

SUPREME COURT IN EQUITY.

Between John M. Robinson, Plaintiff; and

George Crawford, Edward B. Smith, The Justices of the Peace for King's County, William K. Crawford, Samuel Hallett, Gilbert White, John Flewelling, George Flewelling, Isaac Foshay, Junior, and Jane his Wife, Louisa Flewelling, Eliza Flewelling, and Gilford Flewelling, Defendants

WHEREAS it has been made to appear to me by Affidavit to my satisfaction, that Isaac Foshay, Junior, and Jane his Wife, two of the above named Defendants, 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: I do therefore order that the said Defendants, Isaac Foshay, Junior, and Jane his Wife, do cause an appearance to be entered for them in this cause in our Supreme Court on the Equity side, on or before the twenty seventh day of September next.—Dated this fourteenth day of June, A. D. 1864.

N. PARKER.

J. & F. ROBINSON, Plain. Sol's.

SUPREME COURT IN EQUITY.

Between John W. Weldon and Lestock P. W. DesBrisay, Executors of the last Will and Testament of James S. Wheten, deceased, Plaintiffs; and

Phebe Wheten, Rufus S. Chandler, George Pagan, Samuel Cormear, John Wheten, Edward B. Chandler, Richard M. Laughlin, John Harnett, William Lamkie, Samuel D. Berton, William J. Berton, the President, Directors and Company of the Westmorland Bank and the Borough Bank of Liverpool, Defendants

WHEREAS it hath been made to appear to me by Affidavit to my satisfaction, that the above named Defendants, Phebe Wheten and the Borough Bank of Liverpool, 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: I do therefore order that the Defendants, Phebe Wheten and the Borough Bank of Liverpool, do cause an appearance to be entered for them in this cause in our Supreme Court on the Equity side, on or before the first day of August next.—Dated this ninth day of April, 1864

R. PARKER, J. S. C.

SHERIFFS' SALES.

County of Kent.

To be sold at Public Auction, in front of the Court House in Richibucto, in the County of Kent, on the last Saturday in October next, between the hours of twelve o'clock, noon and five o'clock, P. M.:

ALL the right, title, interest or claim, of George Hebert, of the Parish of Dundas, in the County of Kent, to one undivided half or part of a certain lot of Land beginning at the Cocagne Harbour, on the line between the said lot and Thomas Johnson; thence running westwardly to the rear of the front lots; thence northerly to land in possession of one Nory Legere; thence eastwardly to the shore; and southerly by the shore to the place of beginning, as will fully appear on reference to Book P, page 79, Kent County Records, containing one hundred acres, more or less: Also, all a certain piece of Marsh land beginning at the Cocagne Harbour, on the line between George Hebert and one Lazare Hebert; thence west to land in possession of one John White and one Ambrose Porrier; thence east by Ambrose Porrier's line to the shore; thence south by the shore to the place of beginning, containing seven acres, more or less: Also, all that other piece or parcel of land upon which the said George Hebert's Saw Mill now stands, bounded on the Road leading from the Bro Settlement Road to the said Mill at the boundary between said George Hebert's and Maxamin Hebert's lands, and following the said line easterly twenty two rods; thence northerly at a right angle to said line until it strikes George Bro's line; thence down the said Bro's line to the Mill Creek; thence down said Creek until it strikes the said Mill Road; thence southerly along said road to place of beginning, containing five acres, more or less, as by reference to Book P, page 271, Kent County Records, will appear: Also, all those other six pieces of land described as follows, in the Kent County Records, Book H, page 183,—“All the northernmost one half of all that piece or part of lot No. 14, on which Francis Hebert now resides lying to the westward of the road leading to Buctouche by the sea shore, save and except only one lot, piece, or parcel of land, lying on the west side of the Post Road, to have a front on said road of seventeen rods, and twenty two rods back, being the lot upon which Amie Hebert now resides: Also one lot or piece of land lying on the east side of said road, being part of the southernmost half of said lot, and to have a front on the road of seventeen rods, and twenty two rods back: Also, ten acres of land on the Cocagne Island, being the southernmost angle of land purchased by Francis Hebert from Noel John: Also all that part of the Upland on the lot granted to Francis Arseno, being to the eastward of the road leading to Buctouche by the sea shore: Also, the southernmost two thirds of all that part of the said lot granted to Francis Arseno, lying to the westward of the Post Road.” Also, all that piece or parcel of land granted to the said George Hebert, situate in the Parish of Dundas, and bounded on the east by land granted to Charles Suret; on the south by the road or highway; on the west by land granted Roman Braw; and on the north by Crown Lands; containing one hundred acres, as will appear on reference to the County Records, Book P, page 610: And also, all other lands or Real Estate of the said George Hebert, wheresoever or howsoever situate within my Bailiwick; together with all Buildings, privileges, or improvements, and all the rights and appurtenances of the said several lots, or to them in any wise belonging. The same having been seized under an Execution issued out of the Supreme Court against the said George Hebert at the suit of William John M. Hanington.

JAMES M'PHELM, SHERIFF.

Sheriff's Office, Richibucto, Kent, March 28, 1864.

To be sold at Public Auction, on Monday the sixteenth day of January next, between the hours of twelve o'clock, noon, and five o'clock P. M. in front of the Court House in Richibucto, in the County of Kent:—

ALL the right, title, interest, property, claim and demand of Amos B. Chandler, in, to, or out of all a certain lot or parcel of Land, situate in the Parish of Welford, in the County of Kent, on the South Branch of the St. Nicholas River, bounded on the front by the River; on the east by Richard Dougan's Land; on the north by Lands now occupied by Joseph Plume; and on the west by Land occupied by Edward Markey, containing one hundred and twenty two acres more or less, originally granted to one Patrick

Carberry, together with all buildings and improvements thereon; as also all other lands or title to lands of the said Amos B. Chandler, wheresoever or howsoever situate within my Bailiwick: The same being seized to satisfy several Executions issued out of the Supreme Court against the said Amos B. Chandler, at the suits of Charles M'Cart, Charles W. Weldon, and the President and Directors of the Commercial Bank of New Brunswick.

JAMES M'PHELM, SHERIFF.

Sheriff's Office, Richibucto, July 4, 1864.

Queen's County.

To be sold by Public Auction, in front of the Court House in Gagetown, in the County of Queen's, between the hours of twelve o'clock, noon, and five o'clock, P. M. on Tuesday the first day of November next:—

ALL the right, title, property, claim, or demand of Samuel Langin, of, in, to, or out of the following lots, pieces or parcels of Land situate in the Parish of Chipman, in the County of Queen's, described as follows:—First tract beginning on the western bank or shore of Gaspereaux River, at a stake, being the upper bounds of Lot No. 14 granted to Henry Loder; thence running by the magnet west 50 chains of 4 poles each, to a spruce tree; thence north 20 chains to a post; thence east 83 chains to a birch standing on the said bank or shore of said River; and thence following the various courses of the same down stream in a southwesterly direction, to the place of beginning, containing 130 acres more or less, distinguished as the west part of Lot No. 15; the second tract beginning on the eastern bank or shore of Gaspereaux River at another stake, being the upper bounds of the lot marked No. 15 in the Record Book, (should be 14) also said, granted to Henry Loder; thence running east 50 chains; thence north 20 chains; thence west 21 chains to a spruce standing on the said bank or shore of the said River; and thence following the various courses of the same down stream in a southwesterly direction, to the place of beginning, containing 70 acres more or less, distinguished as the east part of Lot No. 15: the said two tracts containing together 200 acres, more or less: Also two tracts as follows, the first beginning at a hemlock tree standing on the western bank or shore of the Gaspereaux River, in the southeasterly angle of Lot No. 13, in block sixty five, granted to James J. Langin; thence running by the magnet of the year 1845, north 77 degrees and 30 minutes west, 42 chains, along the southerly line of said Grant to a spruce tree; thence south 2 degrees and 30 minutes west 23 chains to a post; thence south 87 degrees and 30 minutes east 41 chains, to a post standing on the western bank or shore of said River; and thence following the various courses of the same up stream in a northerly direction, to the place of beginning, containing 100 acres more or less, known as Lot No. 37 in block 65; the second beginning at the intersection of the western bank or shore of the Gaspereaux River with the northern boundary line of Lot No. 12, granted to William Burk; and thence running by the magnet north 89 degrees 30 minutes west, along the said boundary line 61 chains of four poles each; thence south 30 minutes west 20 chains; thence south 89 degrees 30 minutes east fifty chains, to the said western bank or shore of the Gaspereaux River above mentioned; and thence along the same up stream to the place of beginning, containing 100 acres more or less: Also a certain piece or parcel of land situate on the eastern side of the Gaspereaux River, which lies between the upper line of lands sold by the late George Hayward to William Fleming, and the lower line of land sold by the same to Burbridge Bishop, as described in a deed from George Hayward to Samuel Langin and James John Langin: Also a certain piece or parcel of land described in a deed from Samuel Langin and Wife to George Wilson, beginning at a birch tree standing on the southwestern angle of lot No. 40 on the northwestern side of the Gaspereaux River; thence running by the magnet north sixteen degrees and thirty minutes east sixteen chains, to a post; thence north eighty seven degrees and thirty minutes west sixty three chains and fifty two links, to a post; and thence south eighty seven degrees and thirty minutes east fifty nine chains and sixty nine links, to the place of beginning, containing ninety five acres more or less: Also a piece or parcel of land described in a deed from James John Langin to Charles Edwin Langin, beginning at a marked maple tree standing on the northern bank or shore of the Salmon River, on the most southerly angle of the Grant to Elijah Olire, in William John Layton's survey; thence running by the magnet north forty five degrees west twenty nine chains of four poles each, to the eastern bank or shore of Gaspereaux River; thence along the same down stream until it intersects the north line of the lot granted to Samuel Austin; thence along the same east thirty chains to the said bank or shore of the said Salmon River; and thence along the same to the place of beginning, containing thirty five acres more or less: The same having been seized by virtue of an Execution issued out of the Supreme Court at the suit of William Warwick against the said Samuel Langin.

JOHN PALMER, SHERIFF.

Sheriff's Office, Gagetown April 20, 1864.

County of Sunbury.

To be sold by Public Auction, at the Sheriff's Office, in the Parish of Burton, in the County of Sunbury, on Saturday, the eighth day of October next, between the hours of twelve o'clock, noon, and five o'clock, P. M.

ALL the right, title, and interest of Thomas Perry, in and to Lot No. 11, on the east side of the Nerepis Road, in Farnham, in the County of Sunbury, containing sixty acres, granted to the said Thomas Perry by Grant No. 8625, dated 25th May, 1854; together with the improvements thereon: Also, all the right, title, and interest of Thomas E. Smith to the undivided tracts, pieces, and parcels of land, situate in the Parish and County aforesaid, lately owned and occupied by William Smith, deceased; together with all improvements thereon. The same having been seized by virtue of an Execution issued out of the Supreme Court at the suit of John W. Lindsay against the said Thomas Perry and Thomas E. Smith.

JAMES S. WHITE, SHERIFF.

Sheriff's Office, Burton, March 29, 1864.

To be sold by Public Auction, at the Sheriff's Office in Burton, in the County of Sunbury, on Thursday the thirtieth day of October next, between the hours of twelve and five o'clock, P. M.

ALL the right, title, interest, property, possession, claim, and demand of Moses Coburn, of, in, to or out of all that certain lower half of the property now occupied by the said Moses Coburn, situate on the “Little River Road,” in the Parish of Sheffield, in the County of Sunbury, formerly owned by one Tapley, containing by estimation two hundred and fifty (250) acres, more or less; together with all the Buildings and improvements hereon; and all other the Real Estate of the said Moses Coburn, in the County of Sunbury: The same having been seized by virtue of *fiel facias* issued out of the Supreme Court at the suit of the Commercial Bank against the said Moses Coburn.

JAMES S. WHITE, SHERIFF.

Sheriff's Office, Burton, April 1, 1864.