

mons in this Cause, and that the above Plaintiffs have good *prima facie* grounds for filing a Bill against him, together with the other Defendant above named: I do therefore order that the said James Jenkins Burchell do cause an appearance to be entered for him in this Suit, on or before the second Tuesday in April next.—Dated the fifth day of January, A. D. 1858.  
N. PARKER.

#### IN THE SUPREME COURT IN EQUITY.

Between George J. Byrd, Esek C. King, Albert G. Bogart, Adelina W. King, John Conover, Morris Leo Wolf, and Sylvanus S. Ward, Plaintiffs; and  
The President, Directors and Company of the Westmorland Bank, Thomas B. Moore, Joseph Russel, Charles E. Westcott, Richard Busteed, Charles H. King, John W. Moore, Henry P. Gardiner, Thomas Picton, Edward Allison, Charles Keenan, John Cairns, and William Cairns, Defendants.

**WHEREAS** it has been made to appear to me by affidavit to my satisfaction, that the above named Defendants, Joseph Russel, Charles E. Westcott, Richard Busteed, Charles H. King, John W. Moore, Henry P. Gardiner, Thomas Picton, Charles Keenan, John Cairns, and William Cairns, are out of the limits of this Province, so that they cannot be served with the summons in this cause, and that the above Plaintiffs have good *prima facie* grounds for filing a Bill against them, together with the other Defendants above named: I do therefore order that the said Joseph Russel, Charles E. Westcott, Richard Busteed, Charles H. King, John W. Moore, Henry P. Gardiner, Thomas Picton, Charles Keenan, John Cairns, and William Cairns, do cause an appearance to be entered for them on or before the first day of July next.—Dated this seventeenth day of March, 1858.  
R. PARKER.

A. L. PALMER, Sol. Plff.

#### IN THE SUPREME COURT IN EQUITY.

Saturday, April 10, 1858.

Between Thomas M'Affee, Plaintiff; and  
James Tippen, Robert Tippen, John Tippen, Margaret Ann Tippen, Mary Ann Tippen, and Rachel Ellenor Tippen, Defendants.

**UPON** Motion this present day made to this Court by Mr. Fraser, being of the Plaintiff's Counsel, it was alleged that the Summons issued in this cause had been duly served on the Defendant, Mary Ann Tippen, on the fifth day of January last, and on the Defendant, Rachel Ellenor Tippen, on the twenty eighth day of December last, as by the several affidavits of LeBaron Drury, Esquire, appears; that the said Defendants had not caused their appearance to be entered in this suit, as by the certificate of the Clerk also appears; and the said affidavits and certificate being now read: It is ordered, that unless the said Defendants, Mary Ann Tippen and Rachel Ellenor Tippen, who are infants, do appear in this suit in twenty days from the date of this order, the said Plaintiff shall be at liberty to prove his case by affidavit.

By the Court.

D. LUDLOW ROBINSON,  
Clerk in Equity.

#### IN THE SUPREME COURT IN EQUITY.

Between John V. Thurgar, Isaac L. Bedell, acting Executors of the last Will and Testament of Elizabeth Crookshank deceased, James William Boyd, Robert W. Crookshank, Junior, Elizabeth Otty, Allan Otty, Andrew C. Otty, George Otty, Catherine M'Gill Earle, Sylvester Z. Earle, Junior, Allan Colville Otty, Robert Wm. Otty, Elizabeth Crookshank Otty, John M'Gill Otty, William Otty, and Robert W. Crookshank, the Committee for Robert W. Crookshank, Junior, a Lunatic, Plaintiffs; and  
James Malcolm, Margaret Malcolm, Alexander Balloch, James Smellie, and James Howard, Defendants.

**WHEREAS** it has been made to appear to me by affidavit to my satisfaction, that the above named Defendants James Malcolm and Margaret his Wife, are out of the limits of this Province, so that they cannot be served with summons in this cause, and that the above Plaintiffs have good *prima facie* grounds for filing a Bill against them, together with the other Defendants above named: I do therefore order that the said James Malcolm and Margaret his Wife do cause an appearance to be entered for them in this suit, on or before the thirty first day of July next.—Dated the seventh day of January, A. D. 1858.

R. PARKER, J. S. C.

BAYARD & THOMSON, Sol. for Plff's.

#### IN THE SUPREME COURT—EQUITY SIDE.

Between Thomas M'Cracken, Plaintiff; and  
William Thompson, Richard Thompson, and James Madell, Defendants.

**WHEREAS** it has been made to appear to me by Affidavit to my satisfaction, that the above named Defendant, Richard Thompson, is out of the limits of this Province, so that he cannot be served with summons in this Cause, and that the above named Plaintiff hath good *prima facie* grounds for filing a Bill against him, together with the other Defendants above named: I do therefore order, that the said Richard Thompson do cause an appearance to be entered for him in this Suit on or before the first day of July next.—Dated this twenty seventh day of February, A. D. 1858.

W. J. RITCHIE, J. S. C.

#### IN THE SUPREME COURT IN EQUITY.

Lachlan Cameron, Plaintiff; and  
Benjamin Moore, Warren Moore, William Moore, Daniel Moore, Jesse Greenlow and Mary his Wife, James Garcelon and Lucinda his Wife, William Wescott and Almira his Wife, Defendants.

**WHEREAS** it has been made to appear to me by affidavit to my satisfaction, that the above named Defendants, Warren Moore, Jesse Greenlow and Mary his Wife, James Garcelon and Lucinda his Wife, are out of the limits of this Province, so that they cannot be served with summons in this cause, and that the above Plaintiff has good *prima facie* grounds for filing a Bill against them, together with the other Defendants above named: I do therefore order that the said Warren Moore, Jesse Greenlow and Mary his Wife, James Garcelon and Lucinda his Wife, do cause an appearance to be entered for them in this suit, on or before Thursday the fifteenth day of July next.—Dated the sixth day of April, A. D. 1858.

L. A. WILMOT.

### SHERIFFS' SALES.

#### County of Kent.

To be sold at Public Auction, at the Court House in the Town of Richibucto, on Saturday the second day of October next, between the hours of twelve and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand of Frank Sonia, of, in, and unto a certain Lot of Land on which the said Sonia now resides, situated upon the south side of the Big Buctouche River, in the Parish of Wellington, in the County of Kent, the said Lot containing one hundred acres, of which seventy five acres has heretofore been Deeded to Horatio B. Smith by the said Frank Sonia, and the remainder being twenty five acres, more or less: The same having been seized and taken by virtue of an Execution issued out of the Supreme Court, Horatio B. Smith versus Frank Sonia.

JOSEPH WETMORE, SHERIFF.

Sheriff's Office, Richibucto, 24th March, 1858.

To be sold by Public Auction, at the Court House in the Town of Richibucto, on Saturday the twenty eighth day of August next, between the hours of twelve and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand of Daniel Killock, of, in, and unto a certain Lot or Farm of Land situated, lying, and being upon the north side of the Richibucto River, in the Parish of Weldford, in the County of Kent, (near the Cail Bridge) and now in the possession of the said Daniel Killock, together with a Dwelling House and Barn thereon; containing three hundred and seventy acres, more or less: The same having been seized and taken by virtue of an Execution issued out of the Supreme Court at the suit of Robert Fearon vs. Daniel Killock.

JOSEPH WETMORE, SHERIFF.

Sheriff's Office, Richibucto, Feb. 19th, 1858.

To be sold by Public Auction, at the Court House in the Town of Richibucto, on Saturday the twenty eighth day of August next, between the hours of twelve and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand of Thomas Snowball Mills had at the time of the registering of a Memorial of Judgment at the suit of John W. Holderness, in the office of Register of Deeds for the County of Kent, or that he might have had at any time since, to all that certain Lot of Land situated, lying, and being in the Parish of Wellington, in the County of Kent, (up Mill Creek, so called,) on the north side of Big Buctouche River, containing one hundred and seventy nine acres, more or less, with a Saw Mill thereon; fifty acres of the same being conveyed to the said Thomas S. Mills by Luke Johnson and Wife, Deed bearing date the twelfth day of June, A. D. 1856: The same having been seized and taken by virtue of an Execution issued out of the Supreme Court at the suit of John W. Holderness vs. Thomas Snowball Mills.

JOSEPH WETMORE, Sheriff.

Sheriff's Office, Richibucto, Feb. 19, 1858.

To be sold at Public Auction, at the Court House in the Town of Richibucto, on Saturday the twenty fourth day of July next, between the hours of twelve and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand of John Wood, and of his possessory right, and right of equity, of, in, and unto all that certain Lot, piece or parcel of Land situated, lying, and being at the Mill Creek Settlement, in the Parish of Richibucto, in the County of Kent, described in the Will of the late John Bowness to the said John Wood, and now in his possession, containing forty acres more or less, with a Dwelling House, Barn, and all appurtenances thereunto belonging: Also one other Lot, piece, or parcel of Land, situated, lying and being in the Parish of Wellington, in the County of Kent, containing one eighth of an acre more or less, with a Dwelling and Store thereon, directly opposite John Keswick's, in the Town of Buctouche, purchased by the said John Wood from Richard Butler: Also all other Real Estate of the said John Wood, wheresoever or howsoever situated within my Bailiwick: The same having been seized and taken by virtue of three several Executions issued out of the Supreme Court, at the Suits of L. P. W. DesBrisay vs. John Wood, Richard Butler vs. John Wood, and L. P. W. DesBrisay vs. John Wood.

JOSEPH WETMORE, SHERIFF.

Sheriff's Office, January 14th, 1858.

To be sold by Public Auction, at the Court House in the Town of Richibucto, on Thursday the third day of June next, between the hours of twelve and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand of Joseph A. Crane and Charles A. Bovey, and each of them, and each of their possessory right, and right of equity, of, in, and unto all that Tract of Land situated, lying, and being upon the north side of the Cocaigne River, in the Parish of Dundas, in the County of Kent, described in a Deed from John Cairns to Moses Welling, bearing date the thirtieth day of August, A. D. 1854, and Registered in the Office of Register of Deeds for the County of Kent, twenty sixth day of January, A. D. 1855; as also a Lot described in a Deed from Samuel G. Gilbert and Humphrey T. Gilbert to Moses Welling, bearing date tenth day of August, A. D. 1854, and Registered in the Office of Register of Deeds for the County of Kent, twelfth day of March, A. D. 1855, containing by estimation two thousand acres, more or less; the said Lands being the same described in a Mortgage from John Cairns to William M. S. Evans, bearing date nineteenth day of August, A. D. 1854, and Registered twenty third day of August, A. D. 1854: also one other Lot situated upon the south side of the Cocaigne River, in the Parish of Dundas, containing one hundred and fifty acres, more or less, purchased by Moses Welling from the Messrs. Gilberts, as will more fully appear by reference to the County Records: also all other Real Estate of the said Joseph A. Crane and Charles A. Bovey, wheresoever or howsoever situated within my Bailiwick: The same having been seized and taken by virtue of an Execution issued out of the Supreme Court at the suit of Jeremiah Leaycraft, James Davidson, Alexander Nathan, and Henry Forbes Colthirst, versus Joseph A. Crane and Charles A. Bovey.

JOSEPH WETMORE, SHERIFF.

Sheriff's Office, 23rd November, 1857.

To be sold by Public Auction, at the Court House in the Town of Richibucto, on Thursday the sixth day of May next, between the hours of twelve and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand of James Gray, of, in, and unto all that certain tract of Land situated, lying, and being upon the north side of the Salmon River, in the Parish of Harcourt, in the County of Kent, and now in the possession and occupation of the said James Gray, together with a Dwelling House, Barn, and out houses thereon, containing three hundred acres, more or less; also all other real Estate of the said James Gray, wheresoever or howsoever situated within my Bailiwick: The