

Don. C. J. Chapman

NEW



SERIES.

# THE ROYAL GAZETTE.

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Volume 4.

FREDERICTON, NEW BRUNSWICK, MAY 16, 1838.

Number 47.



By Authority.

Public Notice is hereby given, that Her Majesty's Birth Day is to be observed on the seventeenth of May. Secretary's Office, 7th May, 1838.

## Commissioners of Byc Roads.

### GLOUCESTER.

Valentine Gibbs to expend the following sums: £100 for the road between Pocmouche and the Northumberland line at Tracad.

£60 for the Carraquet lower Poratge and Bridges thereon.

John Doran, Esquire, to expend the sum of £25 for Saint Mary's Bridge on Almack's Island.

Robert Ellis and John Henry to expend the following sums: £50 for the road from Grand Aunee to Ellis bridge.

£10 for the road through the Waterloo settlement.

£20 for a bridge over Landries Brook at Grand Aunee.

£30 for the Road from Pockshaw to Grand Aunee, including Pockshaw Hill.

£10 for repairing the bridge at Parrot's Brook.

£10 for the road from Janeville to Innishannon.

£30 for the road from Janeville eastward.

£20 for the bridge and Teague's Brook.

£30 for the Bridge over Ellis' western brook and approaches.

John B. Terrio to expend the sum of £15 for the road from Grand Aunee to the Wellington settlement.

Thomas Miller to expend the sum of £40 for the road from Bass River towards Teague's Brook, through the Salmon Beach settlement.

Joseph Read, Esquire, to expend the following sums: £60 for the road from the Great road towards Bass River on the line towards the Capes.

£20 for the Little River mills towards the Town of Bathurst.

£50 for the approaches of Tattagouche bridge.

£20 for the road from Middle River bridge to the upper line of lot number seven.

Swanton Bateman to expend the sum of £20 for the road on the south side of the Great Nipisigroir River, between Doonas Falls and the Great Road.

Alexander Raitt to expend the sum of £40 for the road from Bathurst towards the Babino River.

William Molloy to expend the sum of £20 for the road from William Molloy's to the Saint Peters settlement.

Alexander Anderson to expend the sum of £30 for the road from Tattagouche Bridge towards Alstone Point.

Hugh Napier to expend the following sums: £35 for the road between Nigadow and Little Nipisigroir Rivers.

£15 for the line between Kinsale and the mill stream, for exploration or otherwise.

John Smith to expend the following sums: £20 for widening and draining the road from Hugh Napier's upwards in the Tattagouche settlement.

£5 for the road from Hugh Napier's downwards.

£15 for the road through the Kinsale settlement.

Arthur Ritchie to expend the sum of £135 for the road from Christopher's bridge to the flat lands.

Adam Ferguson to expend the following sums: £30 for the road from the Glebe lot to Christopher's.

£30 for the Road to the Sugar loaf mountain.

Charles McDonald to expend the following sums: £30 for the road to the settlement in the rear of Maple Green.

£30 for the road from the River Charlo to the rear settlement.

£15 for the road in rear of David Macintosh's to Robert Reed's Mills.

John Montgomery to expend the sum of £60 for the road from the Eel River settlement to the Great Road.

William Doyle to expend the sum of £50 for the road to the settlement on Nash's Creek in the rear of Robert Harvey's.

Hugh Ramsay to expend the sum of £20 to open and improve the road north and south of the market place in Dalhousie.

### SUNBURY.

James Burpe to expend the following sums: £75 for the road from the French Lake Road to the Little River mills in Sheffield.

£40 for the road from Oak Point to Sand Point.

£5 for the blind thoroughfare to the Little River road.

£5 to ballast a bridge at said thoroughfare.

£15 to build a bridge over the mill stream at French Lake, Sheffield.

£15 for the road from Hamilton's road to the Little River road.

William Smith to expend the following sums: £50 for the road from George Boons to the south branch bridge.

£15 for the road leading from the south branch road to John McLaughlin's.

Jeremiah Smith to expend the following sums: £10 for the road from Isaac Cogswell's to the Gary road.

£10 for the road from Jeremiah Smith's to the Gary road.

John Foss to expend the following sums: £15 for the road from Daniel Wood's to the south branch road.

£10 for the road from William Armstrong's to James Mills.

£12 10s. for the road from William Boon's to Thomas Stennix.

William Kimball to expend the following sums: £30 for the road from Richard Kimball's Farm to John Bell's.

£12 10s. from Kinney's Causeway in the Parish of Burton; £4 12s. 3d. of which to be paid to John Bailey, being a balance due him, as per report of Committee Public and Private accounts, 20th February, 1835.

William Hoyt to expend the following sums: £10 for the road from south branch road to Scoullar's mills.

£10 for a road to a new settlement near Walter Patterson's.

£25 to repair the bridge across the back Creek at or near Charles Dewitt's.

Linus Seely to expend the following sums: £25 for the south branch bridge to Thomas Hart's.

£75 for the road from Rushagonis to Hart's mills.

£50 for the road from the Widow Kirkpatrick's to the Falls of a stream emptying into back Creek Lake in Blissville.

£5 for the road from John Bailey's to the Block House.

Thomas Mason, Junior, to expend the sum of £25 for the road from Thomas Hart's to Solomon Tracey's.

David Hart to expend the following sums: £10 for the Road from Hart's mills to Diamond Square.

£25 for the road from Thomas Hart's to the Public Landing, and to build a Public Wharf or Landing at the Oromocto, or what is called Hart's Landing.

Frederick Phillips to expend the following sums: £15 for the road from Andrew Smith's to James Johnston's.

£50 for the road from Rushagonis to William Dow's.

£20 for the road from William Dow's to J. M. Wilmot's Farm.

£15 for the road from the road near Jones' at Rushagonis to the Oromocto River, opposite John Wood's.

£5 for the road leading from Daniel Dow's to Charles Johnston's.

£10 to repair the bridge at Thomas Smith's at the Rushagonis.

Thomas Lindsay to expend the sum of £20 for the road from John Bell's to Burpe's mill.

Thomas Mercereau to expend the sum of £15 for the road leading from Thomas Hart's to Thomas Mercereau's.

Jeremiah Tracey to expend the sum of £50 in aid of individual subscription, to erect a bridge across the north branch of the Oromocto River at or near Tracey's mills.

George Hayward and Nathaniel Hubbard to expend the sum of £10 to explore a new line of road from the Highway in Burton, at or near Jacob Smith's, to the Nerepis road.

Moses C. Burpe to expend the following sums: £15 for the road from Burpe's mill through the Gordon Settlement.

£10 to widen the road at Burpe's mill dam.

Jacob B. Smith to expend the sum of £10 to improve the road from Jacob B. Smith's, in Burton, to S. Burpe's upper line, in aid of individual subscription.

### HEAD QUARTERS, FREDERICTON, 8th May, 1838.

#### MILITIA GENERAL ORDERS.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to make the following promotions in the New Brunswick Regiment of Artillery, viz.

Major Geo. F. Street, (unattached,) to be Major.

Captain George F. S. Berton, from 1st York, to be Captain.

Ensign James F. Berton, from 1st York, to be 1st Lieutenant.

John C. Allen, Gent. to be 2d Lieutenant, 8 May.

Edward B. Peters, Gent. do. do. 9 May.

Edward Pick, Gent. to be Adjutant.

J. W. Boyd, to be Paymaster, with the rank of Captain.

By command.

GEO. SHORE, A. G. M.

### INDENTURES for Sale at this Office.

Feb. 10.

### Crown Land Office, April 9, 1838.

The undermentioned tracts of Crown Land, will be offered at Public Auction at this office, on Monday the 4th day of June next. Sale to commence at 11 o'clock, A. M.

60 acres on Green Brook, Bartibog River, Northumberland, next above the lot applied for by John Hays, as surveyed by Deputy Carruthers. Upset price 3s. 6d. per acre.

60 acres on Green Brook, Bartibog River, Northumberland, next above the lot applied for by Alexander Russell, as surveyed by Deputy Carruthers. Upset price, 3s. 6d. per acre.

50 acres on the north branch of the Little Bartibog River, Northumberland, adjoining east of Robert McEwen. Upset price, 4s. per acre.

100 acres on Green Brook, Bartibog River, Northumberland, next above the lot applied for by Peter Gray, as surveyed by Deputy Carruthers. Upset price, 4s. per acre.

Town lots, Nos. 139 and 141, in the Town Plat of Dalhousie, Gloucester. Upset price, £15 per lot.

100 acres on the north side of the Kennebec River, Kent, being lot No. 29. Upset price, 3s. 6d. per acre.

100 acres, lot No. 12, first Concession Township, No. 2, Parish of Moncton, Westmorland. Upset price, 3s. 6d. per acre.

100 acres, lot No. 11, in the first Concession Township, No. 2, Parish of Moncton, Westmorland. Upset price, 3s. 6d. per acre.

100 acres, being lot No. 25, on Turtle Creek, County of Saint John, adjoining James Wallace. Upset price, 3s. 6d. per acre.

100 acres on Wolf Brook, Saint John County, in rear of the lot sold to Matthew Campbell. Upset price, 3s. 6d. per acre.

200 acres, 3d tier, south of the Kennebec River, King's County, Parish of Norton, adjoining Thomas Watson and John French. Upset price, 3s. 6d. per acre.

100 acres, being the N. E. part of lot No. 2, second tier, northwest of Smith's Creek, in King's County. Upset price, 3s. 6d. per acre.

200 acres, lots 3 and 4, third tier, south of Kennebec River, King's County, Parish of Norton, and near the application of S. T. Raymond. Upset price, 3s. 6d. per acre.

75 acres in the rear of Cornelius R. Parlee, on Studholm's Mill Stream, King's County. Upset price, 3s. 6d. per acre.

100 acres in rear of a lot of land surveyed for John W. Burns on Salmon River, Queen's County. Upset price, 3s. 6d. per acre.

50 acres, being the vacant part of lot No. 8, west side of the Magalloway River, below Trout Brook, York County. Upset price, 5s. per acre.

100 acres, east half of lot No. 4, in the fourth tier of the Presquely Survey, Carleton. Upset price, 4s. per acre.

100 acres, west half of lot No. 4, in the fourth tier of the Presquely Survey, Carleton. Upset price 4s. per acre.

TERMS.—10 per cent. to be paid at the time of sale, and the remainder in fourteen days after.

THOMAS BAILLIE, C. C. L.

### COURT OF CHANCERY.

NOTICE is hereby given, that the Master of the Rolls will sit in this Court on the first Tuesday in May next, and on the first Tuesday in each succeeding month, until further order, for the hearing of all matters then to be heard therein.

By Order of His Honor the Master of the Rolls.

D. LUDLOW ROBINSON, REGISTRAR.

Fredricton, 19th March, 1838.

By Bartholomew Crennell Beardsley, Esquire, one of Her Majesty's Justices of the Inferior Court of Common Pleas, for the County of Carleton.

NOTICE is hereby given, that upon application to me, duly made by Charles Perley, Esquire, of the Parish of Woodstock and County of Carleton, pursuant to the directions of the Act of the General Assembly for relief against absconding debtors, I have directed all the Estate, as well real as personal, of Richard Fitzpatrick, late of the Parish and County aforesaid, (which said Richard Fitzpatrick hath departed from this Province, or is concealed within the same, with intent and design to defraud the said Charles Perley, and the other creditors of the said Richard Fitzpatrick, of their just dues, or else to avoid being arrested by the ordinary process of the Law, as is alleged, and attached; and that unless the said Richard Fitzpatrick do return and discharge his debts within three months from the publication hereof, all the Estate as well real as personal of the said Richard Fitzpatrick will be sold for the payment and satisfaction of the creditors of the said Richard Fitzpatrick.

Dated at Woodstock, in the County aforesaid, this fourteenth day of April, in the year of our Lord one thousand eight hundred and thirty eight.

B. C. BEARDSLEY,

Justice Common Pleas County Carleton.

A. K. S. WETMORE, Attorney for petitioning Creditor.

[First published in Gazette, April 18, 1838.]

By the Honorable Robert Parker, Esquire, one of the Justices of Her Majesty's Supreme Court of Judicature, for the Province of New Brunswick.

To all to whom it may concern greeting:—

NOTICE is hereby given, that upon the application of James Whitney, 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 George W. Potter, late of the City of Saint John, Commission Merchant, (which said George W. Potter, is departed from and without the limits of this Province, or keeps concealed within the same with intent and design to defraud the said James Whitney, and the other

Creditors of the said George W. Potter, 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 George W. Potter 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 George W. Potter within this Province, will be sold for the payment and satisfaction of the Creditors of the said George W. Potter.

Dated at the City of Saint John, the thirteenth day of March, in the year of our Lord one thousand eight hundred and thirty nine.

R. PARKER.

M. H. PERLEY, Attorney for petitioning Creditors.

[First published in Gazette, March 21, 1838.]

In the matter of Judah Bartlett, an absconding Debtor.

NOTICE is hereby given, That we, the Subscribers, have been duly appointed Trustees for all the Creditors of Judah Bartlett, late of the Parish of Northesk, in the County of Northumberland, an absconding Debtor, and have been duly 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 Judah Bartlett, 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 Judah Bartlett; and we do further require all persons whatever having the charge, custody or possession of any goods, chattels or effects belonging to the said Judah Bartlett, to deliver the same forthwith to us, to some one of us, as aforesaid, and we do hereby require all the Creditors of the said Judah Bartlett, to deliver to us their respective accounts and demands against the said debtor, on or before the 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 thirty first day of March, one thousand eight hundred and thirty eight.

ALEXANDER YOUNG, } Trustees.  
JAMES JOHNSTON, }  
JOHN DENNET, }

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, }  
ASA WILLARD, }  
ALEXANDER FOSTER, }

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, in the said County, the eighth day of February, in the year of our Lord one thousand eight hundred and thirty eight.

RICHARD HUTCHINSON, }  
ALEXANDER FOSTER, }  
F. HUNTER, }

NOTICE is hereby given, That we, the Subscribers, have been duly appointed Trustees for all the Creditors of ANGUS McDONALD, late of Point Le Minin 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 McDONALD, on or before the first day of June next ensuing the date hereof, to pay to us, or some one of us, all such sums of money, or other debts, duty or thing, which they owe the said Angus McDONALD, and deliver the said effects of the said Angus McDONALD 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 require all the Creditors of the said Angus McDONALD, to deliver to us their respective accounts and demands against the said Angus McDONALD, 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 S. SMITH, }  
JAMES WANDS, }

### SHERIFFS SALES.

#### County of Sunbury.

To be sold at Public Auction, on the fourth Saturday in September 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 of James Hazen, of, in and to two lots of land, situate on the south side of the Oromocto Island, so called, in the Parish of Manguerville, known as the Bular Lots, containing fifteen acres, more or less, with all and singular the buildings and improvements thereon, and all other the Real Estate of the said James Hazen, within my Bailiwick: The same having been taken by virtue of an Execution issued out of the Supreme Court, at the suit of John M. Wilmot, for the sum of £227 6s. 1d.

J. HAZEN, Sheriff.

Burton, 9th March, 1838.

#### County of Westmorland.

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

ALL the estate, right, title, claim and demand of Catherine Bennett, of, in and to all that certain piece of land, situate in the Parish of Moncton, known and called by the name of Widow Trites' thirds, together with the House, Barn and out house thereon, and all the ways, rights and privileges thereof.

Also—A certain tract or parcel of land, being lot No. 2, containing 200 acres, situate in Moncton aforesaid, formerly belonging to Jacob Trites, deceased, bounded on the East and West by John Bennett's lands, and on the South by the River Petitcodiac.

Also—A certain house situate in Moncton aforesaid, on the Farm formerly owned by Martin Somers, and contiguous to the Main Road, or so much thereof as will satisfy an execution issued out of the Supreme Court, at the suit of John Bennett, against the said Catherine Bennett, for £16 17s. 0d. besides Sheriff's fees.

W. P. SAYRE, Sheriff.

Dorchester, April 12, 1838.

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 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 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 Petitcodiac; 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 Petitcodiac, 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.

#### 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, 45, 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.

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

ALL the right, title and interest of Robert Short, of, in and to the lot of land, number sixty five, fronting on William Street, in the Town Plat of Dalhousie, containing one hundred by two hundred feet, with the dwelling House, Barn, and other improvements thereon: The same having been seized by me to satisfy an execution issued out of the Supreme Court of this Province, at the suit of John Pollok, Arthur Pollok, and others, against the said Robert Short.

HENRY W. BALDWIN, Sheriff.

Sheriff's Office, Bathurst, 5th March, 1838.

On the last Tuesday in October next, will be sold by Public Auction, at the Court House in Bathurst, between the hours of twelve and five o'clock in the afternoon:—

ALL the right, title and interest of Alexander Hamilton, and Peter Hamilton, to the following lands, granted to them by the Crown, and situate in the Town Plat of Dalhousie, viz: Town lots, numbers seventy seven and seventy nine, containing each one hundred by two hundred feet, fronting on William Street; also, pasture lots, numbers twenty three, twenty eight and twenty nine,