

THE ROYAL GAZETTE.

PRINTED AND PUBLISHED BY JOHN SIMPSON, Printer to the King's Most Excellent Majesty, at his Office near the Province Building.

VOLUME 2.

FREDERICTON, NEW-BRUNSWICK, SEPTEMBER 26, 1832.

NUMBER 39.

By Authority.



By His Excellency Major General Sir ARCHIBALD CAMPBELL, Baronet, G. C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c.

ARCHIBALD CAMPBELL. A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the Twenty-fourth Day of July instant, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued, to the fourth Tuesday in October next.

Given under my hand and seal, at Fredericton the nineteenth day of July, in the year of our Lord One thousand eight hundred and thirty two, and in the third year of His Majesty's Reign.

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

His Majesty in Council having, on the 30th day of May 1832, been pleased to confirm and finally enact the two following Acts of the General Assembly of this Province, the same are published for the information of all concerned:

CAP. L.

An Act for the division of the County of York into two Counties, and to provide for the Government and Representation of the New County.

Passed 31st March 1831.

WHEREAS from the great extent of the present County of York, it is necessary and expedient that the same be divided into two Counties:

I. Be it therefore enacted, by the President, Council, and Assembly, That all that part of the said County which lies to the northward and westward of a line commencing at the monument, situate at the source of the Chequamegon River, and running by the true Meridian, a due east course till it strikes the River, thence following the several courses of the said River to its junction with the River Saint John, thence crossing the said River Saint John, north forty five degrees east till it strikes the division line between the County of Northumberland and the said County of York, be and the same is hereby erected into a County, separate and distinct from the said County of York, and shall be called and known by the name of the County of Carleton; and that the residue thereof which lies below the boundary line of the said County of Carleton, as is described in this Act, shall comprise the County of York.

II. And be it further enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other Officers be constituted and appointed in the said new County, as are now erected and established, constituted and appointed in the said County of York, and with the like powers and authorities.

III. And be it further enacted, That the Courts of General Sessions of the Peace, and Inferior Courts of Common Pleas, shall be holden in the shire town of the said new County, twice in every year at the times following, that is to say: on the first Tuesdays in January and June, and continue until the business shall be finished, not exceeding five days, and that two additional terms of the said Inferior Courts of Common Pleas for the said County, shall be holden as follows, that is to say: on the first Tuesdays in March and October, and continue until the business be finished, not exceeding five days; at which additional terms no jury shall be summoned.

IV. And be it further enacted, That the Town of Woodstock, in the said County of Carleton, shall be forever hereafter the Shire Town of the said County, and that a Court House and a Gaol shall be erected in the said Shire Town, in like manner, and by such and the like ways and means, as such buildings have been or may be erected in other counties in the Province, and in such place within the said Shire Town, above the Madusink River, as the Governor or Commander in Chief for the time being shall direct; and that all the Public Offices in the said new County, shall be kept at the places so to be directed and determined upon by the Governor or Commander in Chief for the time being.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgment or Recognizances, for the said County, to be managed and executed by a Registrar, to be constituted in like manner, and under and subject in all respects to the like laws, rules, and regulations, as any other Registry, in any other County of the Province; and that all Deeds, Conveyances, Wills, Mortgages, Memorials of Judgment or Recognizances, which may affect any Lands, Tenements, or Hereditaments, in the said County, shall be entered and registered at full length in the said Registry: provided the same deeds, or other documents, have not been before registered in the said County of York.

VI. And be it further enacted, That the several Parishes of the said County of York, in whole or in part comprised within the said new County, shall continue by their respective names to be the Parishes of the said new County until altered by the General Assembly; and that the town or parish officers to be hereafter annually appointed for the said new County, shall in all respects possess the same powers as the like Officers in any other County: Provided always, that the powers and authorities of the present or any other officers, appointed or to be appointed by the Court of General Sessions of the Peace for the said County of York, shall continue until after the first General Session of the Peace shall be holden in and for the said new County.

VII. And be it further enacted, That all actions now depending, or which hereafter may be brought in the Inferior Court of Common Pleas for the said County of York, before this Act shall go into operation, shall be there proceeded in, and finally determined, although the parties may reside, or the causes of action may have arisen in the said new County; and that all rates and assessments, which have been or which hereafter may be made on the Inhabitants of that part of the said County of York hereby erected into a separate County, before the commencement of the operation of this Act, shall be proceeded in, and collected and paid, and the accounts finally settled, as if this Act had not been made, any thing herein contained to the contrary notwithstanding: provided always, that no assessment shall be made upon the Inhabitants of the said new County, for the purpose of erecting a Court House, Gaol or other Public Building within the said County of York.

VIII. And be it further enacted, That the said new County shall be entitled to send one Member to serve in the General Assembly of this Province, to be elected by the Freeholders in like manner, and subject to the like laws, rules and regulations, under which other Members are elected in any other County; and that all such Freeholders whose Title Deeds may have been registered in the County of York before this Act shall go into operation, shall be entitled to vote, without having their Deeds registered anew in the said new County: provided always, that no writ shall be issued for the election of such member until there shall be a General Election, for the Province.

IX. And be it further enacted, That the said new County shall not be deemed to be erected and established until the Commissions shall be issued for erecting the said Courts of Justice, and appointing the several Justices and other Officers for the said new County, and the same shall be notified by Proclamation of the Governor or Commander in Chief for the time being: provided always that this Act shall not be in force until His Majesty's Royal approbation be thereto had and declared.

CAP. XXXVI.

An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants.

Passed 27th February 1832.

WHEREAS the practice of landing Passengers and Emigrants from the United Kingdom, who are in a destitute and diseased condition, has become extremely burdensome, and sometimes dangerous to the health of the Inhabitants of this Province: And whereas such disease and distress are often occasioned by the practice of taking on board ships in the ports of the United Kingdom, more passengers and emigrants than can be comfortably accommodated: And whereas it is just and expedient that the Inhabitants of this Province should be relieved from some of the heavy burthens thus imposed upon them;

I. Be it therefore enacted, by the Lieutenant Governor, Council, and Assembly, That the master or person having charge of any Ship or Vessel which may arrive at any port or place in this Province, from any port or place in the United Kingdom, with passengers and emigrants, shall at the time of reporting such ship or vessel pay to the Treasurer of the Province, or any deputy Treasurer at the port or place where such ship or vessel may arrive, the sum of five shillings for each and every such passenger and emigrant when the master or person having charge as aforesaid shall make it appear by a certificate from the Officers of the Customs at the port of clearance in the United Kingdom, that such ship or vessel had the sanction of His Majesty's Government to take on passengers and emigrants to the North American Colonies, and when no such certificate is produced to the said Treasurer or Deputy Treasurer, as the case may be, then and in such case the master or person having charge of such ship or vessel as aforesaid, shall pay to the said Treasurer, or deputy Treasurer, the sum of ten shillings for each and every passenger and emigrant on board such ship or vessel; all which sum or sums the said Treasurers and deputy Treasurers respectively are hereby authorized and required to demand and receive: Provided always, that two children each being under the age of fourteen years, or three children each being under the age of seven years, or one child being under the age of twelve months with the mother of such child, shall in all such cases be computed as one person for the purposes of this Act.

II. And be it further enacted, That the Treasurer of the Province, and deputy Treasurers respectively, shall keep a separate account of all monies received under and by virtue of this Act; which sums so received shall be applied from time to time by Grants of the Legislature towards relieving destitute and diseased passengers and emigrants, and in assisting them to reach their several places of destination within the Province, and paid by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being.

III. And be it further enacted, That upon the refusal or neglect of the master or person having charge of any ship or vessel arriving with passengers and emigrants as aforesaid, to pay the sum or sums for each and every passenger and emigrant as aforesaid, the said ship or vessel shall be liable to be seized and sold, and the proceeds thereof shall be applied towards the payment of the said sum or sums.

IV. And be it further enacted, That this Act shall not be in force or come into operation until His Majesty's Royal Assent be thereto had and declared.

Civil Appointment.

John Wentworth Winslow, Esquire, to be Sheriff of the County of Carleton.

SALE OF VALUABLE CROWN LANDS IN YORK COUNTY.

BY order of His Excellency the Lieutenant Governor, Public Notice is hereby given, that sundry Tracts of Land situate in York County, and on the borders of the river Saint John, will be offered for Sale by Public Auction, at the undermentioned times and places.

One fourth of the Purchase Money will be required at the time of Sale, and the residue in three Yearly Instalments; and if all paid down, fifteen per cent will be deducted.

A patent will not be issued until the whole of the Purchase Money is paid.

Reserved Land below the Nackawickack at Fredericton, on Monday the 1st of October next.

Do. above the Nackawickack, at Johnston's in Woodstock, on Thursday, the 4th of October next.

THOMAS BAILLIE, Com. and Sur. Gen. of Crown Land & Forests.

Department for Crown Lands and Forests, Fredericton, 18th Sept. 1832.

PUBLIC NOTICE.

ALL Owners and Occupiers of Granted Lands in New Brunswick, are hereby required, in pursuance of His Majesty's Commands, forthwith to pay into the Hands of the Subscriber the Quit Rent due upon the Lands held by them respectively, commencing from the 24th June, 1831. And they are hereby notified, that in case of any neglect in attending to these requisitions, the Land will be held answerable according to the Conditions of the Grant, and the requisite legal steps will be immediately taken for the recovery of the Rent.

By Order of the Commissioners, GEO. P. BLISS, Receiver General. Fredericton, 25th June, 1832.

By the Honorable William Botsford, Esquire, one of His 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 Charles Blythe of Sackville, in the County of Westmorland, husbandman, to me duly made according to the form of the Act of the Assembly in such case made and provided, I have directed all the estate, as well real as personal, within this Province, of Peter Neilly, late of Sackville in the County aforesaid, shoemaker, (which said Peter Neilly is departed from without the limits of this Province with intent and design to defraud the said Charles Blythe and the other creditors of the said Peter Neilly, if any there be, of their just dues, or 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 Peter Neilly 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 Peter Neilly, within this Province, will be sold for the payment and satisfaction of the creditors of the said Peter Neilly.

Dated at Sackville, the twenty-first day of August, one thousand eight hundred and thirty-two. WM. BOTSFORD, JAMES STEWART, Atty. of Petitioning. Cred.

By the Honorable William Botsford, Esquire, one of His 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 John Charters of Coverdale, in the County of Westmorland, husbandman, to me duly made according to the form of the Act of the Assembly in such case made and provided; I have directed all the estate, as well real as personal, within this Province, of Ashton Cox, late of Moncton in the County aforesaid, Trader, which said Ashton Cox is departed from without the limits of this Province, with intent and design to defraud the said John Charters and the other creditors of the said Ashton Cox if any there be, of their just dues, or 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 Ashton Cox 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 Ashton Cox within this Province, will be sold for the payment and satisfaction of the creditors of the said Ashton Cox.

Dated at Sackville the seventh day of August, One thousand eight hundred and thirty-two. [Signed] W. BOTSFORD, James Stewart, Atty. for Petng. Cred.

A FEW SETS of the revised edition of the Laws of the Province of New-Brunswick, are for sale at Mr. Francis Beverly's Book Store.

SHERIFF'S SALES.

COUNTY OF YORK.

On the last Wednesday in March next, will be sold by Public Auction at the Market House, in Fredericton, between the hours of 12 and 5 o'clock in the afternoon.

ALL the right, title, interest and claim of John Young, of, in, and to a certain lot of land situate, lying and being in the Parish of Kent, on the east side of the river St. John, bounded on the upper side by Robert Woodward, on the lower side by John Guffman, the same having been taken by an Execution issued out of the Supreme Court.

At the same time and place.

Will be sold as aforesaid, all the right, title, interest, and claim of Joshua Bishop, of, in and to a lot of land situate in the Parish of Kent, on the West side of the river St. John, bounded on the lower side by J. H. Bishop—the same having been taken by an Execution issued out of the Supreme Court at the suit of George Minchin Esquire.

E. W. MILLER, Sheriff. Fredericton, 5th September, 1832.

On the 16th day of February next will be sold by Public Auction at the Market House in Fredericton.

ALL the real estate of Henry Smith, Esquire, within my bailiwick, or so much thereof as will satisfy an execution at the suit of Nehemiah Rogers.

E. W. MILLER, Sheriff. Fredericton, 15th August, 1832.

On Monday, the 8th day of October next, will be sold by Public Auction, at the Court House in Fredericton, between the hours of 12 and 5 o'clock in the afternoon:—

ALL the right, title, interest, claim and demand of John Segee, Junior, of, in, and to that certain Farm or tract of land, situate, lying and being in Maryland settlement, Parish of Fredericton, formerly owned by John Segee, Senior, the same having been taken by Executions issued out of the Supreme Court.

At the same time and place, will be sold as above, all the right, title, interest, claim and demand of Susannah Wright, Executrix of the last will and testament of Nathaniel Wright, deceased, of, in, and to the following Lot, piece, or parcel of land, situate in the Parish of Queensbury, lying on the River Saint John, bounded on the lower side by Mrs. Green's property, & on the upper side by Mr. Cliff; the same having been taken by an execution issued out of the Supreme Court at the suit of William Wilmut, Esquire, against the estate of the said Nathaniel Wright, deceased.

Also will be sold, at the same time and place as above, all the right, title, claim and demand of John R. M'Pherson, of, in, and to the following tract of land situate in the Parish of Saint Mary's in the County of York, bounded northerly, by the southwest Branch of the Miramichi river; southerly by the Taxes river; westerly by lands granted to Wm. Watts; easterly by D. McLeod, the same having been taken by an execution issued out of the Supreme Court at the suit of Martin Hayden.

Also, at the same time and place, all that tract or parcel of land being one half of lot No. 113, and the whole of lot number 114, situate in the Military settlement in the Parish Kent on the east side of the river Saint John; the same having been taken by virtue of an execution issued out of the Supreme Court against William Peters in favor of James Peters.

E. W. MILLER, Sheriff. Fredericton, 4th April, 1832.

COUNTY OF KENT.

To be sold at Public Auction, at the Court House in Richibucto in the County of Kent, on Thursday the 20th day of December, between the hours of 12 and 5 o'clock in the afternoon of the same day.

ALL the Estate, Right, Title and Interest, of Thomas Ostle, of, in, and to the following lands in the Parish of Wellington, viz:—10 acres of Land with the Houses, Stores, Buildings, &c. situated on little Bouctouche river adjoining the property of Elijah Ayer, and whereon the said Thomas Ostle now resides; subject to a mortgage to Michael Samuel for £1,000 or thereabouts, 200 hundred acres of Land at the entrance of Bouctouche Harbour; 500 acres of Land more or less at the head of Bouctouche Bay. Also 1 1/2 acres of land at Bouctouche Harbour adjoining the property of John Bowser, Esq. and also all other Real Estate of Thomas Ostle in the said County, taken in execution at the suit of John Brown.

Also, at the same time and place.

All the Estate, Right, Title, and Interest of George Kollock, of, in, and to a certain Lot of land granted to the said George Kollock, situated in the Parish of Carleton in the said County, adjoining lands owned by John W. Weldon, Esq. containing 150 acres more or less, taken at the suit of Robert and John Jardine.

Also, at the same time and place.

All the Estate, Right, Title, and Interest of William Hannington, Junr. of, in, and to the following Pieces, parcels and lots of land, viz:—all that certain lot, piece, or parcel of Land situate on the North side of the main river of Bouctouche in the Parish of Wellington, in the County of Kent, being one third of said Lot originally granted to Benjamin Gerway and deeded to the said William Hannington, Junr. containing about 50 acres more or less; also two acres of back land south of lands formerly owned by John Sawyer, situate in Bouctouche; also a piece of marsh land situate on the east side of the Harbour of Bouctouche, being the eleventh part or share thereof, purchased by the said William Hannington, Junr. from Benjamin Gerway, containing one acre more or less; also all that certain piece or lot of Land known as lot No. 1, situate in Bouctouche in the said parish of Wellington, purchased by the said William Hannington, Junr. from F. King, and also all the real estate of William Hannington, Junr. in said County the same having been taken by virtue of several executions at the suit of Crane & Allison and James Rain.

THOMAS LANSDOWN, Sheriff's Office Richibucto, 6th June 1832.

KING'S COUNTY.

ON the Fourth Tuesday in October next, will be sold at Public Auction, at the Tavern of Mr. Simon Baxter, in the Parish of Norton, all the Real Estate of Joseph Sherwood, in King's County, situate in the Parish of Hampton, consisting of two several Lots of Land with the New Mills, Houses, Barns, and all other buildings to the same belonging, taken by virtue of an Execution issued out of the Supreme Court against the said Joseph Sherwood at the suit of Thomas Millage and Simeon L. Luginb.—Sale to Commence at one o'clock; P. M.

WALTER BATES, Sheriff, Sheriff's Office, Kingston, 9th April, 1832.

COUNTY OF WESTMORLAND.

To be sold at Public Auction, at the Court House in Dorchester, on Friday the Eleventh day of January next; between the hours of twelve and five in the afternoon.

THE Real estate of John Baptiste Corineya, situate in the Parish of Dorchester, to satisfy an Execution issued out of the Supreme Court at the suit of George Bragg, against the said John B. Corineya.

Also, at the same time and place.

WILL be sold, by Public Auction, the Real Estate of John Bennett, whereover situated in this County, to satisfy an Execution issued out of the Supreme Court at the suit of William Jarvis against the said John Bennett.

W. P. SAYRE, Sheriff. Dorchester, June 28 1832.

COUNTY OF SUNBURY.

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

ALL the right and title of John S. Brown, in and to the following lots, pieces, or parcels of land, to wit: half of lot No. — in the grant to John Horton and others, situate in the parish of Burton, and bounded as follows: south easterly by Solomon Howland's farm, northerly by the river Saint John, and southerly by Zachariah Brown's farm, containing 33 acres more or less; Also two half lots situate on the Oromocto Island, containing each three acres, and three quarters more or less; Also, 300 acres more or less, situate in the rear of Manguerville, in the grant to the said John S. Brown and others; the same having been taken by virtue of an execution issued out of the Supreme Court, at the suit of Robert Rankin and others.

JOHN HAZEN, Sheriff. Burton, Sept. 1st, 1832.

Administration Notice.

ALL persons having any demands against the Estate of the late Patrick Murphy, of Fredericton, deceased, are requested to present the same within three months from the date hereof: And all those indebted to the said estate are requested to make immediate payment to MARY MURPHY, Adm'x.

Fredericton, 16th July, 1832. Sm.

Co-partnership Notice.

THE Co-partnership heretofore subsisting between Wm. S. J. Dibblee and Richard Dibblee is this day dissolved by mutual consent: All persons having accounts against the said firm are hereby requested to present the same for settlement, and those indebted thereto by note or otherwise will please call and settle the same without delay: All accounts remaining unsettled after the 1st October next, will be put in suit for collection.

W. S. J. DIBBLEE, RICHARD DIBBLEE. Fredericton, 7th August, 1832.

BLACKING.

THOMAS SIME has commenced Manufacturing, and offers for Sale, a superior quality of

LIQUID BLACKING,

which upon trial, will be found equal to any imported from the Mother Country. From the nature of the ingredients of which it is composed, it possesses an inherent quality of PRESERVING and SOFTENING the LEATHER, and from the fine SHINING LUSTRE it will produce, must be considered as a great desideratum to all who admire a highly POLISHED BOOT or SHOE.

As this article is one of Domestic Manufacture, and will be sold at a reduced price to that imported, although of equal quality, as certificates in his possession will satisfactorily prove. T. S. flatters himself that he will receive a liberal share of public support. The Blacking is contained in stone jars, similar to that of 'Day & Martin,' printed Labels, and will be sold at 1s. 3d., 10d. & 6d., with a liberal reduction to Retailers.

*** Made and Sold, Wholesale and Retail by Thomas Simes, Water-street, south side of the Market Wharf, Saint Andrews, N. B. and of Mr. William Simpson, Agent, Fredericton.

THOMAS SIME.

St. Andrews, 30th January, 1832.

ALL persons indebted to the Steam Boat Saint George, in account or by note up to the first day of January last, are hereby required to take notice that unless they settle the same with the subscriber within one month from this date, they will be sued for the same without discrimination.

J. JOHNSTON, Atty. at Law. St. John, July 24th, 1832.

THE Subscriber, in addition to his former stock, has now received a supply of articles in his line of business including Perfumery, Pickles, Sauces, &c. which he hopes may be found worthy of the attention of the Public.

JAMES F. GALE, Chemist & Druggist. Queen St. August 28, 1832.