

Act 3 W. 4, c. 19,  
so far as it requires  
the publication of  
order for appear-  
ance in the Royal  
Gazette, repealed.

Proceedings in  
Chancery may be  
served on certain  
Officers of Corpor-  
ations.

' the expense of the proceedings, without producing any corresponding benefit :  
' And whereas it is expedient to make provision for service of process upon Cor-  
' porations ;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, so much of the said recited Act as requires the publication of the copy of the order for the appearance of any defendant or defendants in the Royal Gazette, be and the same is hereby re-  
pealed.

II. And be it enacted, That from and after the passing of this Act, every sub-  
poena, rule, order, or other proceedings in Chancery, requiring to be served upon  
any Corporation, shall and may be served upon the Mayor, President, or other  
Head Officer, or on the Secretary, Treasurer, Cashier, or principal Agent of such  
Corporation.

### CAP. XL.

An Act relating to Courts of Oyer and Terminer and General Gaol Delivery in this Province.

*Passed 7th April 1847.*

Power to open the  
Courts after the day  
appointed, in cases  
of unforeseen cir-  
cumstances.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assem-  
bly, That if any Court of Oyer and Terminer and General Gaol Delivery  
hereafter to be holden in this Province, from pressure of business at other places,  
or other unforeseen circumstances, shall not be opened at any place specified for  
holding the same on the day appointed for the attendance of the Grand and Petit  
Juries respectively, summoned by virtue of any precept or precepts for that pur-  
pose to be issued, it shall and may be lawful to open the same on the following  
day, or, if such following day shall be Sunday or other day of public rest, then on  
the next succeeding day ; and such opening shall be as effectual to all intents and  
purposes as if the same had been opened on the day appointed for the attendance  
of such Jurors as aforesaid, and shall be deemed and taken to be an opening  
thereof on the day so appointed ; and all Records or other proceedings under or  
relating to the said Court which may be opened and read by virtue of this Act,  
shall and may be drawn up, entered and made out under the same date, and in  
the same form in all respects as if such Court had been opened on the day origi-  
nally appointed for such Juries' attendance.

Jurors and Minis-  
ters of the Law to  
attend on the day of  
the actual opening  
of the Court.

II. And be it enacted, That all Jurors duly summoned or required by law to  
attend at any Court of Oyer and Terminer and General Gaol Delivery, or Court  
of Nisi Prius, established or to be established by law, and the respective Sheriffs,  
Coroners, Bailiffs, Constables, and Officers and Ministers of the Law of the respec-  
tive Counties where the said Court of Oyer and Terminer and General Gaol De-  
livery, Circuit Court, or Court of Nisi Prius, may be opened, and also all parties  
and witnesses, both in Criminal and Civil cases, shall give their attendance at such  
Courts of Oyer and Terminer and General Gaol Delivery on such day as the said  
several Courts may actually be opened, whether the same be the day appointed  
or established as aforesaid or not, and shall be charged and bound in like manner,  
and upon like pains and penalties, for non-appearance and non-attendance, or for  
any misdemeanor or default, at such several Courts respectively, as if the said  
Courts were opened on the very day appointed as hereinbefore mentioned, and as  
if the said parties respectively were bound to appear and give their attendance on  
the day of the actual opening of the said Courts.

### NEW BRUNSWICK, IN CHANCERY.

*Wednesday the third day of March, A. D. 1847.*

#### AT THE ROLLS.

Between William E. McAllister, Plaintiff; and  
William Leeman, Defendant.

**F**ORASMUCH as this Court was this present day informed by Mr. Lee,  
being of the Plaintiff's Counsel, that the Plaintiff on the sixteenth day  
of September, in the year of our Lord one thousand eight hundred and forty  
five, had filed his Bill in this Court against the Defendant, as by the Register's  
Certificate appears, and had sued out process of Subpoena, requiring the said  
Defendant to appear to and answer the same, but that the said Defendant  
departed from this Province before the filing of the Bill in this suit, and  
hath not since resided therein, and that the said Defendant now resides, and  
for a long time past hath resided at Bangor, in the United States of America,  
out of the jurisdiction of this Honorable Court, as by affidavit appears;  
that the said Defendant hath not caused his appearance to be entered in this  
suit, as by the Register's Certificate also appears; and the said Certificate  
and Affidavit being now read: It is Ordered, that the said Defendant do  
appear on or before the first Tuesday in July next; and that this Order be  
published in the Royal Gazette for the space of three months.

By the Court.

D. LUDLOW ROBINSON, REGR.

**T**O be sold at Public Auction, pursuant to a Decree of the  
High Court of Chancery, made on the first day of December  
instant, in the cause of James Hale, Complainant, and James P. A.  
Phillips, William Morgan, and the Incorporated Company of the  
Boston Type and Stereotype Foundry of Boston, in the State of

Massachusetts, Defendants, with the approbation of the under-  
signed, one of the Masters of the said Court, at his Office in Fre-  
derickton, in the County of York, on Tuesday the twentieth day of  
April next, between the hours of eleven o'clock in the forenoon,  
and one o'clock in the afternoon of the same day:—All that certain  
piece, parcel or Lot of Land, situate, lying and being in the Town  
Plat of Frederickton, aforesaid, being part of Lot number two hun-  
dred and sixty one, in Block number sixteen, beginning at the  
Northerly angle of Lot number two hundred and sixty one, thence  
running Southwesterly along Westmorland Street, one hundred and  
thirty one and a half feet or to the division line of the Land here-  
tofore sold and conveyed by the said James P. A. Phillips, and  
Margaret Olive his Wife, to John Robinson, Esquire, thence run-  
ning Southeasterly at right angles along the said division Line, fifty  
two feet, thence at right angles in a Northerly direction one hun-  
dred and thirty one and a half feet, till it meets Brunswick Street,  
thence along Brunswick Street, fifty two feet to the place of  
beginning, together with all houses, outhouses, barns, buildings,  
and other improvements made thereon, with the appurtenances and  
privileges thereto belonging and appertaining. Any further par-  
ticulars may be had at the said Master's Office, Frederickton, or at  
the Office of Charles Fisher, Esquire, in Frederickton.

J. A. STREET, *Master in Chancery.*

CHARLES FISHER, Esquire, Comp's. Sol.

Frederickton, December 16, A. D. 1846.