

# THE ROYAL GAZETTE.

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NUMBER 4.



## By Authority.

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

## A Proclamation.

WHEREAS the General Assembly of this Province has been summoned to meet at Fredericton on the third Monday of this instant, November; I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to the first Monday in February next ensuing, then to meet at Fredericton for the despatch of business.

Given under my Hand and Seal at Fredericton, the ninth day of November, 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, WM. F. ODELL.

## By Authority.



At the Court at St. James's, the 5th day of November, 1830, PRESENT.

THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by a certain Act of Parliament, passed in the sixth year of the reign of His late Majesty King George the Fourth, intitled "An Act to regulate the trade of the British possessions abroad," "trade of the British possessions abroad," "any of the British possessions abroad, from the countries to which they belong, goods, the produce of those possessions to be carried to any foreign country whatever, and that it is expedient that such permission should be subject to certain conditions," it is, therefore, enacted, "that the privilege hereby granted to foreign ships shall be limited to the ships of those countries which, having colonial possessions, shall grant the like privileges of trading with those possessions to British ships, or which, not having colonial possessions, shall place the commerce and navigation of this country, and of its possessions abroad, upon the footing of the most favoured nation, unless His Majesty, by His Order in Council, shall in any case deem it expedient to grant the whole or any of such privileges to the ships of any foreign country, although the conditions aforesaid shall not in all respects be fulfilled by such foreign country."

And whereas by a certain Order of His said late Majesty in Council, bearing date the twenty-seventh day of July one thousand eight hundred and twenty-six, after reciting that the conditions mentioned and referred to in the said Act of Parliament had not in all respects been fulfilled by the Government of the United States of America, and that therefore the privileges as granted as aforesaid by the law of navigation to foreign ships, could not lawfully be exercised or enjoyed by the ships of the United States aforesaid, unless His Majesty, by His Order in Council, should grant the whole or any of such privileges to the ships of the United States aforesaid: His said late Majesty did, in pursuance of the powers in Him vested by the said Act, grant the privileges aforesaid to the ships of the said United States; but did thereby provide and declare, that such privileges should absolutely cease and determine in His Majesty's possessions in the West Indies and South America, and in certain other of His Majesty's possessions abroad, upon and from certain days in the said Order for that purpose appointed, and which are long since passed:

And whereas by a certain other Order of His said late Majesty in Council, bearing date the sixteenth day of July one thousand eight hundred and twenty-seven, the said late mentioned Order was confirmed: And whereas in pursuance of the Acts of Parliament in that behalf made and provided, His said late Majesty, by a certain Order in Council, bearing date the twenty-first day of July one thousand eight hundred and twenty-three, and by the said Order in Council, bearing date the twenty-seventh day of July one thousand eight hundred and twenty-six, was pleased to Order that there should be charged on all vessels of the said United States, which should enter any of the ports of His Majesty's possessions in the West Indies or America, with articles of the growth, produce, or manufacture of the said States, certain duties of tonnage and of customs therein particularly specified:

And whereas it hath been made to appear to His Majesty in Council, that the restrictions heretofore imposed by the laws of the United States aforesaid upon British vessels, navigated between the said States and His Majesty's possessions in the West Indies and America, have been repealed, and that the discriminating duties of tonnage and of customs, heretofore im-

posed by the laws of the said United States, upon British vessels and their cargoes entering the ports of the said States from His Majesty's said possessions, have also been repealed, and that the ports of the United States are now open to British vessels and their cargoes coming from His Majesty's possessions aforesaid, His Majesty doth, therefore, with the advice of His Privy Council, and in pursuance and exercise of the powers vested in Him as aforesaid by the said Act so passed in the sixth year of the reign of His said late Majesty, or by any other Act or Acts of Parliament, declare, that the said recited Orders in Council, of the twenty-first day of July one thousand eight hundred and twenty-three, and of the twenty-seventh day of July one thousand eight hundred and twenty-six, and the said Order in Council of the sixteenth day of July one thousand eight hundred and twenty-seven (so far as such last mentioned Order relates to the said United States) shall be, and the same are, hereby respectively revoked:

And His Majesty doth further, by the advice aforesaid, and in pursuance of the powers aforesaid, declare that the ships of and belonging to the said United States of America, may import from the United States aforesaid into the British possessions abroad, goods the produce of those States, and may export goods from the British possessions abroad to be carried to any foreign country whatever.

And the Right Honorable the Lords Commissioners of His Majesty's Treasury, and the Right Honorable Sir George Murray, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein, as to them may respectively appertain.

JAS. BULLER.

NEW-BRUNSWICK—IN CHANCERY. The sixteenth day of November, in the first year of the reign of King William the Fourth.

Between James Robertson, Complainant, and Thomas Smith and John Danford, Defendants.

FOR as much as this Court was this day informed by Mr. Le Baron Hazen of Council for the Complainant, that the Complainant on the tenth day of May last past, filed his Bill in this Court, against the said Thomas Smith and John Danford, as by the Certificate of the Registrar of this Court appears, and took out process of Subpoena, returnable on the Saturday next after the second Tuesday in July then next, requiring the said Thomas Smith and John Danford to appear to, and to answer the same, but that the said Thomas Smith and John Danford are out of the limits of this Province, as by affidavit appears. Also that the said Thomas Smith and John Danford have not caused their appearance to be entered upon the said process as appears by a further certificate of the Registrar—and the said certificates and affidavit being read, and the truth of the above allegation being made out to the satisfaction of the said Court.—It is ordered, that the said Defendants, Thomas Smith and John Danford do appear to the Complainant's said bill, on or before the twenty-second day of February next.

By the Court, D. LUDLOW ROBINSON, Reg'r. L. HAZEN, Compt. Sol. Nov. 10.

By the Honorable WARD CHIPMAN, 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 Elisha DeW. Ratcliff, 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 decreed all the Estate as well real as personal within this Province, of Andrew Mackenzie, late of the City of Saint John, general dealer; (who same Andrew Mackenzie is departed from and without the limits of this Province, with intent and design to defraud the said Elisha DeW. Ratcliff and the other creditors of the said Andrew Mackenzie, if any their loss, of their just dues, or else 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 Andrew Mackenzie do return and discharge the said debt or debts, within three months from the publication hereof, all the estate as well real as personal of the said Andrew Mackenzie, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Andrew Mackenzie.

Dated at the City of Saint John this fifteenth day of November, A. D. 1830.

WARD CHIPMAN.

By John Keillor, Esquire, one of His Majesty's Justices of the Inferior Court of Common Pleas in and for the County of Westmorland, Greeting: WHEREAS upon application on to me duly made by Isaac Turner, of Hopewell, in the County of Westmorland, pursuant to the directions of the Act of the General Assembly, for relief against absconding debtors, made and provided, have directed all the Estate, as well real as personal, of George Bennett, late of Hopewell, in the County aforesaid, and Province of New-Brunswick, Trader, (which said George Bennett is indebted to the said Isaac Turner in the sum of Forty 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: Notice is hereby given that unless the said George Bennett, do return and discharge the said debt, within six months from the publication hereof, all his Estate as well real as personal, will be sold for the payment and satisfaction of the said debt, and other Creditors of the said George Bennett, if such there be.

Dated at Fredericton, in the County aforesaid, this 22d day of April, 1830.

JOHN KEILLOR, J. C. Place.

## SHERIFF'S SALES.

### COUNTY OF YORK.

To be Sold at Public Auction on the 28th day of March next, between the hours of 12 & 5 o'clock in the afternoon, at the Market-house

ALL the right, title, interest, claim and demand of Colin Bryner, of, in, and to that certain Farm, situate in the Parish of Prince William, bounded on the upper side by Hoy's property, and on the lower side by W. Jones, the same having been taken by execution issued out of the Supreme Court at the suit of Scovell and Walker.

At the same time and place, will be Sold, All the right and title of George K. Lugin, to that House and Lot, situate in the Town of Fredericton, on the corner of King and Carleton streets, opposite Mr. Mc'Brien's Tavern, the same having been taken by execution.

E. W. MILLER, Sheriff. Fredericton, 28th Sept. 1830.

To be sold by Public Auction on the first day of June next, at the Market House in Fredericton, between the hours of 12 and 5 o'clock, in the afternoon.

ALL the right and title of James Barry, of, in, and to Lot No. 15, situate in the Hanwell Settlement and granted to said Barry; the same having been taken by execution issued out of the Supreme Court at the suit of W. & R. Dibble.

E. W. MILLER, Sheriff. Fredericton, 1st December, 1830.

On Thursday, the 24th day of March next, will be Sold by Public Auction, at the Market House in Fredericton.

THE following lots of LAND, situate in the Parish of Kent, County of York, viz:—Lot No. 33, in Military Grant, containing 100 acres, on the east side of the River Saint John, conveyed to Robert Henderson, by Martin Hayes, also, lots Nos. 41 & 42, same side of the River, formerly owned by Thomas Mearns, containing 100 acres each; the said land was sold in February last, by virtue of an execution issued out of the Supreme Court, against Robert Henderson, purchased by Wm. Peters, and now to be re-sold at his issue, for non-payment of the purchase money.

E. W. MILLER.

Fredericton, 22d Dec. 1830.

### COUNTY OF SUNBURY.

To be sold by Public Auction on the third Saturday in February next, at the Court House in Burton, between the hours of 12 and 5 o'clock in the afternoon.

ALL the right and title whatsoever of James Hazen and Robert Hazen, of, in, and to the following Lots, pieces, or parcels of Land, viz: Lot No. 1, situate in the Parish of Manguerville, bounded easterly by land owned by Francis Peabody, Esq. southerly by the river St. John, and westerly by land owned by the said Francis Peabody, containing 500 acres, more or less. Also, 60 acres more or less, situate on the point so called in the Parish of Manguerville. Also, 250 acres more or less, in the Grant to Constant Connor, situate at the mouth of the river Oromocto, in the Parish of Burton. Also, 14 acres more or less, in the Grant to John Atchison and others, situate on the south east side of the Oromocto in the Parish of Burton aforesaid, and adjoining land owned by Thomas Perley.

Together with all and singular the improvements thereon. The same having been taken by virtue of several executions issued out of the Supreme Court, at the suit of Robert Rankin, & Co. & George B. Covert. Also, at the same time and place, will be sold, All the right and title of An drew Mercereau, of, in and to the lower or easterly half Lot No. 1, situate in the Parish of Manguerville, bounded easterly by land in the possession of Eljah Miles, Esquire, southerly by the river St. John, and westerly by land owned by the said Eljah 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 McLeod, deceased.

JOHN HAZEN, Sheriff. Burton, 13th August, 1830.

To be Sold by Public Auction, on the third Saturday in June next, at the Court House in Burton, between the hours of 12 & 5 o'clock in the afternoon.

ALL the right and title of Humphry Gilbert, of, in, and to Lots Nos. 33 & 34, containing 1000 acres, more or less, together with all and singular the Buildings and improvements thereon—situate in the Parish of Shiffield, and adjoining on the upper or westerly side of lands owned by Henry Gilbert. The same having been taken by virtue of two several Executions, issued out of the Supreme Court, at the suit of Daniel Turner, Administrator, &c. &c. and Thos. T. Hanford, also an Administrator.

J. HAZEN, Sheriff. Burton, 13th Dec. 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 Gagetown.

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. McDonald.

N. H. DE VEEBER Sheriff. Dated at Gagetown, 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 Gagetown.

ALL the right, title and interest of Jacob Allbright, 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 WESTMORLAND.

To be sold by Public Auction at the Court House in Dorchester, on Tuesday the 13th 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 Mazanqui 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 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 Messuage or Tenement and Land adjoining, situate and being in Sackville, in Letter C, division, bounded westerly on the road leading to the late Nohemish Wards, southerly on lands of William Easterbrooks, and easterly and Northerly, on Land of James Easterbrooks Esq., 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 Esq., of the last Will and Testament, of Amos Botsford Esq., 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, Messuage and Tenement, where he resides, situate near the Court House aforesaid.—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.

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 Westmorland.

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

W. P. SAYRE, Sheriff. Dorchester, 9th June, 1830.

THE Sale of the above Property is postponed until further notice.

W. P. SAYRE, Sheriff. 22d December, 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, Esq., situate in the Parish of Carleton, in the County of Kent, the same having been taken by virtue of an execution issued out of the Supreme Court at the suit of John Wicton and Alfred L. Layton, Esquires.

THOMAS LANDSDOWN, Sheriff of Kent. Liverpool, N. B. 28th day of Sept. 1830.

### COUNTY OF GLOUCESTER.

To be sold at Public Auction, at the Court House in Bathurst, on Saturday the 12th day of March next, between the hours of 12 and 5 o'clock, in the afternoon.

ALL the right and title of John Young, to the lots of Land or Farm, where he now resides, situate in the Parish of Sarnacore, and known as Lots No. 50 and 51, with a new Saw Mill thereon, or so much of the above property as will satisfy an execution issued out of the Supreme Court at the suit of Alexander N. Copeland.

W. CARMAN, Sheriff of Gloucester. Bathurst 24th July, 1830.

### Administration Notices.

ALL Persons having any demands against the Estate of the late Honorable Samuel D. Street, deceased, are hereby required to render accounts thereof, duly attested, at the Office of George Fredk. Street, in Fredericton, within three months from the date hereof; and all persons indebted to the said Estate, are requested to make immediate payment to either of the subscribers hereto, CHAS. F. STREET, GEO. FREDK. STREET, Executors. J. A. STREET. Fredericton, 20th Dec. 1830.

ALL persons having any demands against the Estate of the late HAMILTON NIXON, of the Parish of Prince William, in the County of York, deceased, are requested to render their accounts duly attested, within six months from this date; and all those indebted to said Estate, are desired to make immediate payment to either of the subscribers hereto, JAMES GILMOUR, AMOS ARNOLD, Executors. Fredericton, 4th Jan. 1831.

ALL persons having any just demands against the Estate of the late HAMILTON NIXON, of the Parish of Prince William, in the County of York, deceased, are requested to render their accounts duly attested, within six months from this date; and all those indebted to said Estate, are desired to make immediate payment to either of the subscribers hereto, JOHN NIXON, WM. C. JOSLIN, Executors. Prince William, January 14, 1831.

### LIST OF LETTERS.

Remaining in the Post Office at Fredericton, Dec. 5, 1830.

A. Wm. Anderson, James Armstrong, John Allen 2, Wm. Asham.

B. Lawrence Bent, Nathaniel Bulger, Mrs. Stephen Brown, Catharine Boyle 2, Mrs. Brunfield, Jacob Burr, Benjamin Blither, Mich. Brison, Mr. A. Brown, Miss A. B. Fowler, Jacob Barker, Mrs. Lucy Bullin, Peter Burchill, Sarah Brown, John Bradley, Dan. Byrne, Richard Beamish, Peter Bolt.

C. Mrs. Alex. Campbell, Ann Cole, Thomas Clagna, Robert Clarke, John Chumnu, Wm. Creech, Sam. Clement, Ja. Carney, James Cameron, Wm. Charters, M. P. Costin, James Chapman, Edw. Cunningham, Joseph Coulter, Mathew Cavanaugh.

D. Geo. Dough, John Dougherty 2, W. Dollis, John Davies 2, John Dyer, James Duncan, George Davis 6, Geo. Davis 2.

E. Mary Easty, Emersoth Egget, Wm. Edgar.

F. John Farish, John Foster, Tho. Fraser, Nathaniel Farley, John Forist, John Freely, Wm. Ferguson, John Fraser, Sarah Foster, David Faulkner, Saml. Farnum, Jos. Ferguson.

G. Enoch Green, Alex. Gamble, David Gage, Mary Grames, Mary Given, Owen Gallaher, Joanna Garden, Jas. Golaugher.

H. Wm. H., James Hanning, Elizabeth Hanning, John Harrison 2, Archibald Hammud, Aaron Hart, Adolph Humphreys, John Hunter, Robt. Hauld, Chas. Hues, Mrs. Jas. Hamilton, Bernard Heagney, Lawrence Hughes, Wm. M. Hazen, A. C. Hammond.

J. Hugh James, Mr. Johnston, John Johnston.

K. Rosanna Kelly 2, Jedediah Kimball, Oliver Knox, Allis Kninnen.

L. Chas. Long, Geo. K. Lugin, Wm. Lindsay, Elizabeth Lovell, Benjamin Lovely.

M. Bernard Mudden, Nancy McDeed, Jeremiah Moore, James McLauchlan, Chas. McLachlan, James Mara, Chas. Mager, Wm. Murphy, Robert Man, Jerry Murphy, David McGrath, Wm. McDonald, John McDonald, John Marks, Amos Middlemast, John McCraigh, Wm. Murray, Isaac Morris, Geo. Mullin, Philip McCana, Miss McMichael, Wm. McFarland, Mrs. Jane Moore, James Moloney, James Pursley, Tho. McCorkindale, Nancy McGuire, Manasses McDermont, Sally Mayncs, Jas. Montgomery, Robt. McGruder, John McNeil, Danl. McPherson, Michael Murphy, Chas. Munro, John Mulholland, John Marsh, Wm. Madigan, Chas. Munro.

N. Robt. Nickle, David Nickol, Samuel Nasson, Jas. Noble.

O. Nicholas O'Neal, Timothy O'Brine, James Oliver, Chas. Obzine.

P. Peter Pickett, James Porter, Michl. Phelan, David Poor.

R. David Reth, Geo. Russell, George Richey 2, John Rees, John Rae, Jos. Reed.

S. Jos. Sleet, John Smith, David Strickland, Jean Sharpe, David Smith, Barbara Shaw, Mr. Stuel, John Sheddin, Jas. Stacey, Wm. Sanson, Saml. Sowden, Nathaniel Scott, Andrew L. Smith, Mr. Soot, James Simmons, W. R. Scott, Edw. Seymour, John Stimam.

T. Patk. Tummony, Governor Toma, Wm. Tovey 2, James Tweedie, Elisha Thorpe, John Treanor, Elisha Thorpe.

John Vickery.

Francis Weaver, Wm. Waters 2, Wm. Watts, Wm. Walsh, Wm. W. PHAIR, Post Master.

### COMMISSARIAT, St. John, N. B.

November 12, 1830.

Notice to the Half Pay Officers, to Widows of Officers, and Out-Pensioners of Chelsea Hospital.

WHEREAS His Majesty's Government has directed, that the Military Year in future should coincide with the Calendar year.—It is hereby notified to those persons in this Province, who have heretofore attested their affidavits, half yearly, are now required to attest them on or after the first day of January, and on or after the 1st day of July, in each year; and those persons who have attested their affidavits Quarterly, are now required to attest them on or after the 1st day of January, the 1st day of April, the 1st day of July, and the 1st day of October, in each year—as to neither Half Pay, Widows' Pensions, Compassionate Allowances, nor Chelsea Pensions, will be issued from this Office, unless these directions are complied with.

### CARD.

MR. R. FRASER, Licentiate of the Royal College of Surgeons, and for several years, principal Assistant to Dr. Thatcher, Physician to the Edinburgh Institution for Diseases of Women and Children, begs leave to intimate, that he intends establishing himself in Fredericton, and respectfully offers his professional services to his Friends and the Public.

Application to be made to Mr. Fraser, at Mr. Cox's Boarding House, corner of King's and St. John's street. Fredericton, 20th Dec. 1830.