



THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, MARCH 2, 1836.

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By Authority.

PUBLIC NOTICE.

SECRETARY'S OFFICE,

23d February 1836.

All Departments and public Officers having Accounts or Returns to render to the Legislature, or for the Blue Book to be transmitted to England, are hereby required, by Order of His Excellency the Lieutenant Governor, to forward the same in future to this office by the time appointed for the opening of the Session of the Legislature in every year.

Wm. F. ODELL,
Prop. Sec.

Civil Appointments.

John Hamilton Grey, Edward Wilton, and Stephen R. Thorne, Esquires, to be Public Notaries in this Province.

Isaac Haviland, Esquire, to be a Coroner in King's County, in the room of Henry Nase, Esquire, resigned.

Crown Land Office,

Fredericton, 23d Feb. 1836.

PUBLIC NOTICE is hereby given, that the tract of Eighty Thousand Acres of Land applied for by Moses H. Perley, Esquire, in June last, and situated east of the Chipewicook Lake, is open for application; the conditions of Mr. Perley's application not having been complied with by him.

THOMAS BAILLIE,

Commissioner and Surveyor General.

BY Command of His Excellency the Lieutenant Governor, Public Notice is hereby given, that five years Timber Licences will issue only to those persons who have up to the day complied with the regulations established for their government.

In all future transactions relating either to one year or five years Licences, the course at present adopted in respect to the one year Licences will be pursued, viz. by selling them indiscriminately at Public Auction to the highest bidder. The Owners of Mills will be protected by extending to them five years Licences in proportion to the number of Gates in actual use in the Mills, but in no case to exceed five thousand Acres for each Gate.

THOMAS BAILLIE,

Commissioner and Surveyor General of Crown Lands.

IN THE SUPREME COURT.

Hilary Term, 6th Wm 4th.

James White Peters, Gentleman, having produced the usual Certificates, is called to the Bar, sworn and enrolled an Attorney of this Honorable Court.

Pro. Office.

SUPREME COURT.

HILARY TERM, 6th Wm 4th.

ANNO DOMINI, 1836.

GENERAL RULES.

I. It is Ordered that in future the Clerk of the Pleas do keep a paper to be called the *Motion Paper*, in which shall be entered all Motions of which notice may have been given; such entries to be made on or before the first day of each Term, and to stand in the said Paper in the order in which they may be made; and the matters contained in such Motion Paper shall come on to be heard on the second day of the Term, before the Special Paper is gone into.

II. It is further Ordered, that if notice of any Motion and a Copy of the affidavit or affidavits on which it is intended to be grounded shall be served on the opposite party, his Attorney or Agent as the case may be, fourteen days before the term at which the motion is intended to be made, a rule absolute may be made in the first instance, if the Court shall see fit; and in all such cases the cause shall be entered on the Motion Paper.

III. It is further Ordered, that no motion shall be made for Judgment, as in case of a nonsuit, pursuant to the statute 14 G. 2, C. 17, without notice having been first given thereof to the Plaintiff, his Attorney or Agent, as the case may be, together with a Copy of the affidavit on which the same is grounded, at least fourteen days before the Term at which such motion is intended to be made, and without entering the same on the Motion Paper.

IV. It is further Ordered, that on motion made in open Court, pursuant to the said

entry, and on due proof of the service of notice, and Copy of affidavit as directed by the preceding Rule, the Defendant shall be entitled to a Rule absolute for Judgment in case of a nonsuit, unless the Court on a just cause and reasonable terms shall allow a further time for the trial of the issue, or unless the Court should think fit to enlarge the time for shewing cause to the next Term.

V. It is further Ordered, that no Judgment of *non pros* shall be signed for want of a Declaration, Replication or other subsequent Pleading, until ten days next after a demand thereof shall have been made in writing upon the Plaintiff, his Attorney or Agent as the case may be.

VI. It is further Ordered, that Demurrer Books be delivered to the Judges on or before the first day of the Term at which the Demurrer is to be argued; the Books for the Chief Justice and Senior Justice Judge to be prepared and delivered by the Plaintiff's Attorney, and the Books for the two Junior Judges by the Defendant's Attorney; and that the same rule do also apply to other cases in which Paper Books are required by the practice of the Court to be delivered to the Judges.

VII. It is further Ordered, that a Copy of the Bill of Particulars of the Plaintiff's demand and also of the Defendant's set off (if any) shall be filed by the Plaintiff's Attorney with every Record of Nisi Prior at the time of entering the same.

VIII. It is further Ordered, that it shall not be necessary to issue more than one Summons for attendance before a Judge upon the same matter; and the party taking out such Summons shall, if the Judge see fit, be entitled to an Order on the return of the Summons unless cause is shewn to the contrary.

WARD CHIPMAN,
W. BOTSFOED,
J. CARTER,
R. PARKER.

NEW BRUNSWICK IN CHANCERY.

Monday the twenty first day of December, in the year of our Lord one thousand eight hundred and thirty five

Between Joshua W. Hatheway and Sarah Hatheway, Complainants, and Peter Hume and the Hon William Black, Defendants.

FORASMUCH as the Court was this present day informed by Mr Kineear, being of Complainants Counsel, that the Complainants had on the eleventh day of June last, filed his Bill in this Honorable Court against the above named Defendants, as by the Certificate of the Register appears, and had taken out process of Subpoena against the said Defendant, Peter Hume, but that the said Peter Hume departed from this Province after the cause of action upon which this suit hath been commenced accrued, and hath not resided in the Province for the term of twelve months next preceding the commencement of the suit, all which 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 said Defendant, Peter Hume, do appear to and answer the Complainant's bill on or before the second Tuesday in June next.

By the Court,

D. LUDLOW ROBINSON, Register.

[First published in Gazette, 23d December.]

In the matter of **NOTICE** is hereby given, that an Absconding Debtor, on application to me, in due form of Law made, by Edward Wilson and Joseph Wilson, Creditors of Thomas Johnson, late of the Parish of Saint Andrews in the County of Charlotte, Yeoman, an absconding or concealed Debtor, I have directed all the Estate, real and personal, of him, the said Thomas Johnson, within this Province, to be attached; and unless he, the said Thomas Johnson shall return and discharge his said debt or debts within three months after the publication of this Notice, all his said Estate, real and personal, will be sold for the payment and satisfaction of his Creditors.

THOS. WYER, J. C. P.
James W. Chandler, Solicitor for Petitioning Creditors.
Saint Andrews, 21st November, 1835.

[First published in Gazette, Dec. 2, 1835.]

NOTICE is hereby given, That we the Subscribers, have been duly appointed Trustees of all the Creditors of AUGUSTUS CLARKE, late of Bathurst in the County of Gloucester 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 such case made and provided and do hereby require all persons indebted to the said Augustus Clarke on or before the fifteenth day of May next, ensuring the date hereof to pay us, some or one of us, all sums of money or other debt, duty or thing which they owe to the said Augustus Clarke, which they or any of them have in his, her, or their hands, power or cus-

tody, to us, some, or one of us as aforesaid; And we do hereby desire all Creditors of the said Augustus Clarke on or before the fifteenth day of May next to deliver to us, some, or one of us, their respective accounts and demands against the said Augustus Clarke, in order that right and justice may be done therein, agreeably to the directions of the Act of Assembly in such case made and provided.

Given under our hands at Bathurst this twenty fifth day of January, in the year of our Lord one thousand eight hundred and thirty six.

FRANCIS FERGUSON,
JOHN ARMSTRONG,
A. R. CAMERON, Trustees.

By his Honor Robert F. Hazen, Esquire, Recorder of the City of Saint John, and one of the Justices of the Inferior Court of Common Pleas in and for the City and County of Saint John.

To all whom it may concern, Greeting: **NOTICE** is hereby given, that upon the application of John Kerr, to me duly made, according to the form of the Act of Assembly in such case made and provided, I have directed all the estate, as well real as personal, of FRANCIS M'KENNA, late of the City of Saint John, Grocer, (which said Francis M'Kenna is departed from and without the limits of this Province, with intent and design to defraud the said John Kerr, and the other creditors of the said Francis M'Kenna, if any there be 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 Francis M'Kenna 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 Francis M'Kenna within this Province, will be sold for the payment and satisfaction of the Creditors of the said Francis M'Kenna.

Dated at the City of Saint John, this third day of February, 1836.

ROBERT F. HAZEN, Recorder &c.

M. H. PERLEY, Att'y for Creditors.

[First published in Gazette, Feb. 17, 1835.]

SHERIFF'S SALES.

COUNTY OF YORK.

On the first Monday in May 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 and title of Edward Elliott, of, in and to, the House and Premises where he now resides, situate in York Street, Parish of Fredericton: The same having been taken under and by virtue of an Execution issued out of the Supreme Court.

E. W. MILLER, Sheriff.

Fredericton, 20th October, 1835.

On the thirtieth day of June next, at the Market House in Fredericton, between the hours of twelve and five o'clock in the afternoon, will be sold by Public Auction:—

ALL the right, title, interest, claim and demand of Samuel Peters, of, in and to the House and Premises, situate in the Parish of Fredericton, formerly owned by John Barker, adjoining property belonging to H. G. Clappier, Esquire: The same having been taken under and by virtue of an Execution issued out of the Supreme Court, at the suit of Mr. Joseph Gaynor, Executor of the last will and testament of Susan Peters, deceased, against the said Samuel Peters.

E. W. MILLER, Sheriff.

Fredericton, 16th December, 1835.

COUNTY OF CARLETON.

To be sold on Saturday the 25th day of June next, between twelve and five o'clock in the afternoon at Harvey's Inn:—

ALL the right, title, and interest of John Reilly, to that certain piece or parcel of Land, and premises, situate, lying and being in the Parish of Kent, on the west side of the River St. John, bounded on the upper side by Land belonging to the Crown; and on the lower side by Lands owned by John Watson; being in the Military Grant, No. 183, containing one hundred acres more or less: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of Messrs. Robert Rankin & Co. against the said John Reilly.

J. F. W. WINSLOW,

Sheriff of Carleton.

Woodstock, Dec. 19th 1835.

The Sale of the above Property is postponed until Saturday the twenty third day of July next.

J. F. W. WINSLOW, Sheriff.

8th January, 1836.

COUNTY OF KENT.

To be sold by Public Auction, at the Court House in Richibucto, on the second Tuesday in May next, between the hours of twelve and five of the clock in the afternoon of the same day:—

ALL the right, title, interest, property, claim and demand of John Murphy, to

certain tracts of Land, situate on the south east side of the Kouchibouguack River, in the Parish of Carleton in the County of Kent—containing three hundred Acres, more or less. Also—Two hundred Acres of Land, situate on the south east side of Kouchibouguack River, in the Parish aforesaid, granted to the said John Murphy. Also—Thirty Acres of Marsh Land, situate at Portash River, joining Marsh formerly owned by Major Kollock on the north side, and on the south by Marsh Land owned by Peter M'Innis: The same having been seized and taken by virtue of an Execution of *Testatum Fieri Facias*, at the suit of John Jardine against the said John Murphy.

Also—at the same time and place will be sold: a certain Lot of Land, situate in the Parish of Wellington, whereon Joseph Smith now resides—containing two hundred Acres, more or less: Taken by Execution issued out of the Supreme Court against the said Joseph Smith, at the suit of John W. Weldon.

THOMAS LANSDOWN,

Sheriff of Kent.

Sheriff's Office, County of Kent,
1st December, 1835.

COUNTY OF WESTMORLAND.

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

ALL the Real Estate of Thomas Edgett, situate in the Parish of Hopewell. The same having been taken by virtue of two Executions issued out of the Supreme Court.

W. P. SAYRE, Sheriff.

Dorchester, 8th October, 1835.

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

ALL the Real Estate of Nicholas Pearson, Junior, situate in the Parish of Hopewell: The same having been taken in Execution.

Also—All the right, title and interest of John Keating, of, in and to a certain Lot of Land, situate in the Parish of Dorchester, in the Irish Town Settlement, so called, originally granted to said John Keating, and containing 200 acres, more or less: The same having been taken by virtue of an Execution issued out of the Supreme Court.

W. P. SAYRE, Sheriff.

Dorchester, 1st October, 1835.

COUNTY OF SUNBURY.

To be sold by Public Auction, on the Third Tuesday in June next, at the Court House in Burton:—

ALL the right and title of Thomas Stonicks, of, in and to that Farm on which he resides, situate in the Parish of Burton, fronting the River Oromocto, and adjoining on the upper and lower sides by Land owned by Mr. John Wood—containing—acres, more or less, with all and singular 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 Fisher, Walker & Co. **Sale to commence at one o'clock, P. M.**

J. HAZEN, Sheriff.

Burton, 3d November, 1835.

To be sold by Public Auction, on the first Monday in April next, at the Court House in Burton:—

ALL the right and title of James Tapley, of, in and to two several tracts of Land, situate on both sides of Little River, in the parish of Sheffield, granted to Thomas Taylor, Richard Land, and others—containing 2,700 acres, more or less. Also—a certain other tract of 200 acres, more or less, purchased by the said James Tapley from George Hume, situate on the west side of Little River aforesaid: The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of Henry Loder, for the sum of £116 10 9.

J. HAZEN, Sheriff.

Burton, 26th September, 1835.

KING'S COUNTY.

On the second Tuesday in July next, will be sold at Public Auction, at the Tavern of Mr. John Napier, in the Parish of Hampton:—

ALL the real Estate of Justus S. Brown, consisting of a Farm of Land, situate in the Parish of Hampton aforesaid, at or near Gondola Point, lying between Land owned and occupied by the said John Napier, and Land in the possession of Nathaniel Warren, bounded in front by the Kennebec River, containing two hundred Acres, more or less, with all the improvements and appurtenances: The same having been taken by virtue of an Execution issued out of the Supreme Court, against the said Justus S. Brown, at the suit of William Dougan.

Sale to commence at 2 o'clock, P. M.

WALTER BATES, Sheriff.

Sheriff's Office, Kingston,
28th December, 1835.

On the fourth Tuesday in June next, will be sold at Public Auction at the Tavern of Richard Smith, in the Parish of Hampton:—

ALL the right, title and interest of Joseph A. Porter, in and to a certain Lot or Tract of Land, situate in the Parish of Hampton aforesaid, described as follows, viz. beginning at a Fir Tree in the reserved road leading from Quasco to Loch Lomond, thence running

by the Magnet North twenty seven and a half Degrees West, one hundred and forty chains of four poles each and fifty links to the real line of James Smith, Senior's Grant, thence South Seventy nine degrees West Forty four chains, thence South Thirty seven degrees East one hundred and fifty two chains, or to a Fir Tree at the reserved road aforesaid, thence by the said road to the place of beginning containing three hundred Acres, more or less, with ten per cent, allowance for Roads and waste. The same having been taken by virtue of an Execution issued out of the Supreme Court against the said Joseph Porter, at the suit of John Danford.

Sale to commence at 2 o'clock, P. M.

WALTER BATES, Sheriff.

Sheriff's Office, Kingston,
4th December, 1835.

THE SUBSCRIBER

HAS received a large supply of Drugs, Medicines, Patent Medicines, Perfumery, Pickles, Sauces, &c. among which are the following:—

PATENT MEDICINES.

Antibilious Pills, Davenport's Eye Water, British Oil, Medicamentum, Bateman's Drops, Balsam of Horehound, Syrup of Liverwort, Pulmonary Balsam, Henry's Calcined Magnesia, Balsam of Life, Dalby's Carminative, Leeming's Essence, (for lameness in Horses,) Golden Ointment, Liquid Opodeldoc, Hard ditto, Itch Ointment, Patent Grooms, Blistering Ointment for Horses, (in Pots,) Cephaic and Aromatic Snuff, &c.

PERFUMERY.

Rowland's Maccassar Oil, Odonto or Pearl Dentifrice, Alana Extract, Johnson's Windsor Soap, Eukerinegenion, Cold Cream, Rose, Lavender &c. Florida Water, Pearl Powder, Eau de Cologne, Fancy Soaps, Military Shaving do., Bears Oil, Pomatum, Hair Oil, Oris & Chlorine Tooth Wash.

PICKLES, SAUCES, &c.
Gerkins, Walnuts, Mangoes, Mixed Pickles, Onions, Capers, Pepper Sauce, Olives, Cavie, Essence of Anchovies, Mushroom and Walnut Ketchup, Harveys, John Bulla, and Reading Sauce, Sallad Oil, and Real Gorgona Anchovies.

SPOICES.

Currie Powder, Nutmegs, Cloves, Real Cinnamon, Cassia Root and Ground Ginger, Mustard, Alspice, Cayenne Pepper, Mace, Caraway and Coriander Seed. Also—Cloth, Hair, Hat, Crumb, Nail, Tooth, and Shaving Brushes, Maccoboy and Real Lundy Foot Snuffs, Lucifer Matches, Promethians, Powder Puffs, Hair Powder, Brunswick Black, Indelible Ink, Floating lights, Pink and Carmine Sauces, assorted Snuff Boxes.

Also—A quantity of Best London Sperm Oil.

A. P. COY.

Queen Street, Fredericton.

CAUTION.

ALL PERSONS are hereby cautioned against trespassing in any way upon the undermentioned Lots of Land, situate in the County of Carleton, viz.—Lots Nos. 8, 92 and 93, in the second tier of Williams town Settlement in the parish of Wakefield; 23, 24 and 25, in the western range of the third tier, and the same numbers in the eastern range of the fourth tier; and 11, 12, 14, 15, 16, 17, and 18, in the western range of the eighth tier of the same Settlement; and Lots A, 1, 2, 3, 4, in the third tier, with the same numbers in the fourth tier, of Lower Andover. Against all persons so trespassing, in cutting or removing Timber or Lumber, of whatever description, I am instructed by the Proprietor forthwith to institute prosecutions.

A. K. SMEDES WETMORE.

Woodstock, 11th January, 1836.

FALL GOODS

M. MACKINTOSH,

IN returning grateful thanks for past favours, offers low for Cash and Country produce, an extensive variety of Printed CALICOES; MERINOS; SHAWLS; RIBBONS; Kid GLOVES; Lamb's wool HOSE and GLOVES; Snow Boots; Flannels; Bleached and Grey COTTONS; Gentlemen's Fashionable STOCKS; Fur CAPS; Silk Pocket Handkerchiefs, &c. &c.; with the usual Supply of Superfine, Fine and Rye FLOUR; Indian Meal; Fish; Pork; Spirits; Wines; London Porter in Bottles; Teas; Sugars; Molasses, and other Groceries; Crockery ware, &c. &c. **Store second door below Mr. Spafford Barker's**
Fredericton, 20th October, 1835.

PER SHIP ALBION.

MRS. GARDNER has received a general assortment of plain and figured SILKS, RIBBONS, &c.
Fredericton, 10th Nov. 1835.