

Am. Chief Justice Chapman

NEW

SERIES.

THE ROYAL GAZETTE.

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FREDERICTON, NEW-BRUNSWICK, DECEMBER 10, 1834.

NUMBER 24.

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.

ARCH. CAMPBELL.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Thursday the Fifteenth Day of January next, then to meet for the Despatch of Business, I have thought fit, by and with the Advice of His Majesty's Council, to dissolve the said General Assembly, and the same is hereby dissolved accordingly; whereof all Persons whom it may concern will take due Notice.

And I have further thought fit, by and with the Advice aforesaid, to order and direct that Writs for calling a new General Assembly be forthwith issued, in due Form, returnable on Monday the Fifth Day of January next.

Given under my hand and seal, at Fredericton, the Twentieth day of November, in the year of our Lord One thousand eight hundred and thirty-four, and in the fifth year of His Majesty's Reign.

By His Excellency's Command, W. F. ODELL.

PUBLIC NOTICE is hereby given to all Persons intending to apply for a Licence to solemnize Marriage under the late Act of Assembly, entitled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," that their several applications must be accompanied with the following Proofs and Documents, viz. —

1. That the applicant is a British-born subject.
2. That he is duly qualified as a Minister or Teacher of some denomination of Christians, and is not engaged in any secular calling—that he has been duly chosen and elected as a Minister or Teacher, by some Religious Congregation in this Province, of the Denomination to which he professes to belong—that he so continues at the time of his application, and actually resides with them.

3. That he has taken the Oaths of Fidelity and Allegiance to His Majesty, before the Governor or Commander in Chief of this Province, or before some Person by him nominated and appointed for that purpose; as directed by the Act of Assembly 26th George 3d, chap. 4.

4. The particular Form of solemnizing Marriage, adopted and used, or intended so to be, by the Church or Denomination to which the Applicant belongs.

Secretary's Office, 1st December, 1834.

SECRETARY'S OFFICE, 2d December, 1834.

The following list containing the numbers of the Warrants now in the Treasury, with the names of the Persons to whom they are payable, is published for the information of all concerned.

OLD SERIES 1833.

No.	Bye Road.
370, Wm. Fillmore,	do.
371, Jas. Calkins,	do.
372, Leonard Hoar,	do.
373, do. do.	do.
374, James Gilan, and	do.
375, do. do.	do.
376, James York,	do.
377, Daniel Campbell,	do.
378, Benjamin Sloat,	do.
379, Thomas T. Hewlett,	do.
379, Jacob Day,	do.

NEW SERIES 1834.

No.	George Rogers, Courier.
360,	Chas. Pearce, Sergt. Major.
361,	James Ross, Grammar School.
362,	Parish Schools, Ludlow.
363,	do. Blissfield.
364,	do. Blackville.
365,	do. Nelson.
366,	do. Northesk.
367,	do. Newcastle.
368,	do. Chatham.
369,	do. Glenelg.
370,	do. Alnwick.
371,	Parish Schools, Portland.
372,	do. Lancaster.
373,	do. St. Martins.
374,	do. City St. John.
375,	Commissioners of Sick Seamen, &c.
376,	Miramichi.
377,	James Johnson, Oat Mill.
378,	Thomas H. Peters, Bear County.
379,	Hon. George Shore, A. G. M. F.
380,	John Gallagher, Esq. Q. M. G. M. F.

List of Warrants payable on demand at the Province Treasurer's Office.

No.	Amount.
61, in favor of John Simpson,	£425
62, " W. T. Peters,	295 8 1
63, " C. P. Wetmore,	430 6 1
64, " Rev. G. Coster,	25
65, " Rev. J. Somerville,	25
66, " W. T. Peters,	200
67, " J. Gregory,	53
68, " C. P. Wetmore,	200
69, " Thos. S. Wetmore,	48
70, " I. W. Joutet,	48
71, " H. G. Clapper,	48
72, " Wm. Watts,	80
73, " Alward Harned,	80
74, " C. Brannen,	24
75, " J. M. Indoe,	24
76, " P. Parker,	24
77, " C. J. Peters,	100
78, " C. S. Putnam,	100
79, " R. Simonds,	600
80, " Speaker and Members of the H. of Assembly,	1675 10

Treasurer's Office, St. John, N. B. 22d November, 1834.

R. SIMONDS, Province Treasurer.

SECRETARY'S OFFICE, 28th October, 1834.

IN pursuance of directions from the Secretary of State, Public Notice is hereby given, that all Returns and Documents called for from any of the public Departments, or from any person holding an Office under the Government, to be transmitted to the Home Authorities, must be furnished in Duplicate.

Persons desirous of forwarding Petitions or Memorials through the Lieutenant Governor, will be pleased to observe the same Rule.

Public Officers and Heads of Departments will also further take notice, that the usual annual Returns are to be transmitted to this Office as soon as practicable after the 31st of December.

WHEREAS John La Coste lately died as it is stated, leaving Real and Personal Estate in the County of Kent in this Province, to which no Heirs or Claimants have yet appeared, Public Notice is therefore hereby given to the Heirs, if any, such there be, or other Claimants of the said Estate of the said John La Coste, to appear and exhibit their Claims, in default of which, legal steps will be taken to revert the property in the Crown.

Secretary's Office, 4th Sept. 1834. 3m.

CROWN LAND OFFICE.

PUBLIC NOTICE is hereby given, that after the 1st day of January next, no Licenses will be granted to cut Timber or Lumber on any of the Streams falling into the Bay of Fundy, to the Westward of the River Saint John, excepting on applications filed prior to that period; and those Persons who may wish to obtain Timber or Lumber from His Majesty's Woods in that quarter, will be required to purchase such Lands as they may desire, or lease them for such a term of years and on such terms as may hereafter be agreed upon.

THOMAS BAILLIE, Commissioner of Crown Lands and Forests.

UNDER the authority of His Excellency the Lieutenant Governor, **PUBLIC NOTICE** is hereby given, that a Tract of Land containing One Hundred Acres on the East side of the Tobique River, about four miles above the mouth of the Gulquack River, with a front of Eighty rods, being No. 1, in the first tier of Deputy MacLachlan's Survey, will be sold at Public Auction at this Office on WEDNESDAY, the 17th December next, at 12 o'clock. Upset price Eighty pounds.

THOMAS BAILLIE, C. C. L.

Department for Crown Lands, Fredericton, 17th Nov. 1834.

HAVING been reported to His Excellency the Lieutenant Governor, that sundry persons have in contemplation to cut White Pine Timber on the disputed Territory, during the ensuing Winter, in violation of public Regulations, and of the agreement between His Majesty's Government and that of the United States, this is to forewarn all Persons from trespassing on the said Territory, and to give Public Notice, that in future no duty will be received from Trespassers for any Timber put thereon; but that instructions are given to the Officer in charge, to seize all Timber he may find cut, and to have the same conveyed to Fredericton, to be sold at Public Auction on account of the Crown.

THOMAS BAILLIE, Com. and Surv. General. Fredericton, 21st August, 1834.

Department for Crown Lands and Forests, Fredericton, 17th November, 1834.

ON application of Watts Bowker, a Mill Reserve on the Main Branch of the Richibucto River, comprising Five Thousand Acres, will be offered to public competition on SATURDAY, the 3d day of January next, at 12 o'clock.

And also on application of John Curran, a Reserve of Five thousand Acres on the East Branch of Saint Nicholas River.

And on application of Isaac Sowerby, a Reserve of Five thousand Acres on Trout Brook, a Branch of the Richibucto River.

And on application of Jeremiah M. Connell, a Reserve of Five thousand Acres on the West side of the River Saint John, in the 6th, 7th, 8th, and 9th tiers of Lots in Jackson Town settlement.

Conditions.—Saw Mills must be built in the above situations, and put in operation by the 1st September, 1835, in consideration of which the Reserves will continue in force for ten years from the period of sale. The purchaser must be ready to point out the particular Tract he wishes to occupy within ten days after the sale, when it will be forthwith surveyed at his expense.

The proprietors of the Reserves must take out Licenses thereon annually, at the existing rate of duty and in conformity to the general regulations; and must comply with any alteration which may be made in the rate of duty and in the Regulations.

The Crown reserves the right of selling to persons intending to become actual Settlers, such portions of the Reserve as are eligible for settlement in the ratio of one hundred and fifty acres to each Settler; but in such case the proprietor of the Reserve will be allowed to select a similar quantity of Timbered Land, and have it added to his Reserve.

Upset price, one pound per thousand acres.

By Command of His Excellency the Lieutenant Governor THOMAS BAILLIE, C. C. L.

THE Commissioner of Crown Lands having been directed by His Excellency the Lieutenant Governor in Council to take charge of and superintend the Common Lands in the Parish of Fredericton, **PUBLIC NOTICE** is hereby given, that no Timber, Lumber or other incumbrance will be suffered to be placed upon such Lands, nor will any person be permitted to dig sand or gravel, either above or below the Bank of the River, or in any wise injure the said Commons, under pain of prosecution.

10th November, 1834.

NEW BRUNSWICK IN CHANCERY.

Friday, November 28th, 1834.

Between Charles Connell junior, Complainant, and William Kirk, Defendant.

FORASMUCH as the Court was this present day informed by Mr. Fisher, being of Plaintiff's Counsel, that the Plaintiff had on the eighteenth day of October last filed his Bill in this Honourable Court against the Defendant, as by the Certificate of the Register appears, and had taken out process of Subpoena against the said Defendant, returnable the eighteenth day of October last, but that the said Defendant now resides, and for a long time past hath resided, at Bangor, in the State of Maine, one of the United States of America, and out of the Jurisdiction of this Honourable Court, and that the said Defendant could not be duly served with such Process, all which by affidavit it now read 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 said Defendant William Kirk do appear to and answer the Plaintiff's Bill on or before the second Tuesday in March next. And it is further Ordered, that this Order be published in Royal Gazette for the space of three months.

By the Court, D. LUDLOW ROBINSON, Register.

First published in Gazette, 3rd Dec., 1834.

Between Mayes Case Complainant, and John Wheten, William Wheten, Joseph Wheten, Seth Wheten, Charles Wheten, Warren Erb and Elizabeth his wife, George Wheten, Ephraim Wheten, Timothy Shaw and Ann his Wife, Samuel Wheten, Hannah Wheten, Jane Wheten, David Wheten, Phoebe Wheten, Walter Wheten, Margaret Wheten, James Wheten and John Shaw, and Sarah his Wife, Defendants.

UPON opening the matter this present day unto the Court by Mr. Swymmer being of Counsel for the Plaintiff, it was alleged that by an order made in this cause, bearing date the seventeenth day of February last, reciting that forasmuch as the Plaintiff had on the sixth day of August, one thousand eight hundred and thirty-three, filed his Bill in this Honourable Court against the above Defendants as by Certificate of the Register appears, and had taken out Process of Subpoena against the said Defendants, but that the said William Wheten then resided, and ever since the issuing of the said Subpoena against him had resided without the limits of the Province of New Brunswick, and at that time resided in the City of New York, in the United States of America, and could not be served with Process of this Court: It was Ordered, pursuant to the Acts of Assembly in such case made and provided, that the said Defendant William Wheten should appear and answer to the Plaintiff's Bill on or before the fourteenth day of October then next; and it was further alleged that the said Plaintiff had been unable to effect a service of the said order on the Defendant William Wheten within the time limited for that purpose by the Act of Assembly;—therefore it was prayed that the time appointed by the said order for the appearance of the said Defendant William Wheten be enlarged to the second Tuesday in July next, which is ordered accordingly. And it is further Ordered that this Order be published in the Royal Gazette for the space of three months.

By the Court, D. LUDLOW ROBINSON, Register.

First published in Gazette, 3rd Dec., 1834.

NOTICE is hereby given, that We, the Subscribers, have been duly appointed Trustees for all the Creditors of James M'Laughlan, late of the City of Saint John, Tallow-Chandler, an Absconding Debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly in that case made and provided—and we do hereby acquire all Persons indebted to the said James M'Laughlan, on or before the eleventh day of December ensuing the date hereof, to pay to us, or some or one of us, all such sum or sums of money, or other debt, duty, or thing, which they owe to the said James M'Laughlan, and to deliver all other effects of the said James M'Laughlan, which they, or any, or either of them, may have in their hands, power, or custody, to us, or some or one of us,

as aforesaid—and we do also desire all the Creditors of the said James M'Laughlan, on or before the same day of December next, to deliver to us, or some or one of us as aforesaid, their respective accounts and demands against the said James M'Laughlan, in order that, right and justice may be done, agreeably to the form of the said Act of Assembly in such case made and provided.

Given under our hands this twelfth day of September, A. D. 1834.

JAMES BUSTIN, JOHN M'GARRIGLE, H. N. H. LUGRIN.

SHERIFF'S SALES.

COUNTY OF YORK.

On the third Wednesday in March next, will be sold by Public Auction, at the Market House in Fredericton, between the hours of twelve and five o'clock in the afternoon: ALL the right, title, interest, claim, and demand of John Rieley, of, in, and to the House and Premises where he now resides, situate in Queen's Street, in the Town of Fredericton. Also—all his right and title to a certain Farm or Tract of Land situate in the Parish of Saint Mary's, fronting on the Nashwaak Creek, adjoining property belonging to Mr. Connors M'Laughlan, a little above Messrs. Blake's Mills: The above Property having been seized and taken under and by virtue of several Executions issued out of the Supreme Court of this Province.

E. W. MILLER, Sheriff. Fredericton, 10th Sept. 1834.

COUNTY OF CARLETON.

On Friday, the 13th day of February next, will be sold by Public Auction, at Mr. Joseph Harvey's Hotel, in Woodstock, between the hours of twelve and five in the afternoon: ALL the right, title, interest, claim and demand of Joseph Dunn, of, in and to a certain Tract or Farm of Land, situate in the Parish of Wakefield, on the West side of the River Saint John—being the most southerly half of Lot No. 12, in the 5th tier or range of Lots, in the said Parish—formerly granted to Zebedee Ring, and joining upon the north side of Lot No. 11, and granted to John Payson, it being one mile and a half and half quarter in length, and sixty three and a half rods in width, or one half of the whole Lot No. 12, containing 150 acres, more or less: The same having been seized and taken under and by virtue of an Execution, issued out of the Supreme Court against the said Joseph Dunn, at the suit of Jarvis Ring.

J. F. W. WINSLOW, Sheriff. Woodstock, 13th August, 1834.

On Tuesday, the 11th day of February next, will be sold, at Harvey's Hotel, in Woodstock, between the hours of 12 and 5 o'clock in the afternoon: ALL the right, title, interest, claim, and demand of the Honourable Harry Peters, to a certain farm or tract of Land situate on the north side of the south west branch of the Meduxnick, adjoining lands reserved at the Falls of said River, containing five hundred acres with the usual allowance. The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of William Flaherty, against the said Honourable Harry Peters for the sum of £203 6, 8 besides Sheriff's fees.

J. F. W. WINSLOW, Sheriff. Woodstock, 13th August, 1834.

On Saturday the 17th day of January next, will be sold by Public Auction, at Mr. Joseph Harvey's Hotel, in Woodstock, between the hours of 12 and 5 o'clock in the afternoon: ALL the right, title, interest, claim and demand of Nathaniel Churchill, of, in, and to a certain tract or farm of Land, containing about 300 acres, situate in the Parish of Wakefield, on the West side of the river Saint John, adjoining on the lower side, lands owned by Peter Dickinson, Sen'r. and on the upper, by land owned by Joseph Snow: The same having been seized and taken under and by virtue of an Execution issued out of the Supreme Court against the said Nathaniel Churchill, at the suit of Thomas Phillips.

J. F. W. WINSLOW, Sheriff. Woodstock, 14th May, 1834.

FALL Mackerel; Flour; prime Moss Irish Fork; Net Herrings; Nails; Window Glass; &c. &c. just received and for sale low for Cash and Country Produce.

To let till 1st of May 1835.

A comfortable Parlour with two Bed Rooms, and the use of a Kitchen, and part of a good Cellar. Also—Two or three Barns, near the Barracks.

N. MACKINTOSH. Fredericton, 12th October, 1834.