

NEW

SERIES.



THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, MARCH 28, 1838.

Number 40.



By Authority.

IN COUNCIL, 19th MARCH, 1838.

ORDERED, That the time for applying for licence for excess of Timber, be extended until the first of May.

CIVIL APPOINTMENTS.

William Morrison, of Burnt Church, to be Courier between Miramichi and Pookmouche, in the room of John Rennie. David Pickard to expend the sum of £40, granted at the last Session, towards erecting a Bridge over Jount's Creek, in the Parish of Saint Mary. David Pickard to expend the sum of £70 towards erecting a Bridge over Bowler's Creek, in the Parish of Saint Mary. William Simpson and Edward B. Smith, Esquires, to be Trustees of the Grammar School in King's County.

CROWN LAND OFFICE.

Fredericton, March 17, 1838.

By direction of His Excellency the Lieutenant Governor.

All persons applying for a licence to cover an excess of Timber cut under one year's licence, or to cover Timber cut without licence, must deposit at this Office a good and sufficient bond to the Queen, in double the amount of tonnage, on such excess or Timber cut as above.

THOMAS BAILLIE, C. C. L.

IN COUNCIL, MARCH 3, 1838.

The undermentioned applicants for land for immediate settlement, are complied with on the following terms.

- QUEEN'S COUNTY. John Nelson, 2s. 6d. per acre, down. John Sanderson, do. do. James Quinn, do. do. William Quinn, do. do. William Hamilton, do. do. NORTHUMBERLAND COUNTY. William Roe, 2s. 6d. per acre, down. Michael Allen, do. do. Michael Tibodeau, do. do. Thos. M'Namara, (100 acres), do. do. Edward T. Clark, do. do. Ebenezer Curtis, do. do. Cunningham Kerr, do. do. WESTMORLAND COUNTY. Sylvan Babiot, do. do. Raphael Casey, do. do. Laurent Bourgeois, do. do. George Elliott, do. do. Luke Brewster, do. do. SAINT JOHN COUNTY. James Ryan, 2s. 6d. per acre, down. George Greer, do. do. Robert Richardson, do. do. Matthew Campbell, do. do. KING'S COUNTY. John Sintell, 2s. 6d. per acre, down. William R. Sintell, do. do. William Baskin, (for 100 acres), do. do. GLOUCESTER COUNTY. John Smith, 2s. 6d. per acre, down. Pierre Dugas, do. do. CHARLOTTE COUNTY. James M'Bride, 2s. 6d. per acre, down. Martin Poudry, do. do. YORK COUNTY. Timothy Tierney, 2s. 6d. per acre, down. Michael Sweeney, do. do. CARLETON COUNTY. Samuel Woodard, 2s. 6d. per acre, down. John L. Clarke, do. do. Dennis Hurley, Northumberland, 2s. 6d. down, or 3s. by instalments. James Turner, do. do. Job Lewis, do. do. Timothy Butler, do. do. William Sanderson, do. (Squatter), 3s. by instalments. George Jobb, do. do. Alfred S. Freeze, do. do. Samuel Matthews, Northumberland, 3s. 6d. down. James Matthews, do. do. Elizabeth Wood, Queen's County, the 100 acres applied for is allowed on payment of the sum of £7 10s. John Maddox, Northumberland, complied with at 3s. per acre by instalments, with the usual allowance of front. Richard Wagner, Saint John County, complied with at 2s. 6d. per acre, down, survey to be made at the applicant's expense. James Murphy, respecting Goal Rock in L'Etang Harbour, Charlotte County, complied with, at 2s. 6d. down, survey to be made at the applicant's expense. William M'Brien, Charlotte County, complied with, at 2s. 6d. down, or 3s. by instalments, survey to be made at the applicant's expense. John Foley, Charlotte County, complied with, at 2s. 6d. by instalments, survey to be made at the applicant's expense. Charles Davis, Gloucester County, praying that an instalment paid by him on one lot of land may be transferred to another, complied with. Thomas Begley, praying that his first instalment may be received, complied with. Edward and Hugh O'Brien, Westmorland County, may have lot No. 20 on the west side of the road, at 3s. by instalments, there being no number 20 on the east side. By the present regulations, the payments due on the above are required to be made within 60 days after the date of this notice. The following applicants are not complied with at present, for want of survey. Thomas Gordon, Saint John County. David Goodfellow, Northumberland County. Austin O'Donnell, do. do. James Tait, do. do. Thomas Redmond, do. do. John Rodgers, Charlotte County. James Rodgers, do. do. William Rodgers, do. do.

William Buchanan, Charlotte County. Timothy Keoghoe, do. John Smith, King's County. James Smith, do. Robert R. Smith, do. The following are not complied with, for want of the necessary affidavit and certificate. John R. Gray, Kent County. Patrick Hall, Northumberland County. Urban Dugay, Gloucester County. John Chason, do. survey also required. Archibald Millar, do. survey also required. William Millar, do. do. do. The following are not complied with. John Horsman, Westmorland, land not being vacant. Benjamin Horsman, do. land not being vacant. Edward Kennedy, Carleton. William M'Laughlin, King's, further information required. Daniel Scofield, do. description being imperfect. Thomas Woods, Queen's. Nedeblah Bent, Charlotte, the necessary information of a transfer from Jeremiah Wornell, not having been furnished. John Dunn, Northumberland, land not being vacant. Jeremiah Murphy, Gloucester, supposed to be included in a grant to the Church. Michael Sullivan, Northumberland, land not being vacant. Francis E. West, respecting Naval allowance. William M'Harron. The approval of the applicants of John Price, William B. Price, and D'Ewes Coke Price, is cancelled. The following will be offered for sale at Public Auction. (See Advertisement.) George Allan, Westmorland. Michael Casey, do. John Lutz, King's. Henry Snider, do. William Hughson, do. Thomas Hanney, Northumberland. Jacob B. Smith, Sunbury. John Pollock, Sunbury, 5 years lease of wild meadows. Barnabas Kirkpatrick, Queen's. James Kirkpatrick, do. John Kirkpatrick, do. William Kirkpatrick, do. William Buchanan, Charlotte, 5 years lease of wild meadows. Moses H. Perley, lease of mines and minerals in Saint John's and King's Counties. Thomas M'Mahon, Northumberland, postponed for further consideration. James Ryan, do. do. Thomas Egan, do. do. John Hickey, do. do. Donald Ross, Northumberland, postponed for further information, a previous application having been made by William M'Beath in that vicinity. The following applications for timber or lumber are complied with, agreeably to the regulations heretofore published. Alex. M'Laughlin, Northumberland, Renous River. James S. Mitchell, do. Dunganon River. Peter Harris, do. do. Charles Mitchell, do. do. Isaac Soverby, Kent, Richibucto River. Nathaniel Pine, do. do. Aldoine River. David Wright, do. do. Richibucto River. Thomas Johnson, do. do. St. Nicholas River. Robert Ralston, York, Portage Road. Allan M'Donald, Queen's, New Canaan. James Dunlap, do. Salmon River. Jonathan Lunn, do. do. New Canaan. John Ferguson, do. do. Lake Stream. James Hamilton, do. do. Salmon River. John Humphrey, Westmorland, Peticoudiac River. Thomas Price, do. do. William J. Bedell, for leave to relinquish his five years licence on Tisson Brook, Tobique. George Anderson, praying for leave to relinquish his five years licence on the Musquash. Arthur Ritchie, Gloucester, River Charloe, complied with, for a sufficient extent of ground to furnish the quantity. Arthur Ritchie, Gloucester, Restigouche, do. William Hayward, Carleton, Begauistik, do. George A. Nevers, Sunbury, Oromocto, do. Hugh Ramsay, Gloucester, Eel River, complied with, not to interfere with Peter Stewart's licence in rear. Hugh Ramsay, Gloucester, Eel River, complied with, on the east half of Block 1, range 1. John Wilson, York, Lake George, complied with, but not to interfere with Valentine Pickard's licence. Elias Burgess, Queen's, Buttumont Ridge Road, complied with, provided the Petitioner makes it appear to the satisfaction of the Surveyor General, that Melancthon Thorn has relinquished his claim to the land. Crown Land Office, March 13, 1838.

A lease of 5 years of the vacant wild meadows, on the north branch of the Oromocto River, with those on the Lyon Stream and Yoho. Upset price £2 per annum, also the vacant wild meadows, on the south branch and Sham 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 Cross 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. Upset price, 2s. 6d. per acre. A lease for 5 years of the vacant wild meadows on the Canoe stream, Charlotte County, from Hitching's meadow grant 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 Counties of King's and Saint John'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 in operation, 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 that a per centage 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, C. C. L.

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.

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 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 Gulton, 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'Carthy. 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 Washemoak to Belleslie, 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 expense 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.

Peticoudiac 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, Sen. 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 Mispec settlement, on the Bay of Fundy, Parish of Miramichi, 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 tier 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. 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 per centage, 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.

INDENTURES for Sale at this Office. Feb. 10.

By the Honorable Robert Parker, Esquire, one of the Justices of Her Majesty's Supreme Court of Judicature, for the Province of New Brunswick. 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, Commissioner 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 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 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 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 persons whatever, 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 ANGELO 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 Angelo M'Donald, on or before the first day of June next, to pay to us, or to some one of us, all such sums of money, or other debts, duty or thing, which they owe to, or are chargeable with, by the said Angelo M'Donald, and deliver the said effects of the said Angelo M'Donald which they own or have in his, her or their hands, power or custody, to us, or to some one of us as aforesaid; and we do also desire all the Creditors of the said Angelo M'Donald, on or before the said first day of June next, to deliver to us, or to some one of us as aforesaid, their respective accounts and demands against the said Angelo M'Donald, in order that right and justice may be done, agreeably to the said Act of Assembly. Given under our hands, at Dalbousie, this twenty ninth day of January 1838. ARCHIBALD RAMSAY, WILLIAM S. SMITH, JAMES WANDS, Trustees.

WINE, LIQUORS, &c. &c. THE Subscriber has recently received a supply of WINE, LIQUORS, &c. &c. and now offers for sale the following articles: Champagne in baskets, 1 doz. each, and cases, 3 doz. each; Port, Madeira and Claret, (in bottles); Tenerife, Brown and Light Sherry, (in wood); 10 year old Jamaica Rum, (in bottles); Brandy, Whiskey, and Gin, (in wood); Coffee; Loaf Sugar; Wine and Soda Biscuits; and Hams; all of which is warranted to be of the first quality. H. JACKSON. Fredericton, 21st Nov. 1837.