

NEW

SERIES.

THE ROYAL GAZETTE.

Printed and published by JOHN SIMPSON, Printer to the QUEEN'S Most Excellent Majesty, at his Office near the Province Building.

Volume 5.

FREDERICTON, NEW BRUNSWICK, AUGUST 15, 1838.

Number 8.



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 pro-
rogued to the second Tuesday in September
next.

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

By His Excellency's Command.

W. M. 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 1st 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 Magis-
trates for the time being in New Brunswick.

IN COUNCIL, August 2, 1838.

The Petitions of the undermentioned per-
sons 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 Pheasant, 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. Rows, 2s. 6d. per acre, down.

QUEEN'S.

James R. Wiggins, 2s. 6d. per acre, down.

Charles McLean, do. do.

Joseph McIntire, do. do.

John Watt, do. do.

Arthur Brauscomb, Jr., do. do.

SUNBURY.

Lawrence Hughes, 2s. 6d. per acre, down.

William Morrow, do. do.

David Adams, do. do.

Solomon Dean, do. do. not in-
terfering with D. Adams.

YORK.

Charles Boucher, 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 land is 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 Keau may cut the grass the present
year for the sum of 20s.

John M'Cracken can have no compensation

and as 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 equita-
ble 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 How-
ard Settlement is complied with.

Wilfred Foster, Senior, is required to pro-
duce 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
Bar 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 com-
plied with.

The Petitions of the undermentioned per-
sons are not complied with, for want of survey.

Thomas Fairlie.

Adam Gordon.

James Porter.

John Dunn.

Stewart Gibson.

John Evans.

Aaron Scott.

Henry Keys.

Levi Dow.

Charles Wright.

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.

James Porter.

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. Gilmore. George Sutton.

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

The Petitions of the undermentioned ap-
licants, 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. Up-
set 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 Lan-
caster, 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, 24th September, 1838. Sale to com-
mence at 11 o'clock, A. M.

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

200 acres, south side of Tattagouche River
about one mile above the head of Long Island.
Upset price, 5s. per acre.

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

20 acres, situate about three miles and three
quarters from Tracy's Mills, called the Porcu-
pine Meadows, a five years Lease of the mea-
dows thereon.

50 acres, situate about three miles and three
quarters from Tracy's Mills, called the Porcu-
pine Meadows, a five years Lease of the mea-
dows 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, Barton, 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
Farham. Upset price, 2s. 6d. per acre.

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

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

THOMAS BAILLIE, C. C. L.

The following warrants are payable on de-
mand at the Provincial Treasury.

No.

121, Speaker and Members of

Assembly, £2,641 19 0

125, David Pichard, 119 0 0

127, William Edd, 25 0 0

128, L. A. Whitot and James Tay-

lor, Esquires, 25 0 0

129, Justices of St. John, 1,151 2 3

130, John Hamilton, 5 0 0

136, Thomas Barnett, 20 0 0

139, Thomas Crawford, 15 0 0

141, Matthew Caruthers, 16 13 4

145, David Creighton, 19 0 0

149, Commissioners, Sec. St. Paul's

Island, 154 1 9

150, Hon. E. B. Chandler and

James Sayre, Esquire, 150 0 0

151, Lieutenant Colonel Allan, 100 0 0

153, Thomas Barlow and M. H.

Perley, Esquires, 600 0 0

163, J. R. Parthow, Esquire, 150 0 0

65, Crookshank and Walker, £5 15 6

168, Board of Health, St. John, 250 0 0

170, C. H. Jones, 100 0 0

172, Commissioners for auditing

accounts, 200 0 0

174, Charity Williams, 10 0 0

175, Samuel Tryon, Esquire, 150 0 0

The intermediate numbers have been paid.

B. ROBINSON, Province Treasurer.

Treasury, Saint John, 20th July, 1838.

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 Gilmore and Alexander Rankin,
Plaintiffs, and
Stephen Harkner, Defendant.

FORASMUCH as the Court was this present day
inquest by Mr. Barton, of Counsel for the
Plaintiffs, that the Plaintiffs on the sixth day Decem-
ber 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 on the twelfth day of June last, requiring the
Defendant to appear and answer the same, but
that the Defendant left this Province some time
in the year one thousand eight hundred and twenty nine,
and 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 resi-
dence 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, 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, De-
fendants.

FORASMUCH as this Court was this pre-
sent day informed by Mr. Robinson,
of Counsel for the Plaintiffs, that the Plaintiffs
had on the fourth day of February last, exhib-
ited their bill in this Honorable Court, against
the above named Defendants, as by the certi-
ficate 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 Pro-
vince, but have known places of residence in
Great Britain; that the said Henry Bliss re-
sides at No. 11, King's Bench Walk, Temple, Lon-
don, 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, Hen-
ry Bliss and Thomas Brown, do appear to the
Plaintiffs 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, Register.

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

SHERIFFS 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, two lots
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 Su-
preme 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-
man, of, in and to, a tract of Land, situate in the
Parish of Bathurst, now in his occupation, being
the southerly one half 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 western 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 dwell-
ing House, Barn, and all other buildings and im-
provements 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
Conard, 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, num-
bers seven and eight, containing each one hundred
and twenty seven acres, situate 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. 8d.

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,
situate on William Street, in the Town Plat of Dal-
housie, containing one hundred by two hundred feet,
with the dwelling House, Barn, and other improve-
ments 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 Pollak,
Arthur, 2nd lot, 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 Bathurst,
between the hours of 12 and 5 o'clock in the after-
noon.

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 Burton, 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.
Burton, 21st July, 1838.

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

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 Maugeville, known
as the Bubar Lots, containing fifteen acres, more or
less, with all and singular the buildings and improve-
ments 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.
Burton, 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—pay-
ing its losses with honorable promptness. During
this period have