

THE ROYAL GAZETTE.

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VOLUME 4.

FREDERICTON, NEW-BRUNSWICK, APRIL 10, 1833.

NUMBER 15.

By Authority.



CIVIL APPOINTMENTS.

THE following appointments have been made for the current year pursuant to the Provisions of the Charter of the City of Saint John.

John M. Wilmet, Esquire, to be Mayor.
James White, Esquire, to be Sheriff.
James T. Hanford, Esquire, to be Coroner.

Neville Parker, Esquire, to be Judge of the Court of Vice Admiralty, in the room of Robert Parker, Esquire, resigned.

HEAD QUARTERS.

Fredericton, 2nd April 1833.
His Excellency the Lieutenant Governor and Commander-in-Chief has been pleased to make the following promotions, &c.

1st Batt. Saint John City Militia.

To be second Lieutenants.

James Gregg, Gent. vice Hutchinson promoted, dated 2nd April.

William Henry Scovil, Gent. vice Hendricks removed from the County 3rd do.

William Haggerty, Gent. vice Hubbard promoted 4th do.

Thomas Nisbet, Jr. Gent. vice G. Hutchinson promoted 5th do.

2nd Batt. Northumberland.

Edward Barker, Gent. to be Quarter Master.

By Command.

GEO. SHORE, Adjt. Gen. Militia.

CROWN LAND OFFICE.

Fredericton, March 30, 1833.

APPLICATIONS to cut Timber on

Crown Lands will be received from

the 1st day of May next. Those Petitions

which may be filed on that day will

be answered on the 2d of May, under

the observance of the following rule: If

more than one application be made for

the same situation, the preference will be

given to that of the occupant during the

present season; but should no petition

be received at that time, from such occupant,

the Berths in dispute will be offered

to competition by Public Auction, on

the 1st of June, with the upset price

of the current rate of Duty.

The minimum rate of Duty to be

henceforth required will be as follows,

VIZ:—

For White Pine, one shilling and six

pence per ton;

Red Pine, two shillings;

For Spruce Logs, three shillings per

thousand feet, superficial;

White Pine, three shillings and six

pence;

Red Pine, five shillings; and

Ten per cent. on the estimated value

of all other descriptions of Timber or

Lumber.

The sum of forty-five shillings will be

required with every Petition, which

amount, if the tract be vacant, and the

duty paid within three months from the

date of the entry, will be appropriated as

part of the tonnage; but if the ground

be not vacant, forty shillings will be re-

turned, and the remaining five will be

retained for the Search, Certificate, and

Record of the transaction. Should the

duty be not paid within three months

after the entry of the petition for vacant

land, the whole deposit of forty-five shil-

lings will be forfeited, and the situation

thrown open to the applications of others.

Applicants wishing to have their Berths

particularly surveyed will be required to

express such desire before they com-

mence working; the only additional ex-

pense attending which will be, as has in-

deed always been customary, the furnishing

of sufficient axemen and chainbearers

with provisions for the whole party.

NOTICE TO SQUATTERS.

WHEREAS the Number of Persons now holding CROWN LANDS, without Authority, to the extent of near 300,000 Acres, renders it difficult to dispose of Land by Sale, in the regular manner, without the chance of conveying to such purchasers the Improvements of another;

PUBLIC NOTICE

is therefore hereby given to all Persons holding, occupying, or claiming Crown Lands, and for which a Grant or Location Ticket has not issued, that they must prefer their claim to HIS EXCELLENCY the LIEUTENANT-GOVERNOR, by Petition, on or before the 1st day of June next, setting forth their claims to favorable consideration (if any), together with all particulars as to extent of clearings, &c. &c.; at which time, should they intend keeping possession, they will be required to pay the first Instalment for the land so occupied, or take out the Licence of Occupation for such a period and under such circumstances, as the nature of the case may require. Those Persons who in compliance with this request, shall make their case known, may be assured that it is not the object of HIS MAJESTY'S GOVERNMENT, as insidiously circulated, to deal harshly with them; but those Persons who neglect or refuse to avail themselves of this Notice, will be considered as trespassers and pro-

ceeded accordingly by the ATTORNEY-GENERAL.

ALL PUBLIC AUTHORITIES in the different Districts of the Province, are hereby requested to promulgate this Notice, as generally as they possibly can, that no person may plead the excuse of not having come to the knowledge of it, in averting the consequences that may hereafter ensue.

By Command of His Excellency
The LIEUTENANT-GOVERNOR.
(Signed) THOMAS BAILLIE,
Comr. & Survr. General.

Department for Crown
Lands and Forests, Frederic-
ton, 4th March, 1833.

Receiver General's Office,
27th March, 1833.

In order to accommodate Proprietors of lands subject to Quit Rents, as far as may be practicable, Public Notice is hereby given that the undermentioned persons are appointed in the several subjoined Counties to receive the Quit Rents, and are authorized to give receipts therefor, to all such persons as shall call on them and pay the same at or before the first day of July next, on which day a return will be made to this office; and all persons who shall have neglected this notice will then be proceeded against for the recovery of the Rents according to law.

County of Northumberland, John Ambrose Street, Esq.
County of Gloucester, Charles I. Peters, Jun. Esq.
County of Kent, George Pagan, Esq.
County of Westmorland, Marmaduke Jackhouse, Esq.
County of Charlotte, Harris Hatch, Esq.

Further notice is also given, that the Receiver General will attend himself for the purpose of receiving the Quit Rents in the following Counties, namely:

Carleton, Monday the 31st of June next.
Sunbury, (Barton) Monday 17th of June.
Queens, (Gagetown) Monday 24th of June.
Kings, (Kingston) Monday 1st July next.

and at the City of Saint John, on Monday the eighth day of July next.

GEO. P. BLISS, Recr. Gen.

By Peter Stubs, Esquire, one of the Justices of the Inferior Court of Common Pleas, in and for the County of Charlotte.

To all whom it may concern, Greeting.

NOTICE is hereby given, that upon the application of James Frink, 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, within the Province, of William Hastav, late of the Parish of Saint Stephen in the County of Charlotte (which said William Hastav, is departed from, and without the limits of this Province with intent and design to defraud the said James Frink, and other creditors of the said William Hastav, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the law, as it is alleged against him), to be seized and attached, and that unless, the said William Hastav 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 William Hastav, within this Province, will be sold for the payment and satisfaction of the creditors of the said William Hastav.

Dated at Saint Andrews, this 22nd day of March in the year of our Lord one thousand eight hundred and thirty-three.

PETER STUBS, J. C. P.

P. Stubs, Jun.

Att'y for Creditors.

First published in Gazette 27th March, 1833.

By the Honorable WARD CHIPMAN, one of the Justices of the Supreme Court of Judicature of the Province of New-Brunswick:

To all whom it may concern, Greeting.

NOTICE is hereby given, that upon the application of GEORGE D. ROBINSON, 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, within this Province, of THOMAS HEAVISIDE, late of the City and County of Saint John Esq. (which said Thomas Heaviside has departed from this Province, with intent and design to defraud the said GEORGE D. ROBINSON and the other creditors of the said Thomas Heaviside, if any such there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law, as it is alleged against him), to be seized and attached, and that unless the said Thomas Heaviside shall return and discharge his debts within three months from the publication hereof, all his Estate, as well real as personal, within this Province, will be sold for the payment and satisfaction of the creditors of the said Thomas Heaviside.

Dated at the City of Saint John the fourth day of February, in the Year of our Lord One thousand Eight Hundred and Thirty-three.

WARD CHIPMAN.

L. HAZEN, Attorney.

First published in Gazette 13th March, 1833.

By the Honorable John Saunders, Chief Justice of His Majesty's Supreme Court of Judicature for the Province of New Brunswick.

To all whom it may concern, Greeting.

NOTICE is hereby given, that upon the application of Joseph Gaynor on behalf of Robert W. Crookshanks and William Walker, of the City of Saint John, merchants, and Ebenezer L. Moulton, to me duly made according to the form of the Act of General Assembly in such case made and provided; I have directed all the Estate, as well real as personal, within this Province, of Chesley Drew and Elisha Drew, late of Fredericton, of Chesley Drew and Elisha Drew are departed from and without the limits of this Province, or remain concealed within the same, with intent and de-

sign to defraud the said Robert W. Crookshanks and William Walker, and the said Ebenezer L. Moulton, and other Creditors of the said Chesley Drew and Elisha Drew, if any such there be, of their just dues, or else to avoid being arrested by the ordinary process of law as is alleged against them) to be seized and attached, and that unless the said Chesley Drew and Elisha Drew, return and discharge their said Debt or Debts, within three months from the publication hereof, all the Estate, as well real as personal, of the said Chesley Drew and Elisha Drew, within this Province, will be sold for the payment and satisfaction of the said Creditors of the said Chesley Drew and Elisha Drew.

Dated at Fredericton, the 26th day of February, 1833.

JOHN SAUNDERS, Chief Justice.

G. J. DIBBLEE, Att'y for Pet. Creditors.

First published in Gazette 27th March 1833.

NOTICE.

IS hereby given, that we the subscribers, have been duly appointed Trustees for all the Creditors of Lewis E. P. Smith, late of the City of Saint John, a concealed Debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly in that case made and provided, and we do hereby require all persons indebted to the said Lewis E. P. Smith, on or before the sixteenth day of May next, to pay us, or one of us, all and every such sum or sums of money, or other debt, duty, or thing, which they owe to the said Lewis E. P. Smith, and to deliver all other effects of the said Lewis E. P. Smith which they do any or either of them may have in their hands, power or custody, to us, or some, or one of us, as aforesaid, and we do also desire all the Creditors of the said Lewis E. P. Smith, on or before the said sixteenth day of May, to deliver to us, or some, or one of us, as aforesaid, their respective accounts and demands against the said Lewis E. P. Smith, in order that right and justice may be done therein, agreeably to the form of the said Act of Assembly in such case made, and provided.

Dated at the City of Saint John, the sixteenth day of March, A. D. 1833.

J. L. BEDELL, J. WOODWARD, jun. G. WHEELER.

NOTICE is hereby given, that we the Subscribers, have been duly appointed trustees for all the Creditors of William Adley, late of St. Andrews, in the County of Charlotte, 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 that case made and provided, and we do hereby require all persons indebted to the said William Adley, on or before the eighth day of May next, to pay us, or some, or one of us, all such sums of money or other Debt, duty, or thing, which they owe to the said William Adley, and to deliver all the Effects of the said William Adley, which they or any or either of them may have in his, her, or their hands, power, or custody, to us, or some, or one of us, as aforesaid; And we do also desire all the Creditors of the said William Adley on or before the same day of May next, to deliver to us, or some, or one of us, as aforesaid, their respective accounts and demands against the said William Adley in order that right and justice may be done agreeably to the form of the Act of Assembly in such case made and provided.

Given under hands, at Saint Andrews, in the County of Charlotte, the Eighth day of March, A. D. 1833.

JAS. CAMPBELL, A. JACK, GEO. MILLAR, Trustees.

NOTICE.

IS hereby given that we the subscribers, have been duly appointed Trustees for all the Creditors of Ashton Cox, 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 Ashton Cox, on or before the twenty-fifth day of June next, to pay us, or some, or one of us, all such sums of money or other debt, duty, or thing, which they owe to the said Ashton Cox, and deliver the said effects of the said Ashton Cox which they or any of them may have in his, her or their hands, power or custody, to us, or some, or one of us, as aforesaid. And we do also desire all Creditors of the said Ashton Cox, on or before the 25th June next, to deliver to us, or some, or one of us, as aforesaid, their respective accounts and demands against the said Ashton Cox, in order that right and justice may be done agreeably to the form of the said Act of Assembly.

Given under our hands, at Moncton, in the County of Westmorland this 21st day of March, in the year of our Lord One thousand eight hundred and thirty-three.

WM. WILEY, THOS. PRINCE, STEPHEN H. SHAW, Trustees.

IN consequence of the severe weather and the impracticable state of the Roads, the Extra Circuit Court, appointed to be held in St. Andrews, is postponed and ordered to be held on Monday the fifteenth of April next.

Secretary's Office, 4th March, 1833.

SHERIFF'S SALES.

COUNTY OF YORK.

To be sold at Public Auction, to the highest bidder, on Thursday, the 27th day of June next, between the hours of twelve and five in the afternoon, at the Market House in the Parish of Fredericton, in the County of York.

ALL the right and title of Gershom Bunnell, of in, and to the following farm or tract of land on which he resides, situate, lying and being in the Parish of Saint Marys, in the grant to Daniel Lyman and others, bounded on the lower side by John Clayton, and on the upper side by lands in the possession of William Roans: the same having been seized by me from the said Gershom Bunnell by virtue of execution issued out of the Supreme Court of this Province.

E. W. MILLER, Sheriff.

Dated at Fredericton, the Nineteenth day of December, 1832.

On the 25th day of April next, will be sold by Public Auction at the Market House in Fredericton, between the hours of 12 and 5 o'clock in the afternoon.

Much of the real estate of Henry Smith, Esq. in my Baldwin, as will satisfy two Executions, one in favor of the Executors of Thomas Weimore, Esquire, deceased, the other in favor of C. H. Joubert, against said Henry Smith, Esq.

E. W. MILLER, Sheriff.

Fredericton, 23d Oct. 1832.

On the 16th day of February next will be sold by Public Auction at the Market House in Fredericton, the real estate of Henry Smith, Esquire, as will satisfy an execution, or so much thereof as will satisfy an execution at the suit of Nehemiah Rogers.

E. W. MILLER, Sheriff.

Fredericton, 15th August, 1832.

The Sale of the above property is postponed until the 25th day of April next.

COUNTY OF WESTMORLAND.

To be sold by Public Auction, on Thursday the fifteenth day of August next, between the hours of twelve and five o'clock, in the afternoon, at the Court House in Dorchester, in the County of Westmorland.

THE right and title of William Hannington, junior, of in, and to, all the Tract or Parcel of Land, situate in the Parish of Shediac, granted to the said William Hannington, and being the Lot Number Six, bounded easterly by the Seaboard River, Northwardly and Southwardly by land granted to Thomas Smith, and containing four hundred acres, be the same more or less; together with all the privileges, improvements and appurtenances thereunto belonging. The same having been taken by execution against the said William Hannington, junior, at the suit of Malcolm Whitely.

W. P. SAYRE, Sheriff.

Dorchester, 7th February, 1833.

To be sold by Public Auction, on Tuesday the twenty-third day of July next, between the hours of twelve and five in the afternoon, at the Court House in Dorchester, in the County of Westmorland.

THE Real Estate of Hugh T. McAlmon, situated in the Parish of Hopewell, the same having been taken by Execution at the suit of Stewart Russell.

Also, at the same time and place.

ALL the right, title and interest, of Thomas Wells, of in, and to, the Real Estate of his Father William Wells deceased, whosoever situated in the County of Westmorland; the same having been taken by Execution, at the suit of George Chappell, against the said Thomas Wells.

W. P. SAYRE, Sheriff.

Dorchester 10th day of January, 1833.

COUNTY OF KENT.

To be sold at Public Auction, at the Court House in Richbury, in the County of Kent, on the second Tuesday in May next, between the hours of 12 and 5 o'clock of the same day.

ALL the estate, right, title and interest of Patrick McAuley, of in, and to two several lots of Land situate on the south branch of the Choix river, the said two lots containing in the whole three hundred acres more or less, taken by execution at the suit of Donald Sutherland Hugh McKay, against the said Patrick McAuley.

Also, at the same time and place will be sold ALL that certain piece or parcel of Land situate on the north side of the Bay or Harbour of Shediac in the Parish of Dundas, in the said County of Kent, containing fifty acres more or less, together with all the buildings and improvements thereon, taken by execution at the suit of Ashton Cox against Richard Gaston.

THOMAS LANSDOWN, Sheriff of Kent.

Richbury, 1st November, 1832.

COUNTY OF CARLETON.

On Saturday the 6th day of July next, will be sold by Public Auction at Mr. Joseph Harvey's Hotel in Woodstock, between the hours of 12 and 5 o'clock in the afternoon:

ALL the right, title, interest, claim and demand of Reuben Dickinson, of in, and to the Lot of Land on which he resides, situate in the Parish of Woodstock a little above Eel River; the same having been taken under and by virtue of an execution issued out of the Supreme Court, at the suit of James Balloch.

Also,—at the same time and place.

ALL the right, title, and interest of John Doyle, of in, and to, a certain Lot of Land granted to William Bell, situate in the Parish of Northampton in the said County, adjoining lands owned by John Shea, containing 300 acres more or less, taken at the suit of William Peters & Co.

Also,—at the same time and place.

ALL the Estate, right, title, and interest of Daniel Duley, of in, and to Lots No. 21 and 22, situate in the Parish of Kent and County aforesaid, containing 200 acres more or less, taken at the suit of George F. Street, Esquire.

Also,—at the same time and place.

ALL the Estate, right, title, and interest of Nehemiah Tompkins, of in, and to the Lot of Land on which he resides, situate in the Parish of Brighton, in the County of Carleton, the same having been taken under and by virtue of an Execution issued out of the Supreme Court, at the suit of Robert Rankin & Co.

JOHN F. W. WINSLOW, Sheriff of Carleton.

Sheriff's Office, Woodstock }
22d December, 1832. }

On Saturday, the 17th day of August next, will be sold, by Public Auction, at Mr. Joseph Harvey's Hotel, in Woodstock, between the hours of 12 and 5 o'clock in the afternoon.

ALL the right, title, interest, claim and demand of Richard Warton, of in, and to, the Lot of Land on which he resides, situate in the Parish of Kent, the same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of Robert Rankin & Co.

Also, at the same time and place, all the right, title, and interest, of Andrew Murphy, of in, and to, a certain Lot of Land, on which he resides, in the Parish of Kent, the same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of Robert Rankin & Co.

JOHN F. W. WINSLOW, Sheriff.

Woodstock, 11th Feb. 1833.

COUNTY OF GLOUCESTER.

On the last Tuesday in July next, will be sold by Public Auction, at the Court House, in Bathurst, between the hours of 12 and 5 o'clock in the afternoon.

ALL the right, title, interest and claim, of Edward Baldwin, of in, and to a certain piece or parcel of Land, on which he now resides, situate on the West side of the Harbour of Bathurst, known and distinguished as Lot No. 4, being sixty feet front and eighty feet in rear, bounded on the north by lot No. 3, formerly occupied by Francis Egan, on the west by lands belonging to Hugh Monro, Esquire, on the South by lot No. 5, and in front by the Water; together with all the Buildings and improvements thereon, the same having been taken by an Execution issued out of the Supreme Court at the suit of Messrs Gilmore Rankin & Co.

WM. CARMAN, Sheriff.

Bathurst, 27th December, 1832.

To be sold by Public Auction on the first Monday in May next, at the Court House in Bathurst, between the hours of 12 and 5 in the afternoon, of the same day:

ALL the right, title, interest, and claim of John Miller, and William Liddell, of in, and to a certain tract of Land, with the buildings and improvements thereon, situate, lying and being on the shore East of the Harbour of Bathurst, in the County of Gloucester, and known as lot No. 9, containing 200 acres, granted to one Maxim Melanson, and by him conveyed to William Liddell, and now in the possession of Michael McCarthy: The same having been taken by me, by virtue of an execution issued out of the Supreme Court, at the suit of Benjamin Trefethen against the said John Miller and William Liddell.

WM. CARMAN, Sheriff.

Bathurst, Oct. 15th, 1832.

COUNTY OF SUREBY.

To be sold by Public Auction, at the Court House in Burton on the second Tuesday in May next, between the hours of 12 and 5 o'clock in the afternoon.

ALL the right, title, interest, property, claim and demand whatsoever of George P. Nye, of in, and to, LOT No. —, granted to Ebenezer Fernham, situate in the parish of Burton, about three miles from the mouth of the Oromocto, on the Nerepis Road,—containing three hundred acres more or less. Also, LOT No. —, situate in the parish aforesaid on the French Lake stream so called,—containing — acres, more or less, on which there is a good Grist Mill, Mill privileges, &c. The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of Joseph Ebbitt.

J. HAZEN, Sheriff.

Burton, 27th October, 1832.

To be sold, by Public Auction, on Thursday, the 15th day of August next, at the Court House, in Burton, between the hours of 12 and 5 o'clock, in the afternoon.

ALL the Right, Title, Interest, Property, Claim and Demand whatsoever, of David Tapley, of in, and to, the 14 Lots of Land containing 200 acres each, more or less, situate on both sides of Little River, in the Parish of Sheffield, originally granted to George Hume, Thomas Taylor, Richard Land, and others.—The same having been taken by virtue of several Executions, issued out of the Supreme Court.

JOHN HAZEN, Sheriff.

Burton, 7th Feb. 1833.

MARK WEBSTER, Auctioneer & Commission Merchant.

ANNOUNCES to his friends and the Public that he has commenced business in the above line, at his old stand in Queen Street opposite the Store Barracks, where he hopes to receive a share of the Public patronage. He