

Hon. C. J. Chapman

NEW



SERIES.

# THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, NOVEMBER 22, 1837.

NUMBER 22.



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.

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IN COUNCIL, Nov. 2, 1837.

The Petitions of the undermentioned applicants are complied with, on the following terms.

John Boyd, Junior, Charlotte, at 2s. 6d. per acre, payable immediately.  
Wm. Fleming, Queen's, immediate payment.  
Hugh M'Ewan, Northumberland, do.  
William L. M'Ewan, do.  
John M'Ewan, do.  
Alexander M'Ewan, do.  
Wm. Lowndes, Westmorland, do.  
Duncan Ross, York, do.  
Michael Dugas, Gloucester, do.  
Augustin Dugas, do.  
Joseph Dugas, do.  
Patrick M'Clern, York, do.  
Thomas Hilly, Carleton, immediate payment.  
Benjamin Burpe, do.  
Saml. Green, York, 3s. per acre by instalments.  
Park. Desmond, Northumberland, do.  
Alexander Gale, Queen's, do.  
Thomas Begley, King's, do.  
Robert Price, do.

Joseph Vondy, Gloucester, 2s. 6d. per acre by instalments, subject to Alexander Huston's claims.

Laurent Dugas, Gloucester, may have one lot (100 acres), at 2s. 6d. per acre, immediate payment.

John Mahar, York, 2s. 6d. per acre, immediate payment, subject to the claims of Patrick Burke.

Jacob Caswell, Northumberland, £10 for the lot, payable immediately.

Joseph Kelly, Junior, Charlotte, complied with as prayed for.

William Ramsay, Northumberland, 2s. 6d. per acre, immediate, with a front of 40 rods.

Daniel O'Neal, Queen's, 3s. per acre by instalments, not interfering with Alexander Gale.

Mary Ann Cleary, Charlotte, complied with.

Mary Sloane, York, the lot to be granted to Petitioner, in trust for the children of her late husband, at 3s. per acre, by instalments.

Samuel Taylor, Junior, King's, 2s. 6d. per acre, payable immediately, or 3s. by instalments.

James Healy, Carleton, complied with at 2s. 6d. per acre, immediate, or 3s. by instalments, for No. 6, and 50 acres, part of lot 18, in the tier west of his location.

Richard M'Laughlan, Northumberland, may have 100 acres at 3s. per acre by instalments, not to interfere with improvements made by any other person.

By the regulations heretofore published, the payments due on the above, are required to be made within 30 days from the date of this notice.

John Coy, Jun. Northumberland, not complied with, as the lot applied for would have too much front on the river.

Alexander Campbell, Archibald Campbell and Joshua Horton, Gloucester, not complied with, as petitioners do not state that they own no land, and do not give sufficient information.

Edmund Clarke, Northumberland, if the petitioner is willing to have the land surveyed at his own expense, the Surveyor General will order a survey, and the land will be sold at auction, the upset price will depend on the Surveyor's report, and if purchased by another person such purchaser will be required to repay Clarke the expense of the survey.

Charles Donally, Northumberland, may have 100 acres, on one side of the brook, provided he pays for the survey.

John W. Lowndes, Westmorland, further information required with regard to the claims of James King.

David S. Farrow, Charlotte, referred till John Stuart, the former applicant, have time to afford the requisite information.

Wm. Wallace, Charlotte, not complied with, description being imperfect.

Thomas Anderson, Charlotte, do.  
James Anderson, do. do.  
Thomas Anderson, do. do.  
Andrew Anderson, do. do.  
Timothy Terney, York, do.

Benjamin Best, King's, not complied with.  
Thomas Brown, York, do.  
Jacob Smith, Carleton, do.

The following petitions are not complied with, in consequence of the land not being surveyed.

Patrick Hall, Northumberland.  
Patrick Hayden, do.  
Jeremiah Tracey, York, do.

Michael Morrissey, Northumberland.  
Armour M'Farlane, Westmorland.  
Isaac Turner, do.

Humphrey Desmond, Northumberland.  
John Evans, York, do.  
Colin Campbell, Charlotte, do.

Francis Elliot, York, do.  
Wm. M'Kay, do.  
Paulet Legere, Westmorland.

Edward O'Connor, Northumberland.  
Richard White, do.  
John M'Canna, Kings.

Patrick Haw, Northumberland.  
James Grant, Jun. do.  
Thomas Desmond, do.

Thomas Corcoran, Queens.  
James Corcoran, do.  
Solomon Pearson, Northumberland.

The Petition of John Giberson respecting Indian land is not complied with.

James Flint for a free military grant not complied with.

Samuel Peters for land on Irish river not complied with.

Lucretia Dempsey for land in Beresford, Gloucester County, to stand over till John Dempsey has time to state his case.

William Price for a free military grant not complied with.

Robert Anderson for a free military grant not complied with.

Sergeant Edward Pick cannot receive any land for his military services without an application to the Legislature.

Crown Land Office, Nov. 14, 1837.

The following applications for Timber or lumber, are complied with, agreeably to the regulations heretofore published.

GLoucester County.  
Peter Sutherland, on the Upsalquitch River, do.

John Montgomery, do. Benjamin River, do.

Robert Ferguson, do. Upsalquitch River, do.

Joseph Cunard, do. Nigadoo do.

do. do. Carraquet do.

NORTHUMBERLAND COUNTY.  
James Sullivan, on Porter's Mill Brook, do.

Miles M'Millan, do. Little Dungarvon, do.

Alexander Rankin, do. Cains River, do.

George Parker, do. do.

Alexander Rankin, on North W. Miramichi, do.

Robert Bell, do. Cains River, do.

John Pond, do. Porter's Mill Brook, do.

David Stewart, do. Sabbies River, do.

Joseph Cunard, do. Cains River, do.

KENT COUNTY.  
James D. Weldon, on the Kouchibouguais, do.

QUEEN'S COUNTY.  
John M'Donald, on New Canaan, do.

SUNBURY COUNTY.  
Joseph Bubar, on the Penniac, do.

Samuel Brown, do. Bear Brook, do.

CARLETON COUNTY.  
Samuel Freeman, on the New Burgh settlement, do.

Adam B. Sharp, on the New Burgh settlement, do.

NORTHUMBERLAND COUNTY.  
Thomas Wilson, Burnt land Brook, do.

David Crocker, South West Miramichi, do.

James S. Mitchell, Dungarvon, do.

do. do. do.

John Pond, South West Miramichi, do.

Lewis Mitchell, do. do.

Joseph Cunard, do. do.

KENT COUNTY.  
James D. Weldon, on the Molus River, do.

William Doherty, do. St. Nicholas River, do.

QUEEN'S COUNTY.  
Alexander M'Donald, on Prices Book, do.

Alexander Hamilton, do. Lake Stream, do.

George M'Lean, do. Coal Creek, do.

CARLETON COUNTY.  
James Balloch, Salmon River, do.

Charles L. Beckwith, Grand River, do.

Charles Connell, Junior, Moose Mountain, do.

The petitions of Joseph Cunard, on Carraquet River, Gloucester County, and of Elihu Shea, on the Tobique, Carleton County, are not complied with, no mark being given.

The petitions of Joseph Cunard, on Black Brook, Northumberland County, James D. Weldon, on Molus River, Kent County, and Charles Connell, Junior, on Acker's Road, Carleton County, are not complied with, as the quantity of land required is not stated in the petitions.

The petition of Daniel Johnston to carry away 74 tons on the Wapkehagan, is not complied with for want of information.

The petition of Harris Hill on the Maguadavic River, is referred, as the berth was refused to the Honorable James Allanshaw, on the ground of his having very large reserves and five year licences.

Crown Land Office, Nov. 13, 1837.

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,  
Comr. & Sur. Genl. 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 it 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 per centage 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,  
Comr. and Sur. Genl. 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 M'Donald'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 2s. 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, Macaulay'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 Rywell'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 Reaous River, Parish of Northesk, County of Northumberland, 100 acres. Upset price 2s. 6d. per acre.

Lot No. 1, 2nd tier, north west side of Studholm's mill stream, adjoining Jacob Scovil, 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 Gilmore, Arthur Pollok, James Gilmore and Alexander Rankin, of Miramichi, in the County of Northumberland, conducting business under the style and firm of Gilmore, 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 Gilmore, 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 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.]

INDENTURES for Sale at this Office. March 29.

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 Restigouche, 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 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 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 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. BARBERIE.

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.]

INDENTURES for Sale at this Office. March 29.