

Hon. C. J. Chipman

NEW



SERIES.

THE ROYAL GAZETTE.

Printed and published by JOHN SIMPSON, Printer to the QUEEN'S Most Excellent Majesty, at his Office near the Province Building.

Volume 4.

FREDERICTON, NEW BRUNSWICK, FEBRUARY 21, 1838.

Number 35.



By Authority.

Government House,
12th Feb. 1837.

All Communications for the Private Secretary, to be addressed to Captain TRYON, Government House.

CIVIL APPOINTMENT.

His Excellency the Lieutenant Governor has been pleased to appoint Beverly Robinson Joutet, Esquire, to be Sergeant at Arms, attending the Legislative Council in General Assembly, in the room of Isaac Woodward Joutet, Esquire, deceased.

Regulations for preventing trespasses on Crown Lands.

The Committee of Council appointed to take into consideration the most effectual means for preventing trespassing upon Crown Lands, and for securing the duties upon Timber and Logs cut upon the same, Report.

That they recommend that the Commissioner of Crown Lands should direct his Deputies to inspect Timber Berths, and ascertain the quantity of all Timber and Logs cut upon Crown Lands, in the manner heretofore observed, and adopt such measures as may be deemed advisable for the prevention of trespassing, and the collection of the duties; and that such Deputies shall receive twenty shillings per diem when actually employed, inclusive of all charges, except when it shall appear absolutely necessary to employ assistants, who shall receive at and after the usual rate of wages that may be customary in the respective Counties in which the same shall have been performed; that the said Deputies shall keep a distinct account of each day's service, the nature of the duty performed, the names of the places visited, and number of miles travelled in each day, which accounts shall be duly attested to before a Magistrate.

That the payment of forty five shillings upon each application for a licence to cut Timber and Lumber, be required to be made by the applicant as heretofore acted upon.

All Timber and Logs found without a mark, or with any other mark than that mentioned in the licence, and any Timber or Logs found in the possession of any person having a licence, marked with his mark, which shall exceed the quantity mentioned in the licence, and it shall appear that no licence has been applied for by the person to cover such excess previous to its having been cut, shall in all such cases be liable to double duty, and in case of the party or parties so trespassing, refusing to pay the same, it shall be the duty of the Deputy to seize the Timber or Logs so found, unless the person claiming such surplus Timber or Logs shall make it appear to the satisfaction of the seizing officer that such surplus was cut upon private property, provided that no double duty be imposed until after the first day of April ensuing.

That the Deputy shall receive one quarter of all double duties collected, and in case the Timber, Logs or Lumber be seized in default of the payment of the duties, the seizing officer shall be entitled to one third of the net proceeds of the sale of the same.

That the Deputies render a detailed account of all double duties collected, and seizures made by them, stating the name of the person or persons trespassing, the quantities, and when cut, whether in excess or without licence (as the case may be); if in excess state the number, date and quantity applied for in such licence.

The Committee recommend that the time for the payment of purchase money, and duties upon Timber and Lumber, should be extended to sixty days instead of thirty days, required by the existing rules and regulations.

(Signed) GEORGE SHORE,
W. CRANE,
HUGH JOHNSTON,
E. BOTSFORD.

February 2, 1838.
Read and approved in Council, 3d February, 1838.

WM. F. ODELL.

Crown Land Office, January 15, 1838.

The undermentioned tracts of Crown Land will be offered at Public Auction, at this office, on Monday the 5th day of March next.—Sale to commence at 11 o'clock in the forenoon.

100 acres on the North side of the S. W. Miramichi, at the mouth of Porcupine Brook. Upset price, 4s. per acre.

200 acres on the Portage Road from the Grand Falls to the Restook 4 mile north 16 mile tree near the Grand Falls. Upset price 5s. per acre.

100 acres on the east side of Bonny River, County of Charlotte, adjoining north of the Grant of Benjamin Coadle. Upset price 4s. per acre.

30 acres in the second tier north of the road leading from the Washademoac to Bellisle, in rear of Andrew Cochran's location. Upset price 2s. 6d. per acre. The purchaser to pay Richard Griffith for his improvements.

100 acres east half of No. 3. north side of William H. Lyon's road, Queen's County. Upset price 4s. per acre.

50 acres in the Daley Settlement, lying east of the grant to Daniel McCarthy, third tier west of the Nepean Road, Queen's County. Upset price 4s. per acre.

Conditions of Sale.
Ten per cent to be paid at the time of sale, and the remainder within fourteen days after.

THOMAS BAILLIE,
Commissioner of Crown Lands.

By the Honorable James Carter, Esquire, 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 Thomas B. Smith, of Fredericton, in the County of York, 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 Jacob Whitlock, late of Saint Mary's, in the said County, Farmer, (which said Jacob Whitlock hath departed from and without the limits of this Province, or concealed himself within the same, with intent and design to defraud the said Thomas B. Smith, and the other Creditors of the said Thomas B. Smith 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 Jacob Whitlock 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 Jacob Whitlock within this Province, will be sold for the payment and satisfaction of the Creditors of the said Jacob Whitlock.

Dated at Fredericton, the twenty seventh day of November, 1837.

J. CARTER.
CHARLES FISHER, Attorney for Petitioning Creditors.

[First published in Gazette, Nov. 29, 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]

In the matter of William Robinson, an Absconding Debtor.

NOTICE is hereby given, That we, the Subscribers, have been duly appointed Trustees for all the Creditors of William Robinson, late of the Parish of Blissfield in the County of Northumberland, Tavern Keeper, an absconding Debtor, and have been sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of the General Assembly, in such case made and provided; and we do hereby require all persons indebted to the said William Robinson, to pay to us, or some one of us, on or before the first day of June next, all such sum or sums of money or other debt, duty or thing, which they owe to or are chargeable with, by the said William Robinson; and we do further require all persons whatever, having the charge, custody or possession, of any goods, chattels or effects, belonging to the said William Robinson, to deliver the same forthwith to us, or to some one of us as aforesaid; and we do further require all the Creditors of the said William Robinson, to deliver to us their respective accounts and demands against the said Debtor, on or before the said first day of June next, in order that right and justice may be done, agreeably to the form of the said Acts of Assembly.

Given under our hands, at Newcastle, the ninth day of February, in the year of our Lord one thousand eight hundred and thirty eight.

RICHARD HUTCHINSON,
ALEXANDER FOSTER,
F. HUNTER.

In the matter of John Keays, an Absconding Debtor.

NOTICE is hereby given, That we, the Subscribers, have been duly appointed Trustees for all the Creditors of John Keays, late of Northesk in the County of Northumberland, Lumberer, an absconding Debtor, and have been sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of the General Assembly, in such case made

and provided; and we do hereby require all persons indebted to the said John Keays, to pay to us, or to some one of us, on or before the first day of June next, all such sum or sums of money, or other debt, duty or thing, which they owe to, or are chargeable with, by the said John Keays; and we do further require all persons whatever, having the charge, care, custody or possession of any goods, chattels or effects, belonging to the said John Keays, to deliver the same forthwith to us, or to some one of us as aforesaid; and we do also require all the Creditors of the said John Keays, to deliver to us their respective accounts and demands against the said Debtor, on or before the said first day of June next, in order that right and justice may be done, agreeably to the form of the said Acts of Assembly.

Given under our hands, at Newcastle, in the said County, the eighth day of February, in the year of our Lord one thousand eight hundred and thirty eight.

DAVID STEWART,
JASA WILLARD,
ALEXANDER FOSTER.

NOTICE is hereby given, That we, the Subscribers, have been duly appointed Trustees for all the Creditors of ANGUS M'DONALD, late of Point Le Ninin in the County of Gloucester, 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 we do hereby require all persons indebted to the said Angus M'Donald, on or before the first day of June next, to pay to us, or some one of us, all such sum or sums of money, or other debt, duty or thing, which they owe to the said Angus M'Donald, and deliver the said effects of the said Angus M'Donald which they or any 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 Angus M'Donald, on or before the said first day of June next, to deliver to us, or some one of us as aforesaid, their respective accounts and demands against the said Angus M'Donald, in order that right and justice may be done, agreeably to the said Act of Assembly.

Given under our hands, at Dalhousie, this twenty ninth day of January 1838.

ARCHIBALD RAMSAY,
WILLIAM HAMILTON, Trustees.
JAMES WANDS,

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 known 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 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 15, 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 Pennyock 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 as 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; and 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.

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 the 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.

COUNTY OF WESTMORLAND.

To be sold at Public Auction, on Thursday the thirty first day of July next, between the hours of twelve and five o'clock in the afternoon, at the Court House in Dorchester.

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 to Sheliac, 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 claim of John Edgett, of, in and to the following lots and tracts of land, situate in the Parish of Hillsborough, viz:—The premises on which he resides, containing about five acres with the buildings thereon, fronting on the River Petitecodiac; A lot of diked marsh containing thirty acres with a Barn thereon and two acres of upland adjoining; A lot of upland on the West side of the road adjoining land of William Steeves, with a Log House on the same, containing fourteen acres; Two lots of Wilderness land fronting on the river Petitecodiac, containing — acres; and also all other the real estate of the said John Edgett wheresoever in my bailiwick: The same having been seized by virtue of several Executions issued out of the Supreme Court, against the said John Edgett.

W. P. SAYRE, Sheriff.
Dorchester, 18th January, 1838.

To be sold by Public Auction, on the twentieth day of April next, between the hours of twelve and five o'clock in the afternoon, at the County Court House.

THE right, title, claim and demand of Mary Scott, of, in and to a moiety or an undivided half part of the Farm or tract of land situate at Westcock, so called, in Sackville, formerly belonging to Thomas Harrison, deceased, estimated to contain fifty acres, more or less: The same having been taken by virtue of an execution against the said Mary Scott.

Dorchester, 12th October, 1837.

W. P. SAYRE, Sheriff.

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

ALL the right, title, interest, claim and demand of John MacRea, of, in and to a certain tract or parcel of land, with a Saw Mill thereon, situate, lying and being in the Township of Hillsborough, bounded on the East by the River Petitecodiac, containing twenty acres more or less: The same having been levied upon by virtue of several executions issued out of the Supreme Court.

W. P. SAYRE, Sheriff.
Dorchester, September 14, 1837.

COUNTY OF GLOUCESTER.

To be sold by Public Auction, in front of the Court House at Bathurst, on the last Tuesday in July next, between the hours of noon and five p. m.

ALL the right, title, interest, property, claim and demand of Michael Simmons, to that piece of land, with the dwelling house thereon, at present occupied by him, fronting on King Street, Bathurst, being part of lot numbered on the Plan of said Town —, and containing twenty two feet by one hundred, more or less, with all the improvements attached thereto: The same having been taken by me, by virtue of a writ of execution issued out of the Supreme Court of this Province, at the suit of Thomas Kennah, against the said Michael Simmons.

HENRY W. BALDWIN,
Sheriff.
Bathurst, December 15, 1837.

COUNTY OF SUNBURY.

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

ALL the right and title of Thomas B. Smith, of, in and to one half of lot No. —, situate on the North east side of Middle Is-

land, so called, in the Parish of Sheffield, containing three acres, and one half acre, more or less, adjoining property owned by Stephen Burpe: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of Asa Coy.

J. HAZEN, Sheriff.
Burton, County Sunbury, Nov. 3, 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 Greenwick:

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

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

ALBION WORKS,

NASHWASIS.

BRAITHWAITE, KAY & Co., MILLERS, MALTSTERS and BREWERS, begs to inform their friends and the public, that they have now in full operation, their OAT and FLOUR MILLS, consisting of three run of Stones, Smut Machines, &c. to which they have newly added a DRYING KILN. They are therefore enabled to grind OATMEAL, CORN MEAL, and FLOUR, of the finest description. Attached to these is a BARLEY MILL, for making Pot and Pearl Barley.

B. K. & Co. have always on hand at the Brewery; and at their Store in town, a supply of the best Ales and Porter, in bottle and casks.

They have also at present on hand, a few tons of the best round yellow Corn-Meal; and a quantity of excellent Rye Flour, which will be sold low, for cash only.

N. B. Several dozens best London made twilled four bushel Sacks for Sale.
September 26, 1837.

THE MINERVA LIFE

Assurance Company,
LONDON.

Capital—£1,000,000.

THIS Company offers to the Assured the combined advantages of the most successful establishment of its kind in Great Britain, viz: Moderate rates of premium—perfect security—participation in profits—and exemption from personal liability.

Life Insurance is an object of importance to every class of society. Persons whose incomes are dependant upon life, or upon professional or public employments, as those in the Army, the Navy, the Church, the Law, or in Government or Public Offices, are enabled, by appropriating a small amount annually, to secure a certain provision to their Wives, Families, or Dependants, or to create a Fund disposable by Will.

The Subscriber having been appointed an Agent for the above Company, will receive applications for Insurance, and afford every information that may be required.

G. F. S. BERTON, Agent.
Fredericton, 14th Nov. 1837.

KING'S COLLEGE

Popular Lectures.

LECTURE, with Experimental Illustrations will be delivered at 3 p. m., on every Saturday during Lent Term.

This course is instituted in order to afford to those who are not matriculated Students of King's College; a brief view of the facts and reasonings upon which the Sciences of Natural Philosophy and Chemistry are founded; the subject of Lecture being chosen alternately from each of these branches.

Tickets; admitting one person 10s., or three members of the same family at 20s., may be had at Mr. Beverly's, or from the College Porter.

The first Lecture will be delivered on Saturday the 20th instant.

January 15, 1838.

A Valuable Stand for Sale.

THAT well known property, with 100 acres of LAND attached, lying on the east side of the River Saint John, immediately opposite Burgoyne's Ferry.

The superiority of this situation as a public Stand cannot be equalled by any on the River.

The same will be sold on reasonable terms. Apply to the subscriber on the premises.

DAEL MERCIALL,
Queensbury, Dec. 26, 1837.