Hon. C. J. Chipman

NEW SERIES.

THE ROYAL GAZETTE.

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Volume 4. FREDERICTON, NEW BRUNSWICK, APRIL 18, 1838. Number 43.

By Authority.

IN COUNCIL, 4th April, 1838.

ORDERED, That after the first of June next, every Petitioner for land, be required to deposite with the Receiver General, the sum of twenty shillings, to be credited as part of the purchase money upon the completion of the purchase, but to be forfeited if the purchase be not completed; or in case the prayer of the Petition be not granted, the deposite to be returned.

ORDERED further, That the Royal Gazette, containing the answers to the petitions, be from time to time regularly transmitted by the Queen's Printer to the Clerks of the Peace, and to the principal Deputy Surveyors in the several Counties, for the informatiou of Petitioners.

CIVIL APPOINTMENTS.

Robert Kerr, Esquire, to be Sub-Collector at Campo Bello.

Henry E. Dibblee, Esquire, to be Sub-Collector at Woodstock.

George A. Bedell, Esquire, to be Register of Deeds and Wills in Carleton, vice John Bedell, Esquire, resigned.

The Honorable Amos E. Botsford, with Rufus Smith and George Oulton, Esquires, Commissioners to examine and explore a proposed alteration in the Road from the Nova Scotia line to Dorchester, in the County of Westmorland.

James Wallace, Junior, John Nixon and — Fitzpatrick Commissioners for building a Bridge on the Petiecodiac River, and exploring the line of the great road from thence to the end of the Road in Hopewell.

Jacob Allan, Esquire, Commissioner to expend the sum of £40, granted at the last Session, for the exploration of a new line of Road between Saint Andrews and Saint Stephen.

The Honorable Edward B. Chandler, James Sayre, Esquire, Commissioners for building a Wharf at Dorchester, in the County of Westmorland.

Thomas M. Deblois, Henry W. Baldwin, and Francis Ferguson, Esquires, Commissioners to expend the sum of three hundred pounds, granted in 1837, to be applied in aid of individual subscription, towards removing a sunken Ship in the mouth of the Harbour of Bathurst, in the County of Gloucester.

Hugh J. Hansard, and George Wightman, Commissioners for a further exploration of the Royal Road.

John Ward, Jun. Robert W. Crookshank, Thomas Barlow, and Lauchlan Donaldson, Commissioners for erecting a Light House at Cape Enrage.

Hugh J. Hansard, and George Wightman, Commissioners to explore a Road from Fredericton to Westmorland.

John W. Weldon, William Chandler, and Reverend Anthony Gagnon, Commissioners for Indians in the County of Kent.

David Crocker, Commissioner to explore a Road between Miramichi and the Grand Lake.

George Wightman, Commissioner to explore the Road from Woodstock to Oak Bay.

James Brown, James M'Lauchlan, and Asa Dow, Commissioners, exploration from Fredericton to the Canada Line.

James Gilmour, Esquire, Reverend Michael Egan, and William Abrams Esquire, Indian Commissioners at Miramichi.

Thomas M. Deblois, and Andrew Barbarie, Esquires, Indian Commissioners for Gloucester.

David Crocker to explore from Little Rock, to Eel River Bridge in Gloucester.

James Ketchum, for the exploration of the Jackson Town Road.

Patrick Clinch, for the exploration from Red Rock to the Nerepis.

James Brown, Commissioner to explore and mark out a Road from the upper Bridge across the Magaguadavic River to the Lower Bridge across the Saint Croix.

Edwin Botsford, George Oulton, and Rufus Smith, Commissioners to examine and explore a new line of Road, Westmorland.

James M'Lauchlan, Esquire, to select the most proper site on which to erect a Bridge over the Arestook River.

Honorable Charles Simonds, Robert Bayard, William Wilson, Doctor Fry, and H. G. Clopper, Commissioners to select the best site for a Provincial Lunatic Asylum.

IN COUNCIL, April 2, 1838.

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

COUNTY OF GLOUCESTER.

Samuel Dake, 2s. 6d. per acre, immediate payment.
Lewis Landry, do. do. do. do.
Margaret Keddel, 2s. 6d. do. do.
James Butler, do. do. do.
or 3s. by instalments.
John Gray, 2s. 6d. per acre, immediate payment, with 10 chains front.
Jacob Nash, free grant, fees having been paid.

COUNTY OF NORTHUMBERLAND.

Alex. Russell, Junr. 2s. 6d. per acre, immediate payment.
James Innis, Junr. do. do. do.
James Grant, Junr. do. do. do.
Michael Miskall, do. do. do.
Thomas Hunter, 3s. 6d. per acre by instalments.
James O'Leary, 70 acres at 2s. 6d. and 30 acres at 5s. per acre, paid down.
John M'Alpan, 3s. per acre, by instalments.

COUNTY OF KENT.

Marin Jirou, 2s. 6d. per acre, down, or 3s. by instalments.

COUNTY OF WESTMORLAND.

Terence M'Manus, 2s. 6d. per acre, down.
Richard Delahunt, do. do. do.
Samuel Blakeney, do. do. do.
Marcelle Surat, Belone White, Andrew Surat, Thomas Casey, } 100 acres each, 2s. 6d. per acre, down, or 3s. by instalments.
Morrice O'Neal, do. do. do.

COUNTY OF CHARLOTTE.

John Gallagher, 2s. 6d. per acre, down.
S. G. Andrews, do. do. do.
Samuel Blakeney, 3s. per acre, by instalments.

KING'S COUNTY.

Cornelius Calahan, 2s. 6d. per acre, down.
Duncan M'Leod, do. do. do.
Thomas Cromwell, do. do. do.
Ralph D. M'Leod, do. do. do.
John Perry, do. with 10 chains front
Gardner Perry, do. do. do.
William Kincaid, 3s. per acre, by instalments.
David Kincaid, do. do.
Nelson M'Cully, 2s. 6d. per acre, down, or 3s. by instalments.
George M'Cully, do. do. do.
Robert M'Farland, 2s. 6d. per acre, down.
John Roach, do. do. he paying H. F. Collins for his improvements.
William M'Leod may have to the amount of £125 for his services. Upset price, 2s. 6d. per acre.

QUEEN'S COUNTY.

Thomas Woods, 2s. 6d. per acre, down.
James Cooper, do. do. do.
Gilbert Lipsett, do. do. do.
John Lipsett, do. do. do.
William Irvine, 3s. per acre, by instalments.

COUNTY OF SUNBURY.

William Anderson, 3s. per acre, by instalments.
Edward Doherty, do. do. with 60 rods front as surveyed.

COUNTY OF YORK.

William M'Grigor, 2s. 6d. per acre, down.
George Bruce, do. do. do.
James M'Gregor. do. do. do.
William Johnson, 2s. 6d. down, or 3s. by instalments, with 10 chains front.

COUNTY OF CARLETON.

John Combe, 2s. 6d. per acre, down.
William Wharton, do. do. not to interfere with Jonas Fitzherbert's location.

The Petitions of the undermentioned are not complied with, for want of survey.

Henry Hall, *Gloucester.*
Connors Shiahan, *Northumberland.*
Daniel Murphy, do.
James Gigie, do.
Ninian Patterson, do.
Louis DeRoche, *Kent.*
Michael Pichett, do.
William Strange, *Charlotte.*
John Gregory, do.
William Gregory, do.
John M'Farland, *King's.*
James Dunovan, *Queen's.*
Jackson Webb, *Sunbury.*
John Hazen, do.
Thomas Hartt, Junr. do.
Aaron Hartt, do.
Daniel Ryan, *Saint John.*
Wm. Fownes, Junr. do.
James Fownes, do.
George Fownes, do.
George M'Farland, do.
Allan M'Lean, do. and a part having been previously applied for by Thomas Garden.

W. W. Wiggins is required to furnish Geo. F. Owens with a copy of his petition, to enable him to reply thereto.

Richard Hayne not complied with at present, his petition not being sufficiently defined.

Geo. F. Owens not complied with, and the petitioner is required to reply to the statement of W. W. Wiggins, respecting the lot applied for.

Richard Hayne for land for his Military services not complied with, the petitioner's application not containing the necessary requisites of the law.

John Dunning not complied with, for want of the necessary affidavit and certificate.

Michael Fitzpatrick not complied with, for want of the necessary affidavit and certificate.

Thomas Cowen not complied with, one of the lots are not vacant, the others are not surveyed.

Charles Pearce not complied with, must petition the Legislature.

The petitions of the undermentioned are not complied with.

Robert Pierce,
William Rutledge,
James Burghis,
Andrew Duncan,
Hugh Strange,
James Coffey,
Ephraim C. Sintell,
Wm. Quinn,
John Webber,
Hugh Alcorn,
James Somerville,
Peter Cooke.

Abraham Parlee, Junr. referred for further information.

The purchaser of the lot applied for by Wm. Kirkpatrick No. 1, second tier, Patterson Settlement, will be required to pay Kirkpatrick for his improvements thereon.

The lands applied for by the undermentioned will be offered at Auction on the first Monday in June, (*as see advertisement, in which each person will recognize the lot applied for by him*).

James S. Goodfellow,
David Goodfellow,
Peter Gray,
John Dixon,
James Hays,
Donald Morrison,
P. V. Henri,
William Hogan,
Richard Mansfield,
Frederic Steeves,
Mathew Campbell,
S. T. Raymond,
Richard Roach,
Thomas Raymond,
Cornelius Parlee,
William Quint,
William Mahood,
Jonathan Tracy,
David Burpe.

The Petitions of the undermentioned applicants for Timber and Logs, are complied with.

Robert Ferguson, *Gloucester.*
J. Montgomery, do.
Phinehas Williston, *Northumberland.*
Joseph Cunard, do.
Francis Hunter, do.
Alexander Foster, do.
John Jardine, *Kent.*
David Keswick, do.
Andrew Dixon, do.
Isaac Sowerby, do.
Robert Jardine, do.
James B. Weldon, *Kent*
Scoullar and Robinson, *Westmorland.*
John H. Hunter, *Queen's.*
Enoch Lunt, do.
Samuel Gardiner, do.
Amos Plummer, do.
John Cundy, *York.*
Joseph Bubar, do.
Thomas E. Perley, *Carleton.*
A. S. Carman, do.

Francis Ferguson referred for further information.

R. M'Millan and others, River Charloe, ordered that so much of the Timber as was cut on their own lands, be released, on payment of the duty.

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 M'Ewen. 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. 130 and 141, in the Town Plat of Dalhousie, Gloucester. Upset price, £15 per lot.

100 acres on the north side of the Kouchibouguacis 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. 23, 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 Mathew Campbell. Upset price, 3s. 6d. per acre.

200 acres, 3d tier, south of the Kennebeccacis 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 Kennebeccasis 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 Magaguadavic 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 Presquile Survey, Carleton. Upset price, 4s. per acre.

100 acres, west half of lot No. 4, in the fourth tier of the Presquile 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.

Crown Land Office, March 13, 1838.

The undermentioned tracts of Crown Land, will be offered at Public Auction, at this Office, on Monday the 7th day of May next; sale to commence at 11 o'clock in the forenoon.

100 acres in the Parish of Botsford, Westmorland County, bounded on the north east by land granted to William Wells, on the south west by land granted to Martin Oulton, and fronting on Bay Verte. Upset price 2s. 6d. per acre.

100 acres in the Parish of Moncton, Westmorland County, between the Shediac and Cocagne Rivers, and being lot No. 7, in a block recently surveyed by Charles D. M'Cardy. Upset price, 3s. per acre.

100 acres in the Parish of Sussex, King's County, on the north west side of Studholm's Mill stream, in rear of the Glebe lot, and south west of the grant to Isaiah Kierstead. Upset price, 2s. 6d. per acre.

100 acres in the Parish of Sussex, King's County, being lot No. 31, and part of No. 32, in the first tier of Fairweather's Survey, north west of Studholm's Mill stream, and in rear of James Snider's grant. Upset price, 3s. per acre.

200 acres, Springfield Parish, King's County, being lot No. 5, in the Scotch settlement, east of the road from Washdemoak to Bellesile, and adjoining the grant to Andrew Somerville. Upset price, 3s. 6d. per acre.

100 acres in the Parish of Glenelg, Westmorland County, south of Napan River, and adjoining south east of a grant of 200 acres to William Jardine, as surveyed by Deputy Hunter. Upset price, 3s. per acre, purchaser to repay the expence of survey.

312 acres in the Parish of Burton, Sunbury County, in rear of lots fronting on the River Saint John, and lying between Shank's Road, and the China Road, so called, as surveyed by Mr. M'Donald. Upset price, 2s. 6d. per acre, purchaser to pay the survey.

A lease of 5 years of the vacant wild meadows, on the north branch of the Oromocto River, with those on the Lynn Stream and Yoho. Upset price £2 per annum, also the vacant wild meadows, on the south branch and Shin Creek. Upset price £2 per annum.

150 acres in the Parish of Blissville, Sunbury County, being lot No. 11, in the first tier west of the Back Creek Road, in the Patterson Settlement. Upset price, 2s. 6d. per acre.

150 acres in the Parish of Blissville, Sunbury County, being lot No. 7, in the second tier, western range of the Patterson settlement. Upset price, 2s. 6d. per acre.

50 acres in the Parish of Blissville, Sunbury County, being lot No. 1, in the second tier, eastern range of the Patterson settlement.

A lease for 5 years of the vacant wild meadows on the Canoose stream, Charlotte County, from Hitching's meadow giant down to the mouth of the stream. Upset price, £2 10s. per annum.

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 Lancaster, County of Saint John, and Parish of Westfield, County of King's, 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 an option, and should it happen that during the said term of fifty years, any mines shall not be worked for the space of twelve consecutive months, the said mine so remaining unworked, shall revert to the Crown, and be a percentage equal to one twentieth of the produce of the mines 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, C. C. L.

COURT OF CHANCERY.

NOTICE is hereby given, that the Master of the Rolls will sit in this Court on the 3rd Tuesday in May next, and on the first Tuesday in each succeeding month, until further order, for hearing such matters then to be heard in chancery.

By Order of His Honor the Master of the Rolls.

D. LUDLOW ROBINSON, Registrar.

Fredericton, 13th March, 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 these presents shall come:

NOTICE is hereby given, that on the application of James Whitney, in the case of a Creditor, according to the form of the Act of Assembly, in such case made and provided, I have directed all the Creditors who will reside or be resident 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 sued 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 fifteenth day of March, in the year of our Lord one thousand eight hundred and thirty nine.

R. PARKER.

MILL PERLEY, Attorney for petitioning Creditors.

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

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 or 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 or 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 or 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 or 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.

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 Nimin 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 do hereby require all persons indebted to the said Angus M'Donald, on or before the first day of June next ensuing the date hereof, to pay to us, or some, or one of us, all such sums of money, or other debts, duty or thing, which they owe 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 or 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 or 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 S. SMITH,
JAMES WANDS, } *Trustees.*

SHERIFFS SALES.

COUNTY OF YORK.

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.

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 Greenwich:

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 Linch; 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.

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 Acution, 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.