

# THE GLEANER.

And Northumberland, Kent, Gloucester, and Restigouche Schediasma.

Volume XII:1

Nec araneorum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.

Number 32.

Miramichi, Tuesday Morning, April 20, 1841.

## SHERIFF'S SALES.

To be sold at Public Auction, on Monday, 20th September next, in front of Hamill's Hotel, Newcastle, between the hours of 12 and 5 o'clock, P. M.

ALL the ESTATE, Right, Title, Interest, Property, Claim and Demand of RICHARD COX, in, and to a certain Lot of Land, situate, lying and being in the Parish of Nelson, in this County, known as Lot No. 1, in the third tier of Lots in the grant thereof to the said Richard Cox; the same having been seized by me under an Execution issued out of the Supreme Court, at the suit of Alex. Fraser, Junr. against the said Richard Cox. Also—

All the Real and Leasehold Estate of RICHARD BLACKSTOCK, situate in this County, or so much thereof as may be necessary to satisfy an Execution now in my hands, issued out of the Supreme Court, at the suit of Richard Peniston, against the said Richard Blackstock.

JOHN M. JOHNSON,  
Sheriff of Northumberland.

Sheriff's Office, 15th March, 1841.

To be Sold at Public Auction, on the second Tuesday in May next, in front of Hamill's Hotel, Newcastle, between the hours of 12 and 5 o'clock, P. M.

All the Estate, Right, Title, Interest, Property and Demand of Patrick Flannigan, of in and to all that certain Piece, Parcel or Tract of Land, situate, lying and being on the North side of the North West Branch of the Miramichi River, 34 rods front to the said River, to the rear of the said Lot containing 100 Acres more or less, and presently occupied by the said P. Flannigan—being part of the Indian allotment allotted to John Julian and tribe, and by them sold to James Oxford; the same being seized by me, under and by virtue of an Execution issued out of the Supreme Court, at the suit of J. A. Street, Esquire, against the said Patrick Flannigan.

J. M. JOHNSON, SHERIFF  
of North'd.

Sheriff's Office, 2nd Nov., 1840.

To be Sold a Public Auction, on the Fourth Saturday in April next, in front of Hamill's Hotel, Newcastle, between the hours of 12 and 5 o'clock, P. M.

All the Estate, Right, Title, Interest, Claim and Demand of the undermentioned Persons, in and to the following Properties, viz:

Of ALEXANDER CLARKE, in and to the upper half of Lot No. 2, on the South side of the South West Branch of Miramichi, in the Parish of Nelson, granted to Alexander Clarke, being 30 Rods front to the River, bounded on the upper side by a Lot in the occupation of John M'Kinlay, and on the lower side by half of the same Lot now in the occupation of Wm. Leech; the same having been seized by me under and by virtue of an Execution issued out of the Supreme Court, at the suit of Jared Betts against the said Alexander Clarke:

Also—  
Of JESSIE BLUNT, in and to Lot No. 1, situate on the South side of the South West Branch of Miramichi, in the Parish of Nelson, granted to James Clarke, junr. and presently in the occupation of Alexander Clarke, being 60 Rods front to the River, bounded on lower side by Lands granted to Wm. Davidson, senr. and on the upper side by Lot No. 2, granted to Alexander Clarke, and containing about 200 Acres; the same having been seized by me under and by virtue of an Execution issued out of the Supreme Court, at the suit of George Cook

J. M. JOHNSON, SHERIFF  
of Northumberland.

Miramichi, 12th October, 1840.

To be Sold at Public Auction on the Third Tuesday in April next, in front of Hamill's Hotel, Newcastle, between the hours of 12 and 5 o'clock P. M.

All the Estate, Right, Title, Interests, Property, Claim and Demand of the undermentioned Persons, in and to the following PROPERTIES, viz:

Of PATRICK WHEELER, in and to that certain Piece, Parcel or Lot of Land, with the House and other Buildings thereon, situate, lying and being at the Court House, Newcastle, in this County, presently occupied by the said Patrick Wheeler—and seized by me under and by virtue of an Execution issued out of the Supreme Court of this Province, at the suit of J. A. Street, Esq. against the said Patrick Wheeler.

Also—  
Of PETER DUFF—of, in and to all those two Lots and Parcels of Land situate in the Parish of Ludlow in this County, known as Nos. 65 and No. 66, and the Island No. 20—the said Lot No. 65 and Island No. 20 containing about 300 Acres—and the Lot No.

66 containing about 290 Acres—which said Lots were granted in the Northern division of the Grant to Ephraim Betts and others to the late Charles Duff; the same having been seized by me under and by virtue of an Execution issued out of the Supreme Court of this Province, at the suit of Moses H. Perley, Esq. against the said Peter Duff. —And—

Of NATHANIEL and JOSEPH BLAKE, or either of them—of in and to all that part of Lot No. 1, on Burnt Land Brook, Boiestown granted to William Porter, and situate between the Town Lots now or lately owned by Daniel Davis and Francis Elliot, and presently occupied by Mr. Charles Avery and Mr. O'Connor—being two Town Lots of 8 Rod front each—running back to the rear of the said Lot No. 1, with the Houses, Barns and other Outhouses thereon; the same being seized by me under and by virtue of an Execution, issued out of the Supreme Court of this Province at the suit of Frederick W. Hatheway against the said Joseph and Nathaniel Blake.

J. M. JOHNSON, SHERIFF  
of the County of Northumberland.

Sheriff's Office, North'd. }  
5th October, 1840. }

To be Sold at Public Auction, on the 3rd Saturday in May next, in front of Hamill's Hotel, Newcastle, between the hours of 12 and 5 o'clock, P. M.

All the Estate, Right, Title, Interest, Property and Demand of JAMES WALTER, in and to that certain TRACT of LAND, situate, lying and being on the south side of the North West branch of Miramichi, parish of North Esk, being part of Lot No. 13, and the Gore Lot adjoining, and formerly owned by Duffy Gillis, deceased—the same being seized by me under and by virtue of an Execution issued out of the Supreme Court at the suit of Alexander Simpson against the said James Walter.

J. M. JOHNSON, SHERIFF  
of Northumberland.

Sheriff's Office, 6th }  
Nov. 1840 }

To be Sold at Public Auction, on Saturday, 12th June next, on the Premises, Court House Square, Newcastle, between the hours of 12 and 5 o'clock, P. M.

All the Right, Title, Interest, Claim and Demand whatsoever of ALEXANDER YOUNG, of, in, and to all that Piece or Parcel of LAND situate in the Town of Newcastle, being part of the County Lot, in Block letter B., bounded on the east by Castle-street, on the west by the Lot owned by Darby Dooling, northerly by the Lot in possession of Mrs. Sarah Harkins, and southerly by the Court House square; the said Lot being levied on by me under an Execution issued out of the Supreme Court, at the suit of E. G. Fuller, against the said Alexander Young.

J. M. JOHNSON, Sheriff.

Sheriff's Office, 5th December, 1840.

To be Sold at Public Auction, on Saturday, 26th June next, in front of Hamill's Hotel Newcastle, between the hours of 12 and 5 o'clock, P. M.

All the Estate, Right, Title, Interest, Property, Claim and Demand whatsoever, of JAMES GILLAN, in and to all that certain Tract, Piece or Parcel of Land and Premises, situate, lying and being in the Parish of North Esk, being on the South side of the North West Branch of Miramichi River, and known as the North West Meadows; together with all and singular other the Real Estate of the said James Gillan, in the County of Northumberland—the same having been seized by me, in virtue of an Execution issued out of the Supreme Court of this Province, at the suit of Richard Blackstock, against the said James Gillan.

J. M. JOHNSON, Sheriff.

Sheriff's Office, 15th Dec., 1840.

To be Sold at Public Auction, on Saturday, the 9th October next, in front of Hamill's Hotel, Newcastle, between the hours of 12 and 5 o'clock, P. M.

ALL the Estate, Right, Title, Interest, Property and Claim of ALLAN PARSONS, in and to all that certain Piece, Parcel or Lot of Land, lying on the South side of Bay du Vin River, in the Parish of Glenelg, in this County, about two miles below the Richibucto Road, bounded on lower side by Lot No. 31, granted to James Hill, and known as Lot No. 32, granted to the said Allan Parsons containing 100 Acres, more or less, with a front of about 55 Rods: the same having been seized by me, under an Execution issued out of the Supreme Court, at the suit of Elijah Parsons, against the said Allan Parsons.

J. M. JOHNSON, SHERIFF  
of Northumberland.

Sheriff's Office, 2nd April, 1841.

## THE GLEANER.

### PROVINCIAL LAWS.

An Act for the better and more effectual securing of the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River.

Passed 19th March, 1841.

Whereas there are extensive Mills for the Manufacturing of Lumber, on or near the River Miramichi, between Beaubair's Point and Sheldrake Island, the Slabs, Rinds, and Refuse from which are generally thrown into the said River, whereby the Navigation thereof is becoming obstructed, and the Fisheries thereon are greatly injured.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this act, if any person or persons who may be the owner or owners of any mill or mills already erected, or that may be hereafter erected on or near the river Miramichi, between Beaubair's Point and Sheldrake Island, (except as hereinafter mentioned) for the manufacture of Lumber of any description, or any persons who may be engaged in manufacturing lumber in any such mill or mills, shall suffer or permit any slabs, rinds, bark, log ends, or rubbish of that description made or cut at any such mill or mills to fall, roll, float, or be thrown into any part of the river Miramichi, or any creek or stream falling into the said river within the limits above mentioned, every such owner or owners of such mill or mills, or other person or persons manufacturing lumber at any such mill or mills shall forfeit and be liable to pay a fine for every such offence, a sum not exceeding twenty pounds nor less than ten pounds, to be recovered with costs of suit, before any two of Her Majesty's Justices of the Peace for the County of Northumberland, at the suit of the Treasurer for the said County, for the time being, or of any other person who shall prosecute for the same, on the oath of one or more credible witness or witnesses, and to be levied by Warrant of distress and sale of the offender's goods and chattels, rendering to him or them the surplus (if any) after deducting the costs and charges of prosecution and of the levying and sale of the said goods and chattels; and if no goods or chattels can be found whereon to levy the same, then the offender or offenders to be committed by the Warrant of the said Justices to the common Gaol of the said County, there to remain for any time not exceeding thirty days, unless the amount of such fine and costs shall be sooner paid, and such fine when recovered, shall be paid into the hands of the Treasurer of the said County for the public uses thereof: Provided always, that the saw mill now standing on French Fort Cove, within the limits above mentioned, shall not be liable to the provision of this act.

II. And be it further enacted, That this act shall be and continue in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty five.

An Act to authorize the appointment of Commissioners to lay out a Street or Highway through the Town of Chatham, and to establish and regulate Public Landings in the said Town.

Passed 19th March, 1841.

Whereas from the recent Survey of the Street or Highway through the Town of Chatham, it appears that the same in many cases departs wholly from the original record thereof, and that buildings have been erected on the recorded line, the removal of which would cause much inconvenience, annoyance and expense; and whereas the Commissioners of Highways has experienced great difficulty in preventing encroachments thereto, from the bounds of the said street or highway not being properly defined; and whereas from the buildings and erections in the said Town, a sufficient space is not left to enable the commissioners of highways to lay out and record a street or highway in the said Town of the width of four rods as by law is required: And whereas great inconvenience has arisen to the public in consequence of the several landings in the said Town being obstructed, for remedy whereof:

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,

That it shall and may be lawful for the Lieutenant Governor to appoint three or more fit persons Commissioners to lay out a street or public highway through the Town of Chatham, commencing at Coulson's Slip, so called and terminating at St. Andrew's Church.

II. And be it further enacted, That it shall be the duty of the said commissioners in laying out the said street or highway to adhere to the line of road as at present used through the said Town and commonly called Water Street, and to make the same as wide and straight as practicable, not in any case interfering with buildings or the private rights of individuals.

III. And be it further enacted, That the said commissioners shall forthwith after laying out the said street or highway make a return thereof in writing under their hands into the Office of the Clerk of the Peace for the county of Northumberland, who shall enter the same in the book kept for the purpose of recording Roads or Highways; which return shall distinctly designate the marks, bounds and lines by which the said street or highway may be known and ascertained; and whatsoever the said commissioners shall do according to the powers given them in this act being so entered shall be valid and good to all intents and purposes whatsoever, and the said street or highway when so laid out and entered as aforesaid, shall be deemed and used as a public Street or highway for the use and benefit of the public, in as ample and full a manner as if the same had been laid out and recorded under and pursuant to the provisions and regulations of an act made and passed in the fifth year of the reign of his late Majesty King William the Fourth, intituled 'an Act to repeal all the laws now in force for regulating, laying out and repairing highways and roads, and for appointing commissioners and surveyors of highways in the several towns and parishes in this Province, and to make more effectual provision for the same,' or under or pursuant to any act of Assembly now in force for establishing and regulating highways in this Province.

IV. And be it enacted, That the commissioners to be appointed under the provisions of this act or the major part of them are hereby authorized and empowered to lay out or define such of the landings in the Parish or Town of Chatham as shall be public landings: Provided always, That they are not in any case authorized under the provisions of this Act to interfere with the private rights of individuals without the written consent of the proprietors.

V. And be it further enacted, That all such landings as the said commissioners or the major part of them shall lay out and define to be public under the provisions of this act, such commissioners or the major part of them shall cause to be recorded with the clerk of the peace for the county, which record when so made shall be good evidence of such being public landings in all courts of law in this province.

VI. And be it further enacted, That when and so soon as the said commissioners or the major part of them shall have so laid out and defined the public slips and landings in the towns or parish of Chatham, as directed in and by the provisions of this act, and shall have caused the same to be recorded in manner aforesaid, such slips and public landings shall thereafter be considered and taken to be part of the Queen's Highway and be subject to all the rules and regulations that the other highways or public roads and streets of the said parish are subject to, and all persons obstructing the same shall be liable to the like pains and penalties, therefore that any person or persons is, are, or may be subject to by any Laws now or that shall hereafter be in force for preventing the obstruction of the highways and public roads of the said Parish or county, and be recovered and applied in like manner.

An Act to authorize the Justices of the Peace for the County of Northumberland to erect a Lock up House in the Town of Chatham, in the said County.

Passed 19th March, 1841.

Whereas from the great increase of the Town of Chatham, in the county of Northumberland, and in consequence of the distance therefrom to the county gaol, and the difficulty of crossing the river Miramichi thereto at certain seasons of the year, great inconvenience is oftentimes experienced by the Magistrates residing in the said town for the want of a Lock up House or place of safe keeping, in which to confine persons commit-