

NEW



SERIES.

# THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, NOVEMBER 20, 1837.

NUMBER 23.



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.

J. HARVEY, Lt. Governor.

## A PROCLAMATION.

WHEREAS the General Assembly of this Province has been summoned to meet at Fredericton on Monday, the sixteenth day of October instant, I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to Tuesday, the nineteenth day of December next.

Given under my Hand and Seal, at Fredericton, the eighteenth day of August in the Year of our Lord one thousand eight hundred and thirty seven, and in the first Year of Her Majesty's Reign.

By His Excellency's Command. WM. F. ODELL.

## CIVIL APPOINTMENTS.

William Ganter to expend the sum of £200, granted for the road from St. John to Sussex Vale by Loch Lomond.

Robert Thomson, Esquire, a Magistrate in Charlotte.

Daniel Leavitt, John Kinnear, John Gillies, and Calvin L. Hatheway, Esquires, Justices of the Peace for the City and County of St. John.

William Foshay, Esquire, Justice of the Common Pleas for Queen's County.

John McLean and Joseph B. Perkins, Esquires, Justices of the Peace for Queen's County.

George Morehouse, William Hallett, Jeremiah M. Connell, Charles Perley, Benjamin Noble, Ralph D. Beardsley and Samuel Easterbrooks, Esquires, Justices of the Peace for Carleton.

Henry T. Partelow, Esquire, Justice of the Peace for Sunbury.

John Wightman and John Brittain, Esquires, Justices of the Peace for King's.

Henry G. Clopper, Esquire, Justice of the Common Pleas for York.

George Cheyne, William J. Bedell, Benjamin Wolhaupter, Thomas Gill, and Thomas Earls, Esquires, Justices of the Peace for the County of York.

Charles P. Wetmore, Esquire, Thomas Gill, Esquire, and Mr. Moses Pickard, Commissioners of the Alms House in Fredericton.

George J. Diblee, Esquire, a member of the Board of Education for the County of York.

## IN COUNCIL, Nov. 2, 1837.

The Petition of Henry John Caldwell, to cut 20 M. feet of lumber on Little River, Carleton County, is complied with, not to exclude other petitioners.

The petition of the New River and Magdalenic Mill Company is not complied with.

Arthur Ritchie, for 150 tons white pine, on the north west branch of Upsalquitch at the eight mile tree, complied with.

Peter Stewart, for 150 tons in the same place, is not complied with, A. Ritchie being the prior applicant.

William Napier, for 200 tons on the north side of the Middle River, Gloucester County, from Morrison's line down, is complied with.

Joseph Cunard, for 100 tons on the same ground, not complied with.

Alexander Rankin, for 100 M. feet of lumber on Barnaby's River, complied with.

James Taylor, for 300 tons white pine on the Shugomoc, complied with.

Duncan Barber and Asa Dow, for the same ground, not complied with, in consequence of James Taylor's prior application.

Henry John Caldwell, to lease two lots in the neighbourhood of the Grand Falls, to be put up at Public Auction.

[See Advertisement.]

Crown Land Office, November 22d, 1837.

A Lease to expire on the 20th day of April, 1852, of two Lots of Land in the neighbourhood of the Great Falls, will be offered at Public Auction, at this office, on Monday, the 8th day of January, 1838.

Upset price, one pound per annum on each lot.

The first tract, containing 36 acres, to comprise the mouth of Little River.

The second tract, containing 34 acres, on the east side of the River Saint John, at the foot of the Falls.

The plan of the above may be seen at this office.

THOS. BAILLIE, Com. & Sur. Gen. of Crown Lands.

IN COUNCIL, October 12th, 1837.

ORDERED. That no expense shall be incurred for surveys, as such expense might exceed, by a large amount, the whole price to be received for the Timber applied for; such further surveys do not appear to be necessary, as the applicants, who are acquainted with the respective berths, may in most cases proceed to cut their Timber without danger of collision; and when collisions do take place, and surveys in consequence become necessary, it will then be a question to be settled by the Governor and Council, as to which of the parties to the dispute shall pay the expenses of survey, or whether such expenses shall be borne by the Provincial Government.

Circular to Deputy Surveyors.

In consequence of the above order in Council, I have to desire, that you will entirely abstain from laying out Timber berths, or interfering in any collision between parties who may have licence to cut Timber, without express orders from me.

I have also to desire, that in the event of your being called upon by any person to perform a survey at their private expense, either with the view of the person applying for the ground to cut timber on or to settle and cultivate the earth, you will commence your survey from some angle of a former grant or survey, running all the lines round the same, and conforming in all cases as much as possible to the courses of the general surveys in the neighbourhood.

In transmitting returns of these surveys to this office, you will be particularly careful to report whether there be any or what Pine Timber, Mill Sites, Meadows, Intervale, or any other circumstances which may enhance the value of such lands, and which ought to be brought under the notice of Her Majesty's Executive Council; the field-book of the survey must also accompany the plan; and you will observe, that in no case will I hold myself responsible for the expenses you may incur in executing such services.

THOMAS BAILLIE, Com. & Sur. Gen. of Crown Lands.

Crown Land Office, November 3, 1837.

Regulations for the Leasing of Mines and Minerals in New Brunswick.

All persons wishing to obtain a lease of Mines and Minerals must apply by Petition to His Excellency the Lieutenant Governor, in which Petition he must state particularly the district in which he wishes to work; whether he possesses the means to enable him to carry on his operations; to what extent he proposes to go. He must also state whether he owns the Land upon which he wishes to work; or whether, if owned by another person, he has made any, and what arrangements, with that person; and he will be required to produce evidence of the facts.

The Petition must be accompanied by a sketch of the ground applied for, showing the granted Lands, &c. &c. &c.

Should the Lieutenant Governor in Council decide upon leasing the Mines applied for, the District will be submitted to public Auction, after due notice given as directed by Law.

November 2d, 1837.

PUBLIC NOTICE is hereby given, that a lease for fifty years of the Mines and Minerals, comprised within the Parish of Saint Martin, in the County of Saint John, will be offered at public auction at the Crown Land Office, on Monday the 4th day of December next, subject to the following conditions and restrictions:

## Conditions and Restrictions.

That the purchaser shall have two years to explore and select his Mining ground, and open any shaft or shafts; that after the expiration of the said two years, the purchaser will be confined to such mines only as he may have opened and worked, and shall then have in operation; and should a happen that during the said term of fifty years, any mine should not be worked for the space of twelve consecutive months, the said mine so remaining unworked, shall revert to the Crown, and that a percentage equal to one twentieth part of the produce of the mine or mines to be opened and worked, under the authority of the said lease, be exacted from and paid by the lessee or lessees, after the expiration of four years from the date of the sale or lease.

THOS. BAILLIE, Com. & Sur. Gen. Crown Lands.

Crown Land Office, November 7, 1837.

Crown Land Office, October 25th, 1837.

The undermentioned tracts of Crown Land will be offered at Public Auction, at this Office, on Monday the 4th day of December, at 11 o'clock in the forenoon.

The north half of lot No. 5, in McDonald's survey, in rear of the front lots in the Parish of Brighton, Carleton County, and adjoining land lately purchased by Richard Inman, containing 50 acres. Upset price 3s. per acre.

The west half of lot, No. 19, in the 2nd tier, on Bonny River, in the Parish of Saint George, County of Charlotte, 100 acres. Upset price 3s. per acre.

Lot No. 16, MacLauchlan's survey of Irish Town, Parish of Dorchester, County of Westmorland, 100 acres. Upset price 2s. 6d. per acre.

The lot in rear of William Pywell's grant, on the north east side of the Nerepis Creek, in the Parish of Hampstead, Queen's County, 100 acres. Upset price 5s. per acre.

The north east half of lot No. 4, Hanwell Settlement, Parish of Kingsclear, County of York, 100 acres. Upset price 2s. 6d. per acre.

The south west half of lot No. 4, Hanwell Settlement, Parish of Kingsclear, County of York, 100 acres. Upset price 2s. 6d. per acre.

The lot adjoining above the grant to J. F. W. Winslow, on the north side of Reanas River, Parish of Northesk, County of Northumberland, 100 acres. Upset price 2s. 6d. per acre.

Lot No. 1, 2nd tier, north west side of Studholme's mill stream, adjoining Jacob Scovill, Parish of Sussex, King's County. Upset price 3s. per acre.

Lot No. 11, Joubert's survey, beyond Hanwell, Parish of Kingsclear, County of York, 100 acres. Upset price 3s. per acre.

Lot No. 9, Joubert's survey, beyond Hanwell, Parish of Kingsclear, County of York, 100 acres. Upset price 3s. per acre.

Terms.—10 per cent to be paid at the time of sale, and the remainder within fourteen days.

THOMAS BAILLIE, Commissioner Crown Lands.

By the Honorable William Botsford, one of Her Majesty's Justices of the Supreme Court for the Province of New Brunswick.

To all whom it may concern. Greeting: NOTICE is hereby given, that upon the application of John Pollok, Allan Gilmour, Arthur Pollok, James Gilmour and Alexander Rankin, of Miramichi, in the County of Northumberland, conducting business under the style and firm of Gilmour, Rankin and Company, 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 William Robinson, late of Blissfield, in the said County, Tavern keeper, (which said William Robinson hath departed from and without the limits of this Province, or concealed himself within the same, with intent and design to defraud the said Gilmour, Rankin and Company, and the other Creditors of the said William Robinson, 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 Robinson 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 Robinson within this Province, will be sold for the payment and satisfaction of the Creditors of the said William Robinson.

Dated at Newcastle, the twentieth day of September, 1837.

W. BOTSFORD, STREET & KERR, Attorneys for Petitioning Creditors.

[First published in Gazette, Nov. 8, 1837.]

By John Frazer, Esquire, one of His Majesty's Justices of the Inferior Court of Common Pleas in and for the County of Northumberland, in the Province of New Brunswick.

NOTICE is hereby given, that upon the application of James Gillan, of the

Parish of Northesk, in the County of Northumberland, Farmer, to me duly made according to the form of the Acts of the General Assembly in such case made and provided, I have directed all the estate as well real as personal, within the Province, of Judah Bartlett, late of the Parish of Northesk, (which said Judah Bartlett is indebted to the said James Gillan in the sum of thirty three pounds nineteen shillings and sevenpence halfpenny, and has departed this Province since the said debt was contracted, and has not returned or resided therein for the last six months,) to be seized and attached; and that unless the said Judah Bartlett do return and discharge his said debt or debts within six months from the publication hereof, all the estate, as well real as personal, of the said Judah Bartlett within this Province, will be sold for the payment and satisfaction of the creditors of the said Judah Bartlett.

Dated at Nelson, in the County of Northumberland, this second day of August in the year of our Lord one thousand eight hundred and thirty seven.

JOHN FRAZER, J. C. P. JAMES H. PETERS, Attorney for Petitioning Creditors.

[First published in Gazette, August 16, 1837.]

NOTICE is hereby given, that we, the Subscribers, have been duly appointed Trustees for all the Creditors of Charles Carrick, late of Kestigouche, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of Assembly in such case made and provided; and do hereby require all persons indebted to the said Charles Carrick, on or before the first day of October next, ensuing the date hereof, to pay us or some or one of us, all such sums of money, debt or thing, which they owe to the said Charles Carrick, and deliver the said effects of the said Charles Carrick, 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 Charles Carrick, on or before the first day of December next, to deliver to us or some or one of us as aforesaid, their respective accounts and documents against the said Charles Carrick, in order that right and justice may be done, agreeably to the Acts of the General Assembly in such case made and provided.

Given under our hands at Dalhousie, this fourteenth day of August, 1837.

PETER STEWART, Wm. HAMILTON, A. BARRERIE.

By the Honorable William Botsford, one of Her Majesty's 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 James Ledden, of Newcastle in the County of Northumberland, Merchant, 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 John Keays, late of Northesk in the said County: Lumberer. (which said John Keays is departed from and without the limits of this Province, or is concealed within the same, with intent and design to defraud the said James Ledden, and the other creditors of the said John Keays, if any there be, of their just dues, also 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 John Keays 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 John Keays, within this Province, will be sold for the payment and satisfaction of the creditors of the said John Keays.

Dated at Newcastle, the twenty third day of September, 1837.

W. BOTSFORD. [First published in Gazette, Oct. 11, 1837.]

SHERIFF'S SALES. COUNTY OF YORK.

To be sold by Public Auction, at the Market House, Fredericton, on the first Saturday in March next, between the hours of 12 and 5 o'clock in the afternoon.

ALL the real estate of Charles Quin, situate in the Parish of Queensbury, County of York, and described as Lot letter B. beginning at a stake on the east side of the River Saint John, at the southern angle of Lot letter C. granted to Joseph Muzeroll, thence by the magnet north seven degrees west five chains (of four poles each) to a marked hemlock tree, thence north thirty chains to a stake, thence north 35 degrees, west 60 chains to a stake on the south side of a road, thence south 41 chains and 50 links to the said River St. John.

Also—That other tract of land

and described as Lot letter H. and bounded as follows: beginning at the south west angle of Lot letter I. granted to Joseph Muzeroll, thence north 286 chains, thence south 2 degrees west 60 chains, thence south 226 chains to the boundary line of Lot letter F. being part of Lot 73. granted to Peter Muzeroll, thence east one chain and 64 links to the place of beginning. All that other tract of land known as part of Lot 73, bounded on the upper side on the bank of the river Saint John, by the lower line of Lot letter C. and described in the plan of Survey made by Deputy Surveyor Foulis in the year 1828, on reference to which the true bounds of this Lot will more plainly appear: The same being taken by virtue of different executions issued out of the Supreme Court against the said Charles Quin.

E. W. MILLER, Sheriff. Fredericton, August 14th, 1837.

To be sold by Public Auction, at the Market House, Fredericton, on the second Saturday in May next, between the hours of 12 and 5 in the afternoon:

ALL the right, title, interest, claim and demand of James Golder, of, in and to a certain tract or parcel of land, situate in the Parish of Douglas, known as Lot No. 1 in the Bird settlement, and containing 50 Acres. The same being levied on by virtue of an Execution issued out of the Supreme Court at the suit of George, Henry and Whitman Estey.

E. W. MILLER, Sheriff. Fredericton, 1st November, 1837.

To be sold by Public Auction, at the Market House, Fredericton, on the last Saturday in February next, between the hours of twelve and five in the afternoon.

ALL the real estate of T. B. Smith, situate at the mouth of the Pennycook Stream, consisting of two houses, one and a half story high, finished 40x20 with out buildings, &c. to each; a convenient Barn, a Blacksmith shop, with three hundred Acres of Land—all situated round the Mills, forty acres of the Farm is under meadow and cultivation, about one half interval and all of the very best quality; the high land part is well covered with hard wood and Mill Lumber. There is attached to the Mills a reserve of ten thousand acres of Timber Land, on which no Lumber has ever been cut. Also a Farm next adjoining the above described property, containing 150 acres, more or less, with a new House and Barn thereon, a considerable quantity of this Farm is interval, it at present cuts from eight to ten Tons of Hay; the upland is under good fence and tillage. Also a Farm half a mile above the Mills, containing 250 acres, more or less—40 acres of which are interval, and the whole Farm cuts from 25 to 30 Tons good Hay; the upland is well covered with Hard Wood, Spruce and Pine—on which is a very comfortable dwelling House. Also a Lot containing 250 acres, three miles up the stream, part of which is interval; on this Lot is a first rate Mill privilege, and at a very trifling expense twenty feet head of water could be raised, and the whole neighbourhood is covered with Mill Lumber of every description. Also a large quantity of Timber Land, well covered with Hard Wood, Pine and Spruce, convenient to the Mill Stream; the greater part of which is excellent land for cultivation. Also a lot in Fredericton, adjoining the property of the Hon. John S. Saunders, and fronting in Queen Street. Taken by virtue of different Executions issued out of the Supreme Court against the said T. B. Smith.

E. W. MILLER, Sheriff. Fredericton, August 15, 1837.

KING'S COUNTY.

On the second Tuesday in May next, will be sold at Public Auction, at the Tavern kept by Daniel Johnston, in the Parish of Greenwich:

ALL the real Estate of Daniel Coughlan, in my Bailiwick, consisting of a Farm of Land, situate in the said Parish, and bounded as follows: (to wit.) on the North East by the Yorkshire Road (so-called,) on the North-west by the Lot owned by the heirs of the late James Lynch; on the Southwest by land granted to James Menzies, and on the South east by lands belonging to Samuel Moore, being fifty-six rods or thereabouts in breadth, and in length extending from the said Yorkshire road to the rear of the Grant to Thomas Richards, Wallis and others—containing by estimation one hundred and twenty acres more or less, with all the buildings and improvements to the same belonging: The said lands and tenements having been taken by virtue of an execution issued out of the Supreme Court at the suit of John Wayland.

Due to commence at 2 o'clock, p. m.

A. DAVIDSON, Sheriff of King's. Kingston, 30th October, 1837.

On the second Tuesday in May next, will be sold at Public Auction, at the Tavern kept by Daniel Johnston, in the Parish of Greenwich:

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