

Hon. C. J. Chipman

NEW

SERIES.

THE ROYAL GAZETTE.

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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 notwithstanding repeated Public Notice heretofore given, by which all persons were strictly commanded to abstain from cutting Timber, or in any other manner trespassing on the wild lands within this Province, lying to the eastward of and contiguous to the boundary line, at present in dispute between Great Britain and the United States of America, and known under the denomination of "the disputed Territory;" Individuals in violation thereof, have from time to time been guilty of cutting and making timber, and otherwise trespassing thereon:

In order effectually to prevent a repetition thereof in future, I do hereby forbid all and every person and persons from occupying any part of the same wilderness lands or in any manner trespassing thereon, by cutting Timber or otherwise, and every offender in the premises, will be forthwith prosecuted to the utmost extremity of the law, and no compromise will hereafter be made with them under any circumstances.

The Warden appointed by His Majesty's Government to superintend and watch over the said Territory, is also hereby enjoined to take all measures within his power to detect any and all offenders, and give the earliest information, that legal proceedings against them may be forthwith adopted.

And I call upon all His Majesty's liege subjects within the Province, to be aiding and assisting, in all things within their power, to carry into effect the object of this Proclamation.

Given under my Hand and Seal at Fredericton, this twenty sixth day of July in the year of our Lord one thousand eight hundred and thirty seven, and in the eighth year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

APPLICANTS for the purchase of Crown Lands by grant or lease, and for Licences to cut Timber, are hereby notified that all cash payments which have heretofore been made into the Crown Land Office, are from this day to be made directly to the Receiver General, to whom they will be referred with a proper Ticket by the Commissioner of Crown Lands, and the receipt of the Receiver General will be the discharge to the applicant.

Secretary's Office, 31st July, 1837.

His Excellency the Lieutenant Governor having nominated George Shore, Charles Simonds, and Hugh Johnston, Esquires, to be additional Members of the Executive Council, provisionally, until Her Majesty's pleasure be known, they this day took the usual oaths, and their seats at the Council Board.

Secretary's Office, 15th August, 1837.

BYE ROAD COMMISSIONERS. Simon Fraser to expend the following sums: £15 on the road from the Forks near M'Bratney's to Tynemouth, Saint John. £10 on the road from Gardner's Creek to the road leading to Tynemouth.

James Brown to expend the sum of £30 on the new road opened by Brown and others, past Brown's Mill, and thence to Tynemouth.

NOTICE.

ALL Warrants drawn upon the Province Treasurer, are payable on demand at the Treasurer's Office in St. John.

B. ROBINSON, Prov. Treasurer.

Treasury, St. John, 11th August, 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.

By His Honor Robert Parker, Esquire, one of the Justices 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 Peter Duff, 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 Andrew S. Easton, late of Saint Andrews in the County of Charlotte, Trader, (which said Andrew S. Easton, is departed from and without the limits of this Province with intent and design to defraud the said Peter Duff, and the other creditors of the said Andrew S. Easton, 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 Andrew S. Easton 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 Andrew S. Easton, within this Province, will be sold for the payment and satisfaction of the creditors of the said Andrew S. Easton.

Dated at Saint John, the twentieth day of May, A. D. 1837.

R. PARKER.

M. H. PERLEY Attorney for Petitioning Creditor.

[First published in Gazette, May 24, 1837]

By Dugald Stewart, Esq. one of His Majesty's Justices of the Inferior Court of Common Pleas in and for the County of Gloucester.

NOTICE is hereby given, that upon the application of Peter Stewart and Donald Stewart, and others, to me duly made, according to the form of the Act of the General Assembly in such case made and provided, I have directed all the Estate, as well real as personal, within this Province, of Angus McDonald, late of Point Le Ninne, in the Parish of Aldington and County of Gloucester, Farmer, (which said Angus McDonald is departed from and without the limits of this Province, with intent and design to defraud the said Peter Stewart and Donald Stewart, and other creditors of the said Angus McDonald, if any there be, of their just dues, or else remains concealed within the same, to avoid being arrested by the ordinary process of Law,) to be seized and attached; and that unless the said Angus McDonald do return and discharge his said debts, within three months from the publication hereof, all the Estate, as well real as personal, of the said Angus McDonald within this Province, will be sold for the payment and satisfaction of the creditors of the said Angus McDonald.

Dated the 13th day of June, 1837.

D. STEWART, J. C. P.

A. BARBERIE, Atty of Petitioning Creditors.

[First published in Gazette, June 28, 1837.]

NOTICE is hereby given, that the subscribers have been duly appointed Trustees for all the Creditors of Robert Hamilton, late of Burton, in the County of Sanbury, an absconding Debtor, and do hereby require all persons indebted to the said Robert Hamilton, on or before the twentieth day of October next, to pay all such sums of money, or other debt, duty or thing, which they owe to the said Robert Hamilton, and to deliver all other effects of the said Robert Hamilton, which he, she or they may have in their hands, power or custody, to us the said Trustees; and we the

said Trustees do hereby desire all the Creditors of the said Robert Hamilton, on or before the said twentieth day of October next, to deliver to the said Trustees or any of them, their respective accounts and demands, duly attested, against the said Robert Hamilton.

Dated the twenty third day of June, 1837.

CHAS. F. STREET,

WM. SCULLAR,

EDWARD A. CLOWES.

Estate of T. S. Beauchant.

NOTICE is hereby given, that on Monday the 4th of September next, at noon, will be sold at Public Auction, in the Market square of the City of Saint John, by Thomas L. Nicholson, all the estate and interest which Theophilus S. Beauchant, late of the said City, Gentleman, an absconding Debtor, had on the 9th day of March, 1836, in, or out of "all that certain messuage or Dwelling House, lot, piece or parcel of LAND, situate, lying and being at the corner of Sydney and Sheffield streets—comprising a moiety or equal half part of the two Lots known and distinguished on the Map or Plan of the said City, on file in the office of the Common Clerk thereof, by the numbers four hundred and seven—seven and four hundred and eighteen"—Also—in, or out of, a certain tract of Land in the Parish of Canning, in Queen's County, containing four hundred and fifty Acres, more or less, including an allowance for waste land; bounded as follows, to wit: beginning at a marked Ash Tree, standing on the northern bank or shore of the Newcastle Creek at the most eastern angle of the Lot number One, granted to Henry Peak and James Horsfield; thence running by the magnetic needle, North 42 deg. 40 m.; West 23 chains of four poles each, to a marked Spruce Tree, thence North 52 chains, thence East 150 chains, or to the rear line of Lot number Two, North side of Salmon Bay; thence South 61 deg. East, 130 chains along the said rear-line and its prolongation; thence South 12 deg. 10 m. East 21 chains, 50 links to a stake, standing on the said Bank or Stream; and thence, following the several courses of the same upstream to the place of beginning—Also—in, or out of, a certain tract of Land situate in the Parish of Kingsclear, and County of York, bounded as follows, to wit: beginning at a stake placed on the West side of Dead Water Brook, (which empties into the Oromocto Lake) and at the mouth thereof; thence running by the magnetic needle, North 45 deg. W. 42 chains of four poles each, and 50 links, thence along the North-eastern side of a reserved road of four poles in width, till it strikes another reserved road, and thence along the line of the last mentioned road, N. 15 deg. E. 91 chains; thence South 45 deg. E. 30 chains crossing the said Dead Water Brook, thence South 15 deg. W. 111 chains to the eastern bank or edge of the Lake aforesaid, and thence following the several courses of the said Lake North-westwardly, crossing the said Dead Water Brook at the mouth, to the place of beginning—Also—in, or out of, a small Island in the said Oromocto Lake, called Kelly's Island; the said last described tract and Island, containing five hundred Acres more or less—Also—in, or out of, all buildings, erections, and improvements on the said described premises, or any of them standing and being, and the rights, members, privileges, and appurtenances thereunto belonging.

We being vested therewith, under and by virtue of an Act of the General Assembly of this Province, entitled "an Act for relief against absconding Debtors," that the same may be sold for the payment and satisfaction of the Creditors of the said Theophilus S. Beauchant.

ISAAC L. BEDELL, JAMES ROBERTSON, JAMES WILLIAM BOYD, Trustees for all the Creditors.

Saint John, July 22, 1837.

SHERIFF'S SALES.

COUNTY OF YORK.

To be sold by Public Auction, at the Market House, Fredericton, on the 1st Saturday in February next, between the hours of twelve and five in the afternoon: ALL the right, title, interest, claim and demand of Thomas B. Smith, of, in and to that well known Mill Establishment, situate at the mouth of the Pennycook Stream, distant from Fredericton about eight miles—consisting of a new large and convenient double Saw Mill, containing three up and down Saws and one Circular Saw, all in the very best condition, and cuts annually fifteen hundred thousand feet of Lumber and upwards; one two and a half story House, 18x26, all finished complete, with a retail and back Store, and a good stand for Country business; a convenient Barn, 30x40;

also two houses, one and a half story high, finished, 14x20; with out buildings, &c. &c. to each; 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. Also all his right, title and interest in a two and a half story House in Fredericton, fronting in Regent Street, at present occupied by Babbitt and Barker: Taken by virtue of different Executions issued out of the Supreme Court against the said T. B. Smith.

E. W. MILLER, Sheriff.

Fredericton, August 13, 1837.

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 Mazeroll, 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 known and described as Lot letter H, and bounded as follows: beginning at the south west angle of Lot letter I, granted to Joseph Mazeroll, 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 Mazeroll, 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 1825, on reference to which the true bounds of this Lot will more plainly appear: The same having been 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.

On the fourth Saturday in September next, will be sold by Public Auction at the Market House in Fredericton, between the hours of twelve and five o'clock in the afternoon: ALL the right, title, interest, claim and demand of Thomas Parsons, of, in and to the House and Blacksmith's Shop and Premises, where he now resides, situate in the upper part of Kings Street, in the Town of Fredericton: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of Lemuel A. Wilnot, Esquire.

E. W. MILLER, Sheriff.

Fredericton, 22d March, 1837.

COUNTY OF CARLETON.

To be sold by public Auction, on Thursday the twenty sixth November next, at Hobart's Tavern in Woodstock, between twelve and five o'clock:

ALL the right, title, claim and demand of John McLaughlin to two tracts of land, situate in the Parish of Wakefield, County of Carleton, in the second tier of Lots of Deputy Andrew Blair's Survey of Big Presqu' Isle settlement, known as the south part of Lot No. 10, and the whole of Lot No. 11, containing three hundred acres, more or less: The same having been taken

by virtue of an execution issued out of the Supreme Court at the suit of Mr. James Balloch against the said John McLaughlin.

J. F. W. WINSLOW, Sheriff.

Woodstock, 20th April, 1837.

COUNTY OF WESTMORELAND.

To be sold by Public Auction, on Saturday the twenty first day of October next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester:

ALL the land and premises of Allan A. Starnitt, situate in the Parish of Hopewell, taken by virtue of an execution issued out of the Supreme Court.

ALSO—at the same time and place: All the right, title and interest of Alexander Brown, of, in and to all those lands and premises, situate on the north side of the road leading from the Bend of Shediac, with the Mill, and other Buildings thereon, purchased from Thomas Prince and Michael Lutz, and containing 350 acres more or less; taken by virtue of several executions, issued out of the Supreme Court.

ALSO—at the same time and place: All the right, title and interest of Robert Bell, to certain tracts, parcels and lots of Land, situate in Moncton, viz: twelve and three quarter acres of land adjoining and lying on each side of the main road, whereon the said Robert Bell now resides, with the buildings thereon. Also—a certain lot of Land known and distinguished as lot No. 3, in the grant to Thomas Coster and others, containing 300 acres more or less, with the usual allowance of 10 per cent. for roads and waste; taken by virtue of an execution issued out of the Supreme Court.

W. P. SAYRE, Sheriff of Westmorland.

Dorchester, 13th April, 1837.

To be sold at Public Auction, on the twenty-fourth day of August next, between the hours of twelve and five o'clock in the afternoon, at the County Court House:

THE Real Estate of John Rogers, Jun. situate in the Parish of Hopewell, taken to satisfy an Execution at the suit of John Dudgeon.

ALSO—at the same time and place: The Real Estate of John Pearson, situate in the Parish of Hopewell, taken to satisfy an Execution at the suit of Isaac Turner.

Dorchester, 1st day of February, 1837.

W. P. SAYRE, Sheriff Co. Westmorland.

The Sale of the above property is postponed until Saturday the twenty-first of October next, between the hours aforesaid.

W. P. SAYRE, Sheriff Co. Westmorland.

Dorchester, 13th April, 1837.

To be sold at Public Auction, on the ninth day of February next, between the hours of twelve and five o'clock in the afternoon, at the Court House, in Dorchester:

ALL the right, title, claim and demand of James Boyd, lately deceased, of, in and to that lot or tract of Land with the improvements thereon, and lately in his occupation, together with a Saw Mill on or near the same, situate in the Parish of Dorchester: The same having been taken and seized by virtue of an Execution issued out of the Supreme Court at the suit of Francis Emorson.

W. P. SAYRE, Sheriff.

Dorchester, 3d August, 1837.

COUNTY OF GLOUCESTER.

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

ALL the right, title, interest, claim and demand of John Burk, of, in and to that certain Tract of Land, on which he resides, situate in the Parish of Bathurst, bounded as follows: beginning at a marked white birch tree, at the south east angle of lot No. 1 on the western side of Middle River, granted to Peter Doucet, thence along the southerly line of said lot one hundred and forty eight chains, thence south twelve degrees and forty five minutes west fifteen chains, thence south seventy seven degrees and fifteen minutes east one hundred and forty eight chains, and thence north twelve degrees and forty five minutes east, crossing the north west branch of the said Middle River, fifteen chains to the place of beginning, containing 200 acres, more or less: The same having been taken under an execution issued out of the Supreme Court at the suit of John Fraser.

W. CARMAN, Sheriff.

Bathurst, 29th March, 1837.

THE SUBSCRIBER offers his services as General Agent to Persons wishing to obtain Land or Timber, or having business of any description to transact with any of the Public Offices at this place.

GEORGE H. HART.

Fredericton, May 9, 1837.