

Hon. C. J. Chipman

NEW



SERIES.

THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, FEBRUARY 28, 1838.

Number 36.



By Authority.

PROVINCIAL APPOINTMENTS.

George Peters, M. D. to be Surgeon of the Vaccine Establishment of New Brunswick, in the room of John Boyd, M. D. resigned.
James W. Street, James Douglas and William Scott, to be Appraisers of dutiable Goods in the County of Charlotte, under the Act of Assembly, in such case made and provided.
Charles Connell, Esquire, to be a Coroner in the County of Carleton.
Charles Hampton, Esquire, Physician and Surgeon. Licence dated 17th February, 1838.

IN COUNCIL, FEBRUARY 10, 1838.

The undermentioned Petitions for land for immediate settlement are complied with on the following terms:

Ulrich Christy, Charlotte County, 2s. 6d. per acre, paid down.

Edwin Marks, Westmorland	do.	do.
Michael Legere, do.	do.	do.
John Beaumont, do.	do.	do.
David Akerey, do.	do.	do.
John Poor, do.	do.	do.
Solomon Pearson, do.	do.	do.
William Lata, York	do.	do.
Arthur Stephenson, do.	do.	do.
Thos. Wood, do.	do.	do.
William Hannah, Kent	do.	do.
Thos. King, King's	do.	do.
David Burns, Queen's	do.	do.
Geo. W. Hobbs, do.	do.	do.
Wm. Fitch, St. John	do.	do.
Hugh Cowen, Gloucester	do.	do.
Alexander Johnson, Northumberland	do.	do.
Ips Dow, Carleton	3s. by instalments.	
Henry M'Kinley, do.	do.	do.
Jas. Murphy, do.	do.	do.
Jane Burlock, do.	do.	do.
Jeremiah Hamington, Northumberland	do.	do.
Patrick O'Brien, do.	do.	do.
Matthew Toole, (Squatter), do.	do.	do.
Patrick Ryan, do.	do.	do.
William Gordon, Charlotte County	2s. by instalments.	

William M'Knight, King's, do. do.
John Kincaid, do. do. do.
Hiram Freeze, do. do. do.
Patrick Reardon, do. do. do.
Alexander Robertson, Kent, do. do.
David Adams, Sunbury, do. do.
Henry Grass, do. do. do.
William Clarke, Carleton, 2s. 6d. down or 3s. by instalments.

John Hickey, Gloucester, do. do. do.
James Paisley, Queen's, do. do. do.
John Whalen, Northumberland, do. do. do.
John Cambridge, Sunbury, 3s. by instalments, with the usual tract.

Henry Whitther and Jas. Simpson, praying for transfer of location ticket; complied with, and that the petitioners be allowed to pay the balance due, one half on the 1st of August next, and the residue on the 1st of January 1839.
Alexander Rose, Charlotte, 2s. 6d. down, or 3s. by instalments, on the necessary Survey being made.
Edward Hunter, King's, complied with on payment of Grant fees.

Patrick Deering, Saint John, may have the 50 acres promised him by the late Lieutenant Governor, agreeably to his application, and the additional 50 acres to be sold at Auction, upset price 2s. 6d. per acre.
Gilbert Wiggins, Queen's, 2s. 6d. down, with half the front, extending back to the rear of the lot.

Andrew Irving, Northumberland, may have 70 acres at 2s. 6d. down, not to interfere with the applications of Brennan and Baldwin.
John Hazlewood, King's, 2s. 6d. down, or 3s. by instalments, provided he makes it appear to the satisfaction of the Surveyor General, that he does not own any land.

Thomas Watson and John French, King's County, 2s. 6d. down, or 3s. by instalments, provided they own no land.
John Trenholm, praying that purchase money on 288 acres, may be received—complied with at 2s. 6d. down.

By the present regulations the payments due on the above, are required to be made, within 60 days from the date of this notice.

The lands applied for by the undermentioned applicants are ordered to be sold at Public Auction.—(See Advertisement.)

David Boyd, Westmorland.
Ephraim Rawworth, do.
Jacob Trites, do.
Adam Amos, do.
Marion Lario, do.
Isaac Turner, do.
William M'Gregor, Gloucester.
Thos. Mahany, King's.
Walter Murray, do.
W. N. Askerley, York.
Valentine Picard, do.
Thos. S. Brennan, Northumberland.
Daniel Baldwin, do.
William M'Kenzie, do.
Thos. Nuchter, do.
John Johnson, Northumberland.
Job Stanley, Saint John.
Patrick Deering, do.
James M'Alister, Queen's.
Thos. Phillips, do.
Richard Keenan, Carleton.

The following are not complied with, the land not being surveyed.
George Whitney, Northumberland.
Patrick Smith, do.
James Irwin, Sunbury.
John Wills, do.
John Gallagher, do.
Baptist Legere, Kent.
Raphael Legere, do.
Alexander Robertson, do.
Gregoire Le Blanc, do.
Placide Gtrot, Westmorland.

John M'Dougall, do.
Lewis S. Price, do.
Robert Mann, do.
Martin Luther Dow, York.
John Dow, do.
Calvin Dow, do.
Charles Dow, do.

William Steward, York.
William Patterson, Charlotte.
Thos. Allingham, Queen's County.
John Allingham, do.
James Gunning, Westmorland, not complied with the land not being vacant.
Terence M'Manus, do. do.
John S. Gray, praying for reduction in the price of his land, not complied with.
Hugh Irvine, Charlotte, not complied with.
Barney M'Canah, King's, do.
John Barnes, do. do.
Alexander Cowen, Gloucester, do.
Joseph Ward, Kent, do.
Estabrooks M'Neil, Queen's, do.
Roderick M'Leod, Northumberland, do.
George Hawse, Saint John, do.
Duncan Hay, and Chas. Coghlan, Gloucester, do.
John Lutes, Westmorland, not complied with, the land being granted.

William Penney, Queen's, not complied with.
Richard Hopewell having a prior claim to the lot.
Benjamin H. Starks, Queen's, not complied with.
Richard Hopewell and Carlton Peters having a prior claim to the lot.
Edward Grass, Sunbury, not complied with, it not being made to appear that he has satisfied Howland for his improvements.
Nathan W. Foster referred for further consideration.

Thos. Smith, praying for remuneration of expenses on a Survey; the sum of £11 7 6 to be allowed to the petitioner.

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

QUEEN'S COUNTY.
George Burke, Cumberland Stream.
David Odell, Washademoak.

KING'S COUNTY.
John M'Donald, New Canaan.

CARLETON COUNTY.
Alexander Kinnear, Sussex.
Thos. Dunfield, Salmon River.

JAMES BALLOCH, Salmon River.
James S. Legere, Nakewikak.
Charles Connell, Jun. Big Presque Isle.

KENT COUNTY.
William Dougherty, Saint Nicholas River.
Angus M'Intosh, Bucktonche.
Thomas Powell, Kouchibouguac.
Jude Babinot, Kouchibouguac.

SUNBURY COUNTY.
William Scoullar, Three Tree Creek.

CHARLOTTE COUNTY.
John Stein, Saint George.
Robert Dunn, Cape Ann Grant.

The following are complied with, with a sufficient extent of ground to furnish the quantity.

QUEEN'S COUNTY.
John M'Lean, Lake Stream.

KING'S COUNTY.
Charles Clark, Mill Stream.

NORTHUMBERLAND COUNTY.
Mebzer Drake, Cains River.
John J. Donald, do.
Alex. M'Laggan, Renous River.

WESTMORLAND COUNTY.
Alexander M'Donald, Prices' Brook.
George Pittfield, Petiscouac.

GLoucester COUNTY.
Arthur Ritchie, Black Point.
do. Eel River.

CARLETON COUNTY.
Thomas E. Perley, Chikatahauk.

SUNBURY COUNTY.
George Morrow, Oromocto.
Cornelius Connolly, Little River.

CHARLOTTE COUNTY.
Sylvanus L. Blake, Magaguadavic.

William Brown, Queen's County, Coal Creek, to be confined to one side of the stream, and to an extent of land sufficient to furnish the quantity.

A. S. Carman, praying to make good deficiencies on licences; complied with when Mr. Carman makes affidavit to his statement.

Samuel Freeman, Carleton County, River Saint John; complied with, but not to interfere with J. S. Frost's licence.

James Murchie, Charlotte County, Little Digdegans; complied with, but to be confined to the first tract described in his petition, the second not being vacant.

Thomas Black, Charlotte County, Tower Hill Grant, not complied with.

Benjamin Belding, King's County, Mill stream, do.
Chas. M'Pherson, Sunbury, Little River, not vacant.

Henry T. Partelow, York, Hanwell, do.
By the regulations heretofore published, the payments due on the above are required to be made, within 60 days from the date of this Notice.

Crown Land Office, February 20, 1838.

The undermentioned tracts of Crown Lands will be offered at Public Auction on Monday the 2d day of April next. Sale to commence at 11 o'clock in the forenoon.

100 acres in Wilnot's survey, between the Petiscouac and North River, being lot A, North of John Crandall, and South of lots 15, 16 and 17—Westmorland County. Upset price, 3s. 6d. per acre.

100 acres in the Parish of Botsford, Westmorland County, in rear of the Grant to Ephraim Allen. Upset price, 3s. 6d. per acre.

200 acres in the Parish of Moncton, Westmorland County, in rear of land granted to E. B. Chandler, and Thos. George; survey to be made at the purchaser's expense. Upset price, 4s. per acre.

200 acres in the Parish of Botsford, Westmorland County, on the road from Bay Verte to the Gulf of St. Lawrence, adjoining South of a lot of land formerly granted to Adam Amos; survey to be made at the purchaser's expense. Upset price, 3s. 6d. per acre.

The marsh on the reserved lot at Aboushagan, in the Parish of Botsford, Westmorland County, to be leased for the term of 5 years. Upset price, 25s. per annum.

630 acres in the Parish of Hopewell, Westmorland County, in rear of the Grant to Hiram

Edget, as surveyed by Deputy Stiles. Upset price, 4s. per acre.

Pasture lot No. 31, in the town plat of Dalbousie, Gloucester County. Upset price, £12.

60 acres in the Parish of Westfield, King's County, being the rear half of the lot occupied by Martin Craig, on the North side of the valley road. Upset price, 3s. per acre.

70 acres in the Parish of Sussex, King's County, (North east side of the road to Studholm's Mill Stream,) in the English settlement, in front of the grant to David M'Knight. Upset price, 3s. 6d. per acre.

40 acres in the Parish of Kingsclear, York County, being lot No. 4, Jonett's survey, west side of the new road from Fredericton to Saint Andrews. Upset price, 4s. per acre.

50 acres in the Parish of Prince William, York County, on the North east side of the Magundy stream, near lot No. 2, located to Thomas Pickard; survey to be made at the purchaser's expense. Upset price, 3s. 6d. per acre.

40 acres in the Parish of Nelson, County of Northumberland, in rear of a lot surveyed for Alexander Johnston, by Deputy Peters. Upset price, 3s. 6d. per acre.

40 acres in the Parish of Nelson, County of Northumberland, in rear of a lot surveyed for Alexander Johnston by Deputy Peters, adjoining the above. Upset price, 3s. 6d. per acre.

An Island in the Little South West Miramichi, above the Indian land, and in front of the Grant of James Holmes, S. N. containing about 10 acres, Parish of Northesk, County of Northumberland. Upset price, £5 per acre.

60 acres in the Parish of Northesk, County of Northumberland, on Reserve Brook, Renous River, (about 3 miles up the brook,) as surveyed by Deputy Peters. Upset price, 3s. 6d. per acre.

100 acres at Mispoc settlement, on the Bay of Fundy, Parish of Portland, County of Saint John, east of James Millican, as surveyed by Deputy Whitney. Upset price, 3s. 6d. per acre.

50 acres in rear of Isaac Springfield, and east of David Vaughan, near Quaw, Parish of Saint Martin, County of Saint John. Upset price, 2s. 6d. per acre.

24 acres, being pasture lots Nos. 11 and 12, in Gagetown plat, Queen's County. Upset price, 25s. per acre.

100 acres in the Parish of Wickham, Queen's County, being the front half of lot No. 12, in the first of Fairweather's survey, south of the New Canaan Stream. Upset price, 2s. 6d. per acre.

Conditions of Sale.—Ten per cent. of the purchase money to be paid on the day of sale, and the remainder, within fourteen days after.

Also—at the same time and place, will be offered, a lease for fifty years, of the Mines and Minerals comprised within the Parish of Wakefield, in the County of Carleton, subject to the following conditions and restrictions.

Upset price, five pounds.

Conditions and Restrictions.

That the purchaser shall have five years to explore and select his mining grounds, and open any shaft or shafts; that after the expiration of the said five 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 mines 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 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 ten years, from the date of the sale or lease.

THOMAS BAILLIE, Com. Crown Lands.

Crown Land Office, February 20, 1838.

IN THE SUPREME COURT.

HILARY TERM, 1 VICTORIA.

It is ordered, that Mr. Solicitor General, Mr. W. B. Kinnear, Mr. Wright and Mr. Berton, be appointed, in pursuance of the General Rule of last Michaelmas Term, the Barristers for conducting the examination of persons who may make application for admission as Attorneys of this Court, during the year ending with the next Hilary Term.

WARD CHIPMAN, W. BOISFORD, J. CARTER, R. PARKER.

William H. Odell, Edward Williston, and William M. Hoffman, Esquires, Attorneys of this Court, are called to the Bar, and admitted, sworn and enrolled Barristers of this Court.

Charles Waller Wardlaw, and Martin Bent Palmer, Gentlemen, having produced the necessary certificates, are admitted, sworn and enrolled Attorneys of this Court.

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 pieces 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, 2d 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 Restock 1 mile north 15 mile tree near the Grand Falls. Upset price 8s. per acre.

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

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

100 acres east half of No. 5, north side of William H. Lyon's road, Queen's County. Upset price 4s. per acre.

50 acres in the Daleys Settlement, lying east of the grant to Daniel McCarthy, third tier west of the Nerepis 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 Blenheim 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 over, 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 over, having the charge, 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.

SAINT JOHN HOTEL.

NOTICE.—In consequence of an impression having been general, that travellers cannot be admitted into this Establishment after midnight, the Subscribers respectfully beg to give notice, that a Porter will be in attendance at all hours to admit those who may require accommodation, and that every attention will be paid to their comfort.

CYRUS STOCKWELL, Manager.

Saint John, 1st Feb. 1838.