

NEW

SERIES.



THE ROYAL GAZETTE.

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Volume 5.

FREDERICTON, NEW BRUNSWICK, AUGUST 22, 1838.

Number 9.



By Authority.

By His Excellency Major General Sir JOHN HARVEY, K. C. H. and C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick &c. &c. &c.

A PROCLAMATION.

J. HARVEY, Lt. Governor.

WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to Tuesday the twelfth day of June, instant, I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to the second Tuesday in September next.

Given under my Hand and Seal at Fredericton, the sixth day of June, in the year of our Lord one thousand eight hundred and thirty eight.

By His Excellency's Command.

WM. F. ODELL.

The following Warrant, under Her Majesty's Sign Manual, is published for the information of all concerned.

VICTORIA R.

WE do hereby authorize and appoint you to enlist and attest in New Brunswick any Soldiers or Persons desirous of enlisting or re-enlisting, into the service of Us, our Heirs and Successors, in execution of the provisions contained in an Act passed in the first year of Our Reign for the punishment of Mutiny and Desertion, or which may be contained in any future Act which may be passed for the like purpose.

Given at Our Court at Buckingham Palace, this 9th day of May, 1838, in the first year of Our Reign.

By Her Majesty's Command.

HOWICK.

To the Justices of the Peace and other Civil Magistrates for the time being in New Brunswick.

COMMISSIONERS OF BYE ROADS.

The appointment of Patrick Clinch, Esquire, and Hugh Mathison, to expend certain Bye Road appropriations in the County of Charlotte, as Gazetted on 16th May and 6th June last, has been cancelled, and the following appointments made in lieu thereof.

Patrick Clinch, Esquire, to expend the following sums:

- £10 on the road from William McDermott's farm to the Saint John road.
 - £20 from Elliot Munson's to Boyd's and McCarroll's.
 - £7 10s. from Donald McIntyre's to the road near M'Vear's in Saint George.
 - £30 from Philo Seelye's to Lé etang Harbour.
 - £10 from Thomas Ferguson's to the Steen settlement.
 - £30 from Philo Seelye's to Letete.
 - £10 from James Murphy's to the Scotch settlement.
 - £12 10s. from James Moreland's to James Lee's, and
 - £35 from Vinegar Hill to John Oliver's for repairing bridges.
- Hugh Mathison to expend the following sums:
- £35 for the road from Linton's mill to Sherrard's.
 - £20 from Josiah True's to Pomeroy's bridge.
 - £15 from Kent's Saw mill to the river Magaguadavic.

IN COUNCIL, August 2, 1838.

The Petitions of the undermentioned persons have been complied with on the following terms. (Payments to be made within sixty days.)

COUNTY OF GLOUCESTER.

Louis Poirrier, 2s. 6d. per acre, down.
William M'Millan, do. do.

NORTHUMBERLAND.

Thomas M'Namara, 2s. 6d. per acre, down.
James Dougherty, do. do.
John Phelan, do. do.
Hugh M'Raw, do. do.
William Tate, do. do.
James Tate, Senr. do. do.
James Tate, Junr. do. do.

KENT.

John Stackpool, 2s. 6d. per acre, down.

SAINT JOHN.

William Fownes, 2s. 6d. per acre, down.
James Fownes, do. do.
George Fownes, do. do.

KING'S.

David H. Rowse, 2s. 6d. per acre, down.

QUEEN'S.

James R. Wiggins, 2s. 6d. per acre, down.
Charles M'Lean, do. do.
Joseph M'Intyre, do. do.
John Watt, do. do.
Arthur Branscomb, Jr. do. do.

SUNBURY.

Lawrence Hughes, 2s. 6d. per acre, down.
William Morrow, do. do.
David Adams, do. do.
Solomon Dean, do. do. not interfering with D. Adams.

YORK.

Charles Boncher, 2s. 6d. per acre, down.

CARLETON.

John Combe, 3s. 6d. per acre, down.
John Reid, do. do.
Jarvis Tracey, do. do.
Enoch Burpe, do. do.

The lands applied for by the undermentioned persons will be offered at Public Auction at this Office, on Monday the 1st of October next. (See advertisement, in which each person will recognize the lot applied for by him.)

James Ryan. Samuel Vaughan.
John Fownes. James Vernon.

Mary Porter can purchase the land applied for by her at 3s. per acre by instalments, in trust for the benefit of her children by her late husband.

James Kean may cut the grass the present year the sum of 20s.

John M'Cracken can have no compensation unless it be made to appear there is vacant land in the situation described.

The land in dispute between Gerard and William Irvine will be granted to Gerard Irvine on his paying to W. Irvine, an equitable sum for the improvements made by Wm. Irvine; in default of which for the space of three months after notice in the Royal Gazette, the lot to be granted to W. Irvine.

The Petition of the inhabitants of the Howard Settlement is complied with.

Wilfred Foster, Senior, is required to produce further information as to his claim to the water front he claims.

The Petition of the Executors of the late A. P. Henderson is complied with as follows, £35 to be deducted from the bond, and the executors to retain the remaining part of the Bay de Vent River grant.

The Petition of John Johnston is complied with.

James Murphy's Petition is complied with, and the purchase money can now be received.

John Blue's Petition is complied with.

Mary Mitchell's Petition is complied with as prayed for.

Hugh M'Kay's Petition for the purchase of land in Penfield, Charlotte, is not complied with.

The Petition of S. E. J. and G. Powell is not complied with.

The Petition of the Justices of Kent is not complied with.

The Petition of Reuben Stiles is not complied with.

The Petitions of the undermentioned persons are not complied with, for want of survey.

Thomas Farrell. Stephen Ross.
Adam Gordon. Michael Shea.
James Porter. William Rutledge.
John Dunn. Ralph Darling.
Stewart Gibson. James Craig.
John Evans. Wm. Shannahan.
Aaron Scott. Caleb Wright.
Henry Keys. M. Dorothy.
Levi Dow. Wm. Gorall.
Charles Wright. John Street.

The Petitions of the undermentioned persons for the lease of Wild Meadows are referred for information, as to the extent and value of the Meadows applied for.

George A. Mahood. Samuel Boone.
James Porter. Hugh M'Raw.

Daniel Small will be allowed credit in his timber transactions, for the amount paid by D. Suter, as prayed for.

Donald M'Kay is allowed to relinquish 5 year licences, Nos. 165 and 170.

The Petition of H. and J. Montgomery, that A. Ritchie be restricted in the extent of his timber berths on Benjamin River, is complied with.

The Petition of W. Mahood, that E. P. Huntington's Bonds be not cancelled until Mr. Mahood be paid the proportion of double duty to which he is entitled, is complied with.

The undermentioned persons will be allowed to pay the usual duty on the timber and logs belonging to them, on paying the seizing officers their dues; when the timber and logs will be released.

John Coates. Richard Wilson.
Geo. W. Gilmour. George Sutton.

J. E. Nicholson's timber will be released on the payment of the usual duty.

The Petitions of the undermentioned applicants, for licence to cut timber and logs on Crown Land, are complied with.

GLOUCESTER.

Hugh Ramsay. H. Montgomery.
Arthur Ritchie. J. Montgomery.

NORTHUMBERLAND.

A. M'Lagan. Patrick Long.
Hugh M'Raw. A. Rankin.
James Nutbeen. D. Stewart.

QUEEN'S.

John Coy. Andrew Barton.
Enoch Lunt.

SUNBURY.

John Bubar. Thomas Hartt.

CARLETON.

J. E. Nicholson. Dennis Gitchell.
Thomas Pickard. G. H. Giberson.
James Taylor. S. Dickinson.
Francis Tibbitts. Sherman Tapley.
Robert Kerr.

Crown Land Office, August 4, 1838.

The undermentioned tracts of Crown Land will be offered at Public Auction, at this Office, on Monday the 1st day of October next, sale to commence at 12 o'clock in the forenoon. TERMS—10 per cent at the time of sale and the remainder within 14 days after.

200 acres, Saint John County, lot No. 5, in the third tier, Parish of Saint Martin's. Upset price, 2s. 6d. per acre.

100 acres, Saint John County, lot No. 3, in the third tier, Parish of Saint Martin's. Upset price, 2s. 6d. per acre.

50 acres, Saint John County, Parish of Lancaster, lot A, in the second tier. Upset price, 2s. 6d. per acre.

210 acres, Northumberland, west side of the Chaplain island road, as surveyed for James Ryan. Upset price, 2s. 6d. per acre.

Town lots 107, 111 and 112, in the Town Plat of Dalhousie, County of Gloucester. Upset price, £15 each lot.

THOMAS BAILLIE, Commissioner Crown Lands.

Crown Land Office, July 24, 1838.

The undermentioned tracts of Crown Land will be offered at Public Auction, at this Office, on Monday, 3d September, 1838. Sale to commence at 11 o'clock, A. M.

150 acres, Buresford, Gloucester, north of Tattagouche River. Upset price, 2s. 6d. per acre.

200 acres, south side Ristigouche River about one mile above the head of Long Island. Upset price, 2s. per acre.

50 acres, west side south branch Oromocto, between the grants to John Devitt and Calvin Hatheway. Upset price, 2s. 6d. per acre.

50 acres, situate about three miles and three quarters from Tracy's Mills, called the Porcupine Meadows, a five years Lease of the mea

50 acres, situate about three miles and three quarters from Tracy's Mills, called the Porcupine Meadows, a five years Lease of the Meadows thereon.

100 acres, east side south branch Oromocto, Sunbury, lot No. 4. Upset price, 2s. 6d. per acre.

100 acres, easterly side road from Oromocto to the Nerepis, being in rear of Alexander Carr and Asa Carr, Sunbury. Upset price, 2s. 6d. per acre.

100 acres, Burton, Sunbury, easterly side of the road from Oromocto to Geary, southerly of the grant to John Little, next adjoining Jackson Webb's application, and in rear of the grants to Edward Carr, and Ebenezer Farnham. Upset price, 2s. 6d. per acre.

50 acres, Burton, Sunbury, easterly side of the road from Oromocto to Geary, on the rear of the grants to John Musseau and Farnham. Upset price, 2s. 6d. per acre.

100 acres, Hopewell, Westmorland, being lot No. 6, in the Herring Cove survey, and situate between the lots of Joseph Tiffin and Robert Rankin. Upset price, 2s. 6d. per acre.

THOMAS BAILLIE, C. C. L.

NEW BRUNSWICK IN CHANCERY.

Wednesday, the fourth day of July, in the year of our Lord, one thousand eight hundred and thirty eight.

Between James Gilmour and Alexander Rankin, Plaintiffs, and Stephen Hardaker, Defendant.

FORASMUCH as the Court was this present day informed by Mr. Berton, of Counsel for the Plaintiffs, that the Plaintiffs on the sixth day December last, exhibited their bill in this Honorable Court, against the Defendant, as by the certificate of the Register appears; and took out process of Subpoena returnable the twelfth day of June last, requiring the Defendant to appear to and answer the same, but that the Defendant left this Province some time in the year one thousand eight hundred and twenty nine, or one thousand eight hundred and thirty, and hath not since returned to the Province, and that there is reason to believe that the Defendant is now living in some part of Great Britain, but that his place of residence is unknown as by Affidavit appears, and that he cannot be served with the process of this Court. And the said Certificate and Affidavit being now read: It is Ordered, That the Defendant do appear to the Plaintiffs Bill on or before the fourth day of January next. By the Court.

D. LUDLOW ROBINSON, Registrar.

[First published in Royal Gazette, July 11, 1838.]

NEW BRUNSWICK IN CHANCERY.

Tuesday, the fifth day of June, in the year of our Lord, one thousand eight hundred and thirty eight.

Between William Henry Robinson and Beverly Robinson, Complainants, and

Mark Needham, Thomas Brown, John R. Partelow, Henry Bliss, Peter Fraser, Robert W. Crookshank and Thomas Barlow, Defendants.

FORASMUCH as this Court was this present day informed by Mr. Robinson, of Counsel for the Plaintiffs, that the Plaintiffs had on the tenth day of February last, exhibited their 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 directed to the said Defendants, returnable the seventeenth day of February last, but that the said Thomas Brown and Henry Bliss, two of the said Defendants, do not either of them reside within this Province, but have known places of residence in Great Britain: that the said Henry Bliss resides at No. 11, King's Bench Walk, Temple, London, and the said Thomas Brown, in Yorkshire, in that part of the United Kingdom of Great Britain and Ireland called England, as by the Affidavit of James T. Hanford appears; and that the said Henry Bliss and Thomas Brown cannot be served with the process of the Court, 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 Defendants, Henry Bliss and Thomas Brown, do appear to the Plaintiffs Bill on or before the first Tuesday in June 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, Registrar.

[First published in Royal Gazette, June 13, 1838.]

SHERIFF'S SALES.

County of Gloucester.

To be sold by Public Auction, at the Court House in Bathurst, on the third Tuesday in January next, between the hours of noon and five o'clock, P. M.

ALL the right, title, interest, property, claim and demand of Augustine Godine, of, in and to that piece or parcel of land, situate on Middle River, in the Parish of Bathurst, now in his occupation, being the southerly one half of lot number two, originally granted to one James Robertson, containing one hundred and seventeen acres more or less, together with the dwelling House, Barn, out houses, Water privileges and appurtenances thereunto belonging, or in any wise appertaining: The same having been seized to satisfy an Execution issued out of the Supreme Court of this Province, at the suit of Richard Blackstock and James Johnson, against the said Augustine Godine.

HENRY W. BALDWIN, Sheriff.

Sheriff's Office, Bathurst, 2d July, 1838.

To be sold by Public Auction, at the Court House in Bathurst, on Saturday, the twenty ninth day of December next, between the hours of twelve and five o'clock, P. M.

ALL the right, title and interest of William Bate present occupied by him, situate in the Parish of Bathurst, and bounded as follows, viz: Commencing at the northeasterly angle of Lot number fifty four in the western range of Lots, on the Road from Miramichi to Bathurst, occupied by Peter Smith, thence running by magnet west one hundred chains of four poles each, thence north twenty chains, thence east one hundred chains, to the easterly side of the Road above mentioned, and thence along the Road in a southerly direction to the place of beginning—containing two hundred acres, more or less; together with the Dwelling House, Barn, and all other Buildings and improvements thereunto belonging: The same having been taken to satisfy an Execution issued out of the Supreme Court of this Province, at the suit of Joseph Cunard against the said William Bateman, for £83 15s. 10d.

HENRY W. BALDWIN, Sheriff.

Sheriff's Office, Bathurst, 18th June, 1838.

On the last Tuesday in October 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 and interest of Alexander Hamilton, and Peter Hamilton, to the following lands, granted to them by the Crown, and situate in the Town Plat of Dalhousie, viz: Town lots, numbers seventy seven and seventy nine, containing each one hundred by two hundred feet, fronting on William Street; also, pasture lots, numbers twenty three, twenty eight and twenty nine, fronting on Campbell Square and Ramsay Street, containing together eight acres and one Rod, more or less; or so much of the said described property, as will satisfy an execution issued out of the Supreme Court of this Province; at the suit of Hugh and John Montgomery, against the said Alexander Hamilton and Peter Hamilton, for £60 15s. 3d.

HENRY W. BALDWIN, Sheriff.

Sheriff's Office, Bathurst, 31st March, 1838.

To be sold at Public Auction, at the Court House, in Bathurst, on the first Saturday in October next, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title and interest of Robert Short, of, in and to the lot of land, number sixty five, fronting on William Street, in the Town Plat of Dalhousie, containing one hundred by two hundred feet, with the dwelling House, Barn, and other improvements thereon: The same having been seized by me to satisfy an execution issued out of the Supreme Court of this Province, at the suit of John Pollok, Arthur Pollok, and others, against the said Robert Short.

HENRY W. BALDWIN, Sheriff.

Sheriff's Office, Bathurst, 5th March, 1838.

County of Sunbury.

To be sold by Public Auction, on the first Monday in February next, at the Court House in Buro, between the hours of 12 and 5 o'clock in the afternoon:—

ALL the right and title of George P. Nevers, of in and to, a certain Lot or tract of Land, situate

in the Parish of Barton, on the Nerepis Road, about four miles from the mouth of the Oromocto, known as the Fernham Lot, containing 300 acres, more or less, with all and singular the improvements thereon: The same having been taken by virtue of several Executions issued out of the Supreme Court.

J. HAZEN, Sheriff.

Barton, 21st July, 1838.

To be sold at Public Auction, on the fourth Saturday in September next, at the Court House, in Barton, between the hours of 12 and 5 o'clock, in the afternoon:—

ALL the right, title, interest, property, claim and demand of James Hazen, of, in and to, two lots of land, situate on the south side of the Oromocto Island, so called, in the Parish of Margerville, known as the Bubar Lots, containing fifteen acres, more or less, with all and singular the buildings and improvements thereon, and all other the Real Estate of the said James Hazen, within my Bailiwick: The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of John M. Wilmot, for the sum of £27 6s. 1d.

J. HAZEN, Sheriff.

Barton, 9th March, 1838.

FIRE INSURANCE COMPANY.

Connecticut, United States.

Incorporated in 1810—with a Capital of \$150,000. THIS long established Institution has for more than twenty five years transacted its extensive business on the most just and liberal principles—paying its losses with honorable promptness. During this period have settled all their losses, without compelling the insured, in any instance, to resort to a Court of Justice. The present Board of Directors pledge themselves, in this particular, fully to maintain the high reputation of the Company. It insures on the most favourable terms every description of property against Loss or DAMAGE BY FIRE, but takes no marine risks.

Application for insurance may be made either personally or by letter to the Secretary of the Company, or to its Agents, who are appointed to many of the principal Towns and Cities of the United States, and in the British Provinces.

PRESENT BOARD OF DIRECTORS.
Eliphalet Terry, Samuel Williams,
James H. Wells, F. J. Huntington,
S. H. Huntington, Elisha Colt,
H. Huntington, Junr., R. B. Ward,
Albert Day.

ELIPHALET TERRY, President.

James G. Bolles, Secretary.

The Subscriber having been appointed Agent at Fredericton for the above mentioned Company, is now prepared to take risks on every description of Property against loss or damage by Fire.

ASA COY.

NOTICE.

ALL who are indebted to the Estate of the late JEREDIAH SLASON, are hereby notified, that unless satisfactory payments are made within three months from this date, legal measures must be resorted to.

JOSEPH GAYNOR, Administrator.

Fredericton, 18th June, 1838.

VALUABLE PROPERTY.

For sale upon advantageous terms, by ROBERT RANKIN & Co.

A VALUABLE Building Lot and Wharf Lots, in front of the Honorable J. S. SAUNDERS, lying between the Market House square and Jackson's Hotel.

Two Town Lots near the Catholic Chapel, fronting on Brunswick and George Streets.

A Lot of about six acres near Blake's Mills on the Nashwaak.

A Lot on the Nashwaak near the Ferry, formerly owned by Donald M'Leod, deceased.

A Lot in the Parish of Woodstock, near Eel River, containing two hundred acres.

A wilderness Lot in the Parish of Woodstock, in rear of Land owned by JOHN DIBLEY, Esquire, containing two hundred acres.

A Lot of one hundred acres in the Parish of Brighton, granted to Gray.

A Lot of one hundred acres in the Parish of Perth, granted to Robert Woodward.

A Lot of one hundred acres in the Parish of Andover, granted to Smith.

For particulars apply to WILLIAM J. BEDELL, Fredericton.

April 16, 1838.

A Card.

THE Subscriber returns his sincere thanks to the Public for the liberal support he has received since he commenced keeping an Hotel in Fredericton, and begs to assure them that neither trouble nor expense shall be spared to procure the best articles the season can afford for their comfort.

H. JACKSON.

Jackson's Hotel, June 19, 1838.

N. B. On Hand—A large quantity of Port, Madeira, Light and Brown Sherry, Claret, Tennerife, Sparkling Champagne, bottled Ale and Porter; also, Pickles, Sauces, Saled Oil, Superior Havana Cigars, &c. &c., which are offered for Sale at very moderate prices.

H. J.

NOTICE.

BEVERLY'S CIRCULATING LIBRARY.

AS the Subscriber is going to open a new collection of Books for his Library, he would be obliged to those having Books out to return the same as early as possible.