

IN THE SUPREME COURT.

MICHAELMAS TERM, 23rd Victoria.

GENERAL RULE.

(Judgment as in case of a non-suit.)

IT Is Ordered, That in future the affidavit on which motion is made for Judgment as in case of a non suit for not proceeding to trial according to the practice of the Court, (where notice of trial has not been given) do state the particular Term in or before which issue has been joined, or do state some particular day in vacation on or before which issue has been joined.

J. CARTER,
N. PARKER,
R. PARKER,
L. A. WILMOT,
W. J. RITCHIE.

IN THE SUPREME COURT IN EQUITY.

Between Samuel Seeds, Executor and Trustee of the last Will and Testament of Henry Chubb, deceased, Plaintiff; and
Ann Carmichael, Robert Wilson and Margaret his Wife, Robert Young and Isabella his Wife, Charles Hugh Levinge, George H. Whately and Annie his Wife, Charles Johnston, and James Johnston, are out of the limits of this Province, so that they cannot be served with summons in this cause; and that the above named 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 Ann Carmichael, Robert Wilson and Margaret his Wife, Robert Young and Isabella his Wife, Charles Hugh Levinge, George H. Whately and Annie his Wife, Charles Johnston, and James Johnston, do cause an appearance to be entered for them in this cause on or before the twentieth day of April next.—Dated the fifth day of October, A. D. 1859.

WHEREAS it has been made to appear to me by Affidavit to my satisfaction, that the above named Defendants, Ann Carmichael, Robert Wilson and Margaret his Wife, Robert Young and Isabella his Wife, Charles Hugh Levinge, George H. Whately and Annie his Wife, Charles Johnston, and James Johnston, are out of the limits of this Province, so that they cannot be served with summons in this cause; and that the above named 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 Ann Carmichael, Robert Wilson and Margaret his Wife, Robert Young and Isabella his Wife, Charles Hugh Levinge, George H. Whately and Annie his Wife, Charles Johnston, and James Johnston, do cause an appearance to be entered for them in this cause on or before the twentieth day of April next.—Dated the fifth day of October, A. D. 1859.

R. PARKER, J. S. C.

IN THE SUPREME COURT IN EQUITY.

Between Edward Williston, Plaintiff; and
Edward Flynn, Defendant.

WHEREAS it has been made to appear to me by affidavit to my satisfaction, that the above named Defendant, Edward Flynn, is out of the limits of this Province, so that he cannot be served with Summons in this cause, and that the above Plaintiff has good *prima facie* grounds for filing a Bill against him; I do therefore order that the said Edward Flynn do cause an appearance to be entered for him in this cause on or before the twenty eighth day of November next.—Dated the third day of August, A. D. 1859.

J. CARTER.

IN THE SUPREME COURT IN EQUITY.

Amos Leaman, Plaintiff; and
Elijah Ayre, Charles D. Archibald, John G. G. Layton,
Alexander Yeats, and Annie Parker, Defendants.

WHEREAS it has been made appear to me by affidavit to my satisfaction, that the above named Defendants, Charles D. Archibald and Annie Parker, are out of the limits of this Province, so that they cannot be served with Summons in this cause; and that the above named 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 Charles D. Archibald and Annie Parker do cause an appearance to be entered for them in this cause on or before the tenth day of January next.—Dated the twenty ninth September, 1859.

L. A. WILMOT.

A. L. PALMER, Plaintiff's Sol.

IN THE SUPREME COURT IN EQUITY.

Between Michael Keiver, Plaintiff; and
John M'Auley Gallacher, and Ann Eliza Gallacher his Wife,
and Rodney Drake Palmer, Defendants.

WHEREAS it has been made appear to me by affidavit to my satisfaction, that the above named Defendants, John M'Auley Gallacher and Rodney Drake Palmer, 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 Defendant above named: I do therefore order that the said John M'Auley Gallacher and Rodney Drake Palmer do cause an appearance to be entered for them in this cause on or before the fourth Tuesday in December next.—Dated this twenty seventh day of August, A. D. 1859.

N. PARKER.

IN THE SUPREME COURT IN EQUITY.

John M'Sweeney, Plaintiff; and
Mary Riordan, Cornelius Riordan, Michael Riordan, William Riordan, Patrick Riordan, Patrick Connolly, Julia Connolly, Defendants.

WHEREAS it has been made to appear to me by affidavit to my satisfaction, that the above named Defendant, Cornelius Riordan, is out of the limits of this Province, so that he cannot be served with Summons in this cause, and that the above Plaintiff has good *prima facie* grounds for filing a Bill against him, together with the other Defendants above named: I do therefore order that the said Cornelius Riordan do cause an appearance to be entered for him in this cause on or before the second day of January next.—Dated the twenty fourth day of September, A. D. 1859.

W. J. RITCHIE.

IN THE SUPREME COURT IN EQUITY.

Between the President, Directors and Company of the
Central Bank of New Brunswick, Plaintiffs; and
John Cairns and William J. Gilbert, Defendants.

WHEREAS it has been made to appear to me by affidavit to my satisfaction, that the above named Defendant John Cairns is out of the limits of this Province, so that he cannot be served with summons 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 John Cairns do cause an appearance to be entered for him in this cause on or before the last Tuesday in November next.—Dated this twenty fifth day of July, A. D. 1859.

N. PARKER.

INSOLVENT DEBTORS.

By the Honorable WILLIAM J. RITCHIE, one of the Justices
of the Supreme Court.

A COPY of the proceedings of the Meeting of the Creditors of John Bent, of the Parish of Westmorland, in the County of Westmorland, Merchant, an Insolvent Debtor, held pursuant to the directions of the Act of Assembly 21st Victoria, Chapter 17, at the Office of the Clerk of the Peace for the County of Westmorland, on the eighteenth day of March last past, certified by the said Clerk, having been produced before me, I do order and declare that unless cause be shewn to the contrary before me, on Friday the twenty third day of December next, at eleven o'clock in the forenoon, at my Chambers, in the City of Saint John, the said John Bent will be discharged from all his debts contracted before the said meeting of his Creditors, except a composition entered into at the said meeting, pursuant to the provisions of the Act of Assembly.—Dated at Fredericton the thirteenth day of October, A. D. 1859.

W. J. RITCHIE.

ABSENT DEBTORS.

PUBLIC Notice is hereby given, That we, the undersigned, have been duly appointed Trustees for all the Creditors of the Estate and Effects of George J. P. Oakes, late of Woodstock, an absconding Debtor, and have been duly sworn: All persons indebted to the said George J. P. Oakes will, on or before the fifth day of December next, pay to us, or either of us, all sums of money they owe to the said George J. P. Oakes; and all persons having any effects of the said George J. P. Oakes in their hands or custody, will deliver the same to us, or either of us, as aforesaid: And we require all the Creditors of the said George J. P. Oakes, on or before the fifth day of December A. D. 1859, to deliver to us, or some one of us, their respective accounts and demands against the said George J. P. Oakes, that justice may be done to the parties.—Dated this first day of October, A. D. 1859.

JOHN T. ALLAN, }
W. F. DIBBLEE, } Trustees.
H. McLEAN, }

In the matter of Alferd F. Gallop, an absent Debtor.

PUBLIC Notice is hereby given, That a General Meeting of the Creditors of Alferd F. Gallop, an absent Debtor, will be held at the Office of John T. Allan, Esquire, Town Woodstock, County Carleton, on the twelfth day of November next, at two o'clock, P. M., to examine and pass the Accounts of said Estate.—Dated at Woodstock, County Carleton, this twenty eighth day of July, A. D. 1859.

JOHN T. ALLAN, }
JAMES JORDAN, } Trustees.
AMOS DICKINSON, }

SHERIFFS' SALES.

County of Victoria.

To be sold at Public Auction on Tuesday the twenty first day of February next, at the Court House, Grand Falls, between the hours of twelve o'clock, noon, and five o'clock, P. M.

ALL the right, title, and interest of Thomas Finn, to that certain Lot, piece or parcel of Land situate, lying and being in the Parish of Perth, County of Victoria, bounded as follows:—Commencing on the bank of the River Saint John at the division line between the same and a certain Lot of Land owned or occupied by one William Morehouse; thence along the said division line to the rear line of said Land; thence along said rear line until it meets the upper side line of certain other Land owned or occupied by the said William Morehouse; thence along the said upper side line to the bank of the River Saint John; and thence along the shore up stream of said River, to the place of beginning, containing one hundred acres, more or less of valuable Land; together with all the buildings, erections, and improvements thereon standing and being, with their appurtenances: The same having been taken by virtue of an Execution issued out of the Supreme Court at the suit of James Dever.

F. E. BECKWITH, SHERIFF.

Sheriff's Office, Grand Falls, 15th July, 1859.

To be sold at Public Auction on the third Tuesday in January next, at the Court House, Grand Falls, between the hours of twelve and five o'clock, P. M.

ALL the right, title, and interest of William Clifford to the following Lots of Land and premises in the County of Victoria, viz: Town Lots 42 and 43, Grand Falls, with the House, Barn, and other buildings thereon; also Town Lot 44; together with all other Real Estate wherever situate in the County of Victoria: all the same having been taken by virtue of two several Executions issued out of the Supreme Court.

F. E. BECKWITH, Sheriff.

Sheriff's Office, Grand Falls, 9th June, 1859.