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SERIES.

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 1.

FREDERICTON, NEW-BRUNSWICK, FEBRUARY 11, 1835.

NUMBER 38.



By Authority.

The following are the Terms upon which His Majesty's Government have authorised the granting of Leases to Owners of Lands in New Brunswick who may wish to work Coal situated beneath their own Property.

1. Leases may be granted for Fifty years.

2. A Duty of 3s. N. B. Currency to be paid for every Chaldron of 72 Cwt., commonly called the Newcastle Chaldron, raised to the surface.

3. Payment of the Duty to be made every Six Months after the expiration of the first Twelve Months—that is, at the expiration of the first Year the duty on the Coal raised the first half Year to be paid, and every Six Months in succession the duty to be paid for the preceding half Year, thereby leaving the Lessee Six Months in arrear of Duty at every Payment.

4. At the expiration of the first Lease of a Mine, if the Government refuse to renew the Lease, and if the Buildings and Machinery employed have been erected by the Lessee, the Government shall pay for them at a fair valuation to be determined by Arbitration. But if erected by the Government, or paid for at the expiration of a previous Lease, any succeeding Lessee to be bound to deliver them up in good order and repair—and also be bound to deliver up all Shafts, Drifts, Drains and Workings in good order and well secured.

5. A clause of Forfeiture to be added to the preceding conditions, in the event of the Lessee omitting, for a specified period, to open a Mine on the property comprised in his Lease, or ceasing, for a specified period, to continue such Works as may have been commenced.

With respect to the encouragement of Trials to find deep Beds of Coal, no express stipulation can be made, nor any specific remission of duty promised; but should the Government be satisfied that skill and activity have been exerted, and some risk encountered in opening successfully deeper Strata than previously worked, there will be every disposition to allow a liberal gratuity out of the amount of Royalty, which may become due on the produce of the new Mines; such gratuity, however, in no case to exceed half the outlay.

NEW BRUNSWICK IN CHANCERY.
Friday, November 22nd, 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 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 the 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 Eds and Elizabeth his wife, George Wasten, 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. Symmer being Counsel for the Plaintiff, it was alleged that an order made in this cause, bearing date the seventeenth day of February last, reciting as follows: That the Plaintiff had, on the 14th day of August, one thousand eight hundred and thirty-three, filed his Bill in this Honourable Court against the above Defendants as Certificate of the Register appeared, and 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.

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-McLaughlin, 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,
Fredericton, 10th Sept. 1834. Sheriff.

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 two several Executions issued out of the Supreme Court against the said Joseph Dunn, at the suits of Jarvis Ring, and Richard English.

J. F. W. WINSLOW, Sheriff.
Woodstock, 12th August, 1834.

COUNTY OF GLOUCESTER.

On the first Tuesday in April next, will be sold by Public Auction, at the Court House in Bathurst, between the hours of twelve and five o'clock, in the afternoon:

ALL the right, title, interest, and claim of Francis Veineaw, of, in, and to, a certain Lot of Land, situate, lying, and being in the Parish of Saumarez, on the west side of the Portage River, which empties into the Tracadie River, about eight miles from the Gully; bounded by the Tracadie on one side, and by the Portage River on the other, containing two hundred acres, more or less—and now in the occupation of Ferman Benway, alias Antwin: Also, a lot of Marsh Land on the north east side of the said Gully, commencing at the point: The same having been taken by an Execution, issued out of the Supreme Court, at the suit of Jeremiah Coughlan.

W. CARMAN, Sheriff.
Bathurst, 15th September, 1834.

COUNTY OF WESTMORLAND.

To be sold by Public Auction, on Tuesday the eleventh day of August next, at the Court House in Dorchester, between the hours of twelve and five o'clock in the afternoon:—

THE Real Estate of Jonathan Levi Robinson, situate in the Parish of Hopewell: Taken in Execution at the suit of George Derry.

Also—at the same time and place:
ALL the right, title, claim and interest of William D. Jones, of, in and to the Real Estate of his Father, William Jones, deceased, situate in the Parish of Westmorland, or elsewhere in this County: Seized and taken by

virtue of two several Executions issued out of the Supreme Court, against the said William D. Jones. W. P. SAYRE, Sheriff.
Dorchester, 28th January, 1835.

To be sold by Public Auction, on Thursday the twenty-first day of May next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:

ALL the right, title, and interest of Anthony Fields and George O. Fields to two certain lots of Land, situate in the Parish of Botsford, in the County of Westmorland, known in the Grant to them as Lots, Nos. 1 and 2, and containing 500 acres, more or less: The same having been seized and taken by virtue of an Execution issued out of the Supreme Court.

W. P. SAYRE, Sheriff.
Dorchester, 13th Nov. 1834.

To be sold by Public Auction on Tuesday, the twelfth day of May next, at the Court House in Dorchester, between the hours of twelve and five o'clock in the afternoon:

ALL the right, title, interest, property, and claim of Thomas Taylor, in and to certain tracts, lots, or parcels of Land, situate in the Parish of Shediac, viz.:—the undivided half or moiety of a lot of Land originally granted to Abraham Taylor, containing 200 acres, more or less, with one half of the Saw Mill, and appurtenances thereon.—Also: a lot of Land granted to said Thomas Taylor, adjoining and lying to the eastward of said lot—and also, a certain other lot adjoining thereto, originally granted to Pacific Arsenau; and all other the lands and premises of the said Thomas Taylor, situate in Shediac aforesaid: The same having been taken by virtue of an Execution against the said Thomas Taylor at the suit of William Hanington.

W. P. SAYRE, Sheriff.
Dorchester, 6th November, 1834.

To be sold by Public Auction on Tuesday the thirty-first day of March next, at the Court House in Dorchester, between the hours of twelve and five o'clock in the afternoon.

ALL the right, title, claim and demand of John Smyth, of, in and to that Farm and tract of Land whereon he lately resided, situate in the Parish of Hopewell, containing acres, with the buildings and improvements thereon: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of William Flaherty and James Stewart, against the said John Smyth.

W. P. SAYRE, Sheriff.
Dorchester, 25th September, 1834.

To be sold by Public Auction, on Saturday the fourteenth day of February next, at the Court House in Dorchester, between the hours of twelve and five o'clock in the afternoon:

ALL the right, title, claim and demand of James Boyd, lately deceased, of, in, and to that Lot or Tract of Land, with the improvements thereon, and lately in his occupation; together with a Saw Mill, on or near the same, situate in the Parish of Dorchester: The same having been seized by virtue of an Execution issued out of the Supreme Court.

W. P. SAYRE, Sheriff.
Dorchester, 7th August, 1834.

COUNTY OF SUNBURY.

To be sold by Public Auction, on Monday, the third day of August next, at the Court House in Burton, between the hours of twelve and five o'clock in the afternoon:

ALL the right, title, and interest of Richard Kimball, Jun. of, in, and to, a certain Lot of Land, situate in the parish of Lincoln, on the point so called; bounded as follows:—westerly by Land owned by William Kimball, and easterly by Land owned by Samuel Kimball, containing — acres, more or less. Also, That Farm on which the said Richard Kimball resides, situate in the parish of Burton, and bounded northerly by the River Oromocto, easterly by Land owned by the said Samuel Kimball, and westerly by Land owned by T. V. W. Clowes, Esq.; containing 200 acres—more or less, with all the buildings and improvements thereon: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of the Executors of Thomas L. Langan, deceased.

J. HAZEN, Sheriff.
Burton, 26th January, 1835.

QUEEN'S COUNTY.

On the second Monday in June next, will be sold at Public Auction, at O'Doherty's Inn in Gagetown, between the hours of twelve and three in the afternoon,

ALL the right, title and interest of William Wiley, and Peleg Demmons, in and to the following lots or tracts of Land, viz: Lot number Six, situate on the East side of the Salmon River, bounded northerly by the Tapley Farm (so called), and southerly by land owned by Macalister; Lot number one, situate on Indian point, at the head of the Grand Lake, bounded by Lot number two granted by the Crown to David Syphoe; and on the other

side by Salmon Bay; containing eighty acres more or less, together with all buildings and improvements thereon, seized and taken in and by virtue of two several Executions issued out of the Supreme Court, at the suit of David Hatfield, and Peter Hatfield, and Henry Earle, against the said William Wiley, and Peleg Demmons.

Dated at Gagetown, the 20th Nov. 1834.
N. H. DE VEBER,
Sheriff of Queen's County.

To be sold at Public Auction, on the 4th Tuesday in February next, in front of the Court House in Gagetown, in Queen's County, between the hours of 12 and 2 of the afternoon,

ALL the right and title of Nehemiah Purdy, in and to the following real estate, to wit,—all that tract or lot of Land situate on the Easterly side of the Jemseg Creek, in the County aforesaid, known and distinguished in the original grant thereof as lot number twenty-three, containing one hundred and fifty acres more or less: the same property conveyed by Thomas Gilbert to the said Nehemiah Purdy.

Also, all the right and title of the said Nehemiah Purdy in and to all that tract of Land situate on the Jemseg Creek aforesaid, conveyed by Deed of bargain and sale by William Coldwell to Samuel Purdy, and the said Nehemiah Purdy as joint Tenants, known and described in the grant thereof as lot number twenty-four, containing two hundred acres more or less; bounded westerly by the Creek aforesaid, easterly by vacant lands; southerly by lot number twenty-three; northerly by lot number twenty-five: The same having been seized and taken in and by virtue of an execution issued out of the Supreme Court of this Province at the suit of Thomas Gilbert.

Dated at Gagetown, the 12th day of August, 1834.
N. H. DE VEBER,
Sheriff of Queen's County.

To be sold at Public Auction, on the second Saturday in February next, in front of the Queen's County Court House at 12 o'clock at noon,

ALL the Right and Title of the Honorable Harry Peters, of, in, and to the following real Estate to wit: all those several lots of land situate in the Town Plat of Gagetown, and known as Lots No. 1, 2, 3, 4, 5, 6, 7, and 8, in block letter A containing one acre each, together with all buildings thereon, being the residence of the said Harry Peters, with a piece of land situate between the front street of the Town Plat aforesaid, and Grimross Creek, containing about 4 acres; also, all that lot of land, situate in the rear of said Town Plat, known as block No. 15, containing 8 acres: also a tract of land in the rear thereof containing one hundred acres, known as a part of the Madrasah School Land, and pays a rent to the Trustees of said School: also all that Farm and premises situate on Grimross Neck, known as the Mount Farm, and is bounded Westerly by Grimross Creek, and Northerly by land owned by William Tyng Peters Esq. containing — acres, and all other real estate in which the said Harry Peters is interested in Queen's County.—The same having been levied on by virtue of four several executions viz: E. D. W. Ratchford, James Chaplain, James Chaplain Jun. John Shephard, Mary Miles, and William Flaherty, against the said Harry Peters.

Dated at Gagetown the 31st day of July 1834.
N. H. DE VEBER,
Sheriff of Queen's County.

KING'S COUNTY.

On the third Tuesday in July next, will be sold at Public Auction at the Tavern of Mr. John Graves in the Parish of Sussex, ALL the real estate of John Martin in King's County, situate in the Parish of Sussex aforesaid, and bounded on the north by the Great Road leading through said Parish; on the east by lands formerly owned by Titus Stone; on the south by the granted lands, and on the west by lands belonging to William Freeze, containing 150 acres more or less. The same having been taken by virtue of an Execution issued out of the Supreme Court against the said John Martin at the suit of Ralph M. Jarvis. Sale to commence at 2 o'clock, p. m.

Also, on the fourth Tuesday in July next will be sold at the Court House in Kingston,

ALL the real estate of Ninon Chaloner, Esquire, late of Kingston, deceased. The same having been taken by virtue of an Execution against the said Ninon Chaloner, at the suit of Mayes Case. Sale to commence at 2 o'clock, p. m.

WALTER BATES, Sheriff.
Sheriff's Office, Kingston, Jan. 2d, 1835.

On the second Tuesday in March next, will be sold at Public Auction:

ALL the Real Estate of John Napier, consisting of a Lot or Farm of Land, situate in the Parish of Hampton, known and described as Gondola Point, containing

by estimation sixty Acres, more or less, with all the appurtenances and improvements: The same having been taken by virtue of an Execution, issued out of the Supreme Court against the said John Napier, at the suit of James A. Smith and Daniel Smith. Sale to commence at one o'clock, p. m. on the premises.

WALTER BATES,
Sheriff of Kings
Sheriff's Office, Kingston,
20th August, 1834.

CORONER'S SALE.

To be sold by Public Auction, on Wednesday the twenty-ninth day of July next, at the Court House in Burton, in the County of Sunbury, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title, interest and claim of Charles Hazen, Esq. in and to a certain Lot of Land, situate on the Oromocto Island, in the Parish of Manguerville, formerly conveyed by George Hayward, Sen.; bounded on the north east by Land of Samuel Nevins, Jun.; on the lower side by Land of said Nevins; on the upper side by Land of Thomas Sewell; and on the other side by the River St. John: containing Four Acres, more or less: The above Property having been seized and taken under and by virtue of two Executions issued out of the Supreme Court of this Province at the suit of Ralph M. Jarvis.

GEORGE B. COVERT, CORONER.
Manguerville, January 20th, 1835.

Administration Notices.

ALL Persons having any legal demands against the Estate of the late HILLARIA KEARNEY, deceased, are requested to present the same, duly attested, within Three Months from the date hereof; and all persons indebted to the said Estate, are desired to make immediate payment to

JAMES KEARNEY, Executor.
JAMES HISCOCK, } tors.
Wicklow, 1st January, 1835.

ALL Persons having any demands against the Estate of MOSES YOUNG, deceased, of Prince William, (County of York,) are hereby requested to render the same, duly attested, to either of the Subscribers, within six months from the date hereof; and all persons indebted to the said Estate are requested to make immediate payment to

ARCHIBALD MOODY, } Execu-
THOS. W. SAUNDERS, } tors.
France William, 12th Dec'r., 1834.—4w.

ALL persons having any legal demands against the estate of the late Honorable John Murray Bliss, deceased, are requested to present the same duly attested within nine months from the date hereof: And all persons indebted to the said estate are desired to make immediate payment to

GEORGE P. BLISS, } Administrators.
L. A. WILMOT, }
Fredericton, 27th September, 1834.

NOTICE

WHEREAS David Fisher, formerly one of the Partners in the late Partnership concern carrying on Business under the firm of FISHER WALKER & Co. at Fredericton, having some time since gone out of the said concern, and conveyed the whole of his right, property, share and interest therein to the Subscriber;—Notice is hereby given that the said Partnership concern is this day dissolved; and the undersigned requests all Persons having any demands against the said Firm, will send in their accounts for adjustment, and all Persons indebted to the same are hereby requested to make immediate payment thereof, either to me, or to the Honorable George Fred. Street, who is appointed solicitor to collect in the debts.

NATHANIEL WALKER.
Fredericton, November 29th, 1833.

TO EMIGRANTS

THE Subscriber hereby notifies Irishmen in America, who are desirous to send for their Families and friends, that they can always secure their Passages from almost all the principal Sea Ports in Ireland, on the most reasonable terms, without detention or disappointment. In all cases where the money is paid in advance, a liberal discount will be made, and should the persons sent for not come, the money will be returned, and if otherwise engaged, good security will be required for the payment of their passage money on arrival.

Apply to
GEORGE WOODS.
Fredericton, 24th Jan. 1834.

NOTICE

ALL Persons in the Province of New Brunswick having any unsettled demands against the Honorable S. P. Hurd, formerly Surveyor General of the Province, are requested to send in an account thereof (duly attested) without delay to the Subscriber, as the Attorney and Agent of Mr. Hurd, in order that they may receive their due proportion of any Funds that may be placed in the Subscriber's hands or the liquidation thereof.

GEORGE F. STREET.
Fredericton, 25th August, 1834. 4f.