less. The same having been taken by virtue of an Execution issued out of the Supreme Court of this Province, against the said Thomas Easterbrooks, at the suit of the Honorable William Botsford Esquire, of the last Will and Testament, of Amos Botsford Esqr., deceased.

W. P. SAYRE, Sheriff.

Dorchester, 5th August, 1830.

To be Sold at Public Auction, on Tuesday the Twenty-ninth 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 and title of John B. Morrison, of, in, and to that certain piece of LAND, Message and Tenement, where he resides, situate near the Court House abovementioned.—The same having been taken by virtue of several Executions.

Also at the same time and place, will be Sold, All the right and title of Stephen Smith, of, in, and to that certain Farm, on which he resides, situate in the Parish of Hopewell.—The same having been taken by virtue of an Execution at the suit of Peter McClellan and John Calhoun.

W. P. SAYRE, Sheriff.

Dorchester, 16th September, 1830.

COUNTY OF KENT.

To be sold at Public Auction, on the 1st Tuesday in April next, between the hours of 12 and 5 o'clock, in the afternoon of the same day, at the County Court House, in Liverpool, in the County of Kent.

ALL the real estate of William John Layton, situate in the Parish of Carlton, in the County of Kent, the same having been taken by virtue of executions issued out of the Supreme Court at the suit of John Wheten and Alfred L. Layton, Esquires.

THOMAS LANDSDOWNS, Sheriff of Kent.

Liverpool, N. B. 28th day of Sept. 1830.

COUNTY OF GLOUCESTER.

On Tuesday the 9th day of November next, will be Sold by Public Auction, at the Court House in Bathurst, between the Hours of 12 and 5 in the afternoon.

ALL the right and title of Richard S. Clarke, Esq. of, in, and to a tract of Land, and Saw Mill thereon, situate on or near the little Nepisiguit River, in the parish of Bathurst, the same having been taken by an Execution issued out of the Supreme Court at the suit of W. P. Scott.