1861.

Harding and L. R. Harding, Jr. Mr. Gan signed it in bed, in presence of the witnesses. (Gurney) looked at it before signing.—he as for his spectacles.—I gave him mine,—he signate with the will laid on a book. In presence the witnesses ac signed it and placing his form on the seal acknowledged it to be his last will as testament. He further said, I give Squire Ha ing full power and authority to transact all a business. Then I took the will into the obroom, and this wit down on the table, on the canend, having first doubled up the cloth over a some dishes on the other and.

Armstrong stood at the east end of the total and signed it as a witness. I stood at the tall looking in at Gurney, while witnesses were significant. I do not know if the witnesses all stood the same place, while signing. I knew that witnesses and testator must sign in one another

Between two or three months before Mr. 6 ney was taken sick. he came to me, at my hon and said he was getting old, and wished metal sist him in fixing his business. He wanted to write his will. I told him he had better the copy and write it himself. He asked me if I a copy. I gave him one and told him to gold and write the "pramble." He met me s time after, and asked me when I would come fix his will. This was on the 10th or 11th . He told me he wanted to fix up his business. went to his house—he told his wife to get the py of the will. She did-so. He was sitting his chair. I asked him how he wanted the perty distributed. He told me he wanted to his nicoos some, and his wife to have the during ber life. He wanted to give his mani see £60, and his unmarried niece £40. wanted to put the property into some one's h who would take eare of her. He asked me would take her, and pay all debts and legs and keep the balance for myself, for my tre I told him I had rather have nothing to do it, but that he had better get John Harper,

was a great friend of his, to take it. He sa would not do it. Then said I, take William nahs, but he would not do so. I told him, insisted on it, I must take time to consider would tell him next morning. Next day It to Gurney's, and asked, him, if he insiste my taking it—he said he would not take eith those I mentioned. I then said, I would con to take it.

I then went home, and wrote the Draft of I produce here. I took it and read it to Gurney told me to make the will after the B [Draft here produced in evidence]. I home and did so, I then took the will to Gu and he read it, and said the will was all countries; that he intended to give a combe a building lot, and wanted it to be the will. I said it could not be put in, would make out another will, or give an o to Gurney for Newcombe. This will was and witnessed on the 14th Nov. in his room was signed before the witnesses. I asked he wanted to do with it. He told me to take of it. Ten days after, he sent for me, a me, he wanted to change the will, and puti names of Mary Gidney Gilmoun and Name two pieces. He said he had found the name an old letter in his drawer. Before that, I told him, it was necessary to have the "tian!" name of the legatees in the will, as might otherwise be some trouble about it said it was no matter, as he did not know

Then I wrote a new will, and put in then He told me to destroy the old will. I red new will to bin. This was on the 26th No ber. He told me to get witnesses, so as to it executed. I told him I could not get the witnesses. I said I would get witnesses in merning. I went to Gurney's about 10 of in the evening. He asked me whether I will. I said, No. He said I had better go witnesses to night and have it done. He Here is Armstrong; he will do for one. 1 h home and told my sons Leonard and Jones to come over to Gurney's, as we might want as witnesses to his will. When I came by showed him the will. showed him the will and read it to him, and gave it to him. The will was then exhe that time he was of sound mind. The estate mentioned is worth, I should judge, the personal property £150. From the best , so formation I could get, he owes £150. Ill tin age is 58. Her health is good; so good. ing property. I had rather have nothing to de and it. I have to pay the debts and legacies ned keep the "old woman," for the property consider it a hard bargain. I once had a the same kind before, and never got anyth it. When we were talking about the will I bim if he intended to leave his nephew anything. Ha said. No; he did not come him when he was in trouble, when his he burnt. Besides, he had heard that he was eing sipated character. Questioned by Mr. Needbam.

Have heard Gurney speak of Matthews times, but not of his nieces by name. eing me he had two. Did not hear him mention Mr- till after he found the letter. Mr. Gurn oin, expressly tell me he had a neph-w named them, but not the name of either nicce, till

thew, but not the name of either niece, in finding the letter.

Property appraised at £450; would not more than £400 for it. Would sell it for sum I could get. Would hardly rent for The por annum, in money. His arrangement than me were, that I was to take care of him to

he said it was all right, but that he wanted to give a part to Mr. Newcomb. I said, this could not be added, but I could give an obligation, or nake a new wilk. He said an obligation would do. I wrote one, and by his direction put it with do. I wrote one, and by his direction put it with the will to keep. I have not got the obligation about me. George Connell had it. I swear I have not got it with me. I expect Connell has it now. I told Mr. Newcomb about it the day of the funeral, and told him I would send it to him.

Cross questioned by Mr. Needham.
This is my handwriting. Mr. Gurney did not sign it, I was directed to keep this with the will. I gave it to Connell this morning, with other particular contents of the connell the connection of t pars. Has been i 26th Nov., 1860. Has been in my possession ever since the

After he signed the will, Moses Sharp, Adam Kearney, and William Tompkins signed the first will, as witnesses. They remained on the premises, while I was there, I think—am not posi-Tread it to him, the day when he signed it also.
The first time, I read it to him, Mrs. Gurney,
Mrs. Walsh, and Mary Irving were in the house,
but not in the room—no one but ourselves, were
in the room. I don't know who was in the house No one eyer heard me read that will to Mr. Gurney. Here there was a war of wit between the Counsel and the witues, which was overruled by III-S Honor.] First will was signed in front room, adjoining the bedroom: I stayed a short spell with Mr. Gurney and witnesses, after signing—After the fist will was signed in the same day, this obligation was made—I went hone first, and drew it up, and took is beek. The will was expected in the foreous persons at the time of my dead outstanding debts that may be owing to me by any words, and he said it would do as well as a new will. I signed it. Gurney aid not acknowled the words and part it wis the was not early only the words, and he said it would do as well as a new words, and he said it would do as well as a new will. I signed it. Gurney aid not to the III-like to the middle of the same day after obligation was written. I sealed this appeal and part it with the will. I think I sended up first will, not in presence of witnesses, on the same day after obligation was written. I sealed this up words and part it with the will. I think I sended up first will, not in presence of witnesses, on the same day after obligation was written. I sealed this up words and part it with the will. I think I sended up first will, not in presence of witnesses, on the same day after obligation was written. I sealed this up words and add and and and and and and the witnesses to write their manes on the seal. I did not ask winnesses to write their manes on the seal. I did not ask winnesses to write their manes on the seal. I did not ask winnesses to write their manes on the seal. I did not ask winnesses to write their manes of the cutre.

ROBERT GURNEY.

Signed sealed, published and declared by the winness and the sealed to the base there in order that was after the will. About the days after the will be will. About the days after the will be a support to the same that the declared by the will be a support to the same the same that the base that the mane of the same that the same that the declar when I read it the second time; probably the same people; they could not hear the will read. No one eyer heard me read that will to Mr. Gurelay after altering the will. About ten days after that will was ex-cuted, Mr. Gurney sent for me, and told me, he had found the names of the nieces, n a letter. I have not the letter with me. Mrs Gurney gave it too me, I took it home; and with that letter prepared a new will: Can't say whether that day or the next. I am positive I prepared it, so as to show it to him on Saturday. the 24th, the same day as he sent for me, I had that obligation, on the day I drew the new will. Took the new will to Mr. Gurney, and showed it

his lifetime, pay his funeral expenses, and see that she was to have the use of the property. There was no agreement that I should spend my own money for her support; but if the property does not maintain her, I shall have to see her maintained. The personal property was given me to pay the debts out of. If there was any necessity about supporting her afterwards, there was no agreement about it. I did not speak to him about the value of the property. Do not think it is worth more than the appraisement. It was appraised by Anthony Kearney and George Mills, as good men as can be found.

Welsh, I think, got it by Mr. G.'s orders. Mr. Armstrong. Leonard R. Harling, Junior, and Jonathan Harding, respectively. In the presence of each other, and of the said william Armstrong. Leonard R. Harling, Junior, and Jonathan Harding, Fisher the Scar the said William Armstrong on the hight the presence of each other, and other time was. I remember the 26th because of the will, and also on account of my boys being dissatisfied with me in the morning of the will, and also on account of my

COPY OF Mr. GURNEY'S WILL.

the paper, which has been in dispute before the Surrogate, during the present week:

In the name of God, amen.

I, Robert Gurney, being in a sound and perfect state of mind, the mortality of the body, and knowing it is appointed unto all Menonce to die, do

by L. R. Harding. This was written by me, on the same day as first will was signed.

"I, Robert Gurney, do request and desire of L. R. Harding, to give William Newcomb, my friend. a building but above the Baptist Meeting House, on the west side of the 4th titer road, search, and a brighting by a doing, L. R. Harding, will be a feer or Parcel of Long will be death, and by so doing, L. R. Harding, will oblige me, and fulfill my wish. This is Robert Gurney, this 14th day of November, "Signed.

L. R. Harding do agree to fulfil the above wish of Robert Gurney, this 14th day of November, "Signed.

L. R. Harding.

Signed.

L. R. Harding.

W. Gurney, this 14th day of November, "Signed.

L. R. Harding.

This is my handwriting. Mr. Gurney, this 14th day of November and the form of James Simonson, on the Fourth Tier road; thence around the House to the Thisd 19th.

The deceased gentleman, had during the few weaks of the caround the House to the Thisd 19th.

"Signed.

L. R. Harding.

W. Gurney, R. L. R. Harding.

This is my handwriting. Mr. Gurney, R. L. R. Harding.

This is my handwriting. Mr. Gurney, R. L. R. Harding.

This is my handwriting. Mr. Gurney, R. L. R. Harding.

This is my handwriting.

Mr. Gurney, R. L. R. Harding.

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The deceased gentleman had during the few search of the caround the H thence north-east course till it strikes a line of William Armstrong; thence north to Jonathan Green's line; thence along Green's line a west course till it strikes the Fourth Tier road; thence South along said Road to the place of beginning; containing fifty acres, more or less; also, one half of said let on the west side of Fourth Tier road, say the North half, commencing at the English church at the Fourth Tier road, at Charles S. mises, while I was there, I think—am not positive. I think it likely Sharp stayed. I do not know if Sharp was at the house, when I went there, but I went after the others, to g t them to sign, I read the will to Mr. Gurney, for the first time, a few days before he signed it. It was about the 11th or 12th before the 14th, certainly.

The description of the course of the Mudy land; thence a southwesterly course to Samuel Freeman's line; thence cast along said line till it strikes the Baptist land; thence North and East courses around said land to the Fourth Tier road; thence North along said road to the place of beginning, Baptist land; thence North and East courses around said land to the Fourth Tier road; thence North along said road to the place of beginning, seven ty-five acres more or less; said lot conveyed to me by J. M. Connell, Esq. The said L. R. Harding is to see that my wife. Jane, is decently maintained during her lifetime, and at her death to see her decently buried. I give and bequeath to my niece, Mary Gidney Gilmour, after my wife's death, sixty pounds, and Naney are supported by the said Large large

WILLIAM ARMSTRONG. LEGNARD R. HARDING, JR., JONATHAN HARDING.

PROVINCE OF NEW BRUNSWICK. County of Carleton ;

Took the new will to Mr. Garney, and showed it to him, once before the day he signed it, and read it to him.

I went over almost every night. I went that evening that will was signed, and there saw Mr. Lewis P. Fisher on Esquire, Surrogate for the overing that will was signed, and there saw Mr. County of Carleton, personally appeared William Armstrong. It was near 10 o'clock at night when Mr. Garney spoke to me about getting will. On 26th Wm. Armstrong was there at the house either in Kitchen or Parloar. Sometimes Mr. Garney, late of the Parish of Wakefield, in the Gurney told me they made too much noise. He did not tell me the night before he died nor any of Carleton, and being daly sworn, did was appointed to draw Gurney told are they made too much noise. He did not tell me the night before he died nor any other time, that he wanted watchers for me.—Armstroug was in the House. Don't know whother the door was shut. It was after I got my tea I went there. I used to be there frequently, tat with him and helped him to drinks. I stayed with him all night after the will was signed with him all night after the probably had wine after will was signed.

Did not give him any wine that night before he died nor any other tenders and that the said Robert Gurney sign the said Instrument, and Instrument, will an Armstrong, Leonard R. Harding, Junior, and Jonathan Harding, were all present, and that the said Robert Gurney appeared to them, the said Robert Gurney appeared to them, the said Robert Gurney appeared to them, the said William Armstrong, Leonard R. Harding, Junior, and Jonathan Harding, respectively, to be of sound and disposing mind and understanding, and that the names William Armstrong, Leonard R. Harding, Junior, and Jonathan Harding, respectively, to be of sound and disposing mind and understanding, and that the names William Armstrong, Leonard R. Harding, Junior, and Jonathan Harding, respectively, to be of sound and disposing mind and understanding, and that the names William Armstrong, Leonard R. Harding, Junior, and Jonathan Harding, respectively, to be of sound and disposing mind and understanding, were subscribed to the said Will by them

"Be it remembered, that on the eighth day of January, A. D., 1861, before me, Lewis P. Fisher, Surrogate for the County of Carleten, personally appeared Leonard R. Harding, sole Executor named in the within written Will of Robert Gurney, late of the Parish of Wakefield, in the County of Carleten Agency of Benefit of the Parish of Wakefield, in the Carleten of Carleten Agency of Benefit of Carleten Agency of Benefit of The Carleten Agency of the Parish of Wakefield, in the Carleten Agency of the Parish of Wakefield, in the Carleten Agency of the Parish of the Parish of Wakefield and Parish of The P We give below, a copy of Mr. Gurney's Williand was duly sworn to the authenticity of the said Will, and the faithful cischarge of the duties

but also, in the material improvement of the whole Province. His labors in connection with the Agricultural Board, have been unremitting, and taken a good deal of anxiety about it, and has taken a good deal of interest in Mr. Hastings'

ed, sealed, published and declared by the the "Doorkeeper" who does the editing of the said Robert Gurney, as his last Will and Tes- Colonial Empire, that in order to relieve our coltament, in the presence of us who have here-unto set our names in the presence of the tes-to copy some of its numerous, brilliant editorials. as soon as we can find them.

From the Colonial Empire.

EVIDENCE BEFORE THE COMMITTEE the Indians. "I remember now, that the Surveyor General FOR INVESTIGATING THE "LAND-JOBBING" CHARGES.

[This Report is addressed to His Excellency the Lieutenant Governor, and is dated April 4th, 1859. It states that the undersigned, to whom had been referred the petition of John Hart, praying that under the Ashburton Treaty, a grant might pass to him of the land, on which he resided, situated at the Little Falls, Victoria sid-d, situated at the lattle Falls, victorial County, had the honor to report, that they had given their attention to the prayer of the Petition, and had investigated Harts claim to the Great asked. The Report concludes with a recommendati, that a Grant should issue to John

"There has been no purchase money paid, under the Ashburton Treaty none is required. The Grant was stayed for some time, upon the remonstrance of the Chairman of this Committee Mr. Tibbitts, and there was much discussion of the trust thereby in him reposed, by taking the oath of an Executor, as by law required.

"Lewis P. Fisher,

"Lewis P. Fishe the time required; but if he had, he was only in the light of lessee to the Indians, and that the

dence, and no wish of ours could delay it.

The deceased gentleman, had during the few years, in which he had been employed in the duties of his profession, in our midst, endeared himself to the hearts of many of our towns people, by his kind and skiffel attentions at the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to the lands always seemed to me, that it was a very hard to me the lands always seemed to me, that it was a very hard to me the lands always seemed to me, that it was a very hard to me the lands always seemed to me the lands always see himself to the hearts of many of our towns peo-ple, by his kind and skilful attentions, at their sick beds, and by his worthy conduct as a citizen and a friend.

By the poor he will be particularly missed for though unostentations in his charity, he was ever ready to administer his best aid in their hour

of trial,

With his young wife and infant son, thus early bereaved of a loving husband and kind father.

Very case of which I know, where the Government has and with the other members of his family, we beg considered the Indian a man. The remainder of respectfully to express our sympathy for their these Indian lands have been surveyed, and an Order made, with a view to sell them for money,

eight unless he had been in possession six years before the Treaty which was made in 1842. But under the Provincial Act, the indulgence was extended to all who had been in possession of the lands before the date of the trenty, which was signed in 1842, the year in which the Commissioners state, that Hart came into possession of one acre, "upon the payment of an annual rent" to

would not at first sign the grant; and only done so at last, at the carnest solicitation of the Soli-citor General, Mr Watters, inasmuch as Mr. Tiobits had gone away under the impression, that

(To be continued.)

FREDERICTON, MONDAY, April 1st. Mr. Tilley read letter from London relating to Mr. Tilley read letter from London relating to Halifax and Quebec Railway, and a committee was appointed to draw up in conjunction with Legislative Council address to Imperial Government for aid to the project. Thursday appointed for discussing Investigating Councitée Re-

Lawrence's Bill to tur mineproved granted Lands passed with amendment a exempting lands in parish where proprietor resides. Government Bill relating to Governor and su-perior schools under discussion.

Dr. Robb died at 4.30 P. M. to day of Pleurise and inflammation of Lungs.