

## IN THE SUPREME COURT IN EQUITY.

Charles A. Holstead, one of the Heirs and Administrator of the Goods, Chattels and Credits of Ann Stiles, deceased, and John H. Holstead and Samuel A. Holstead, by their next friend Charles A. Holstead, Plaintiffs; and

Alexander Robertson and Ann Robertson his Wife, Ann Thomson and Barbara Thomson, Infants, and Heirs of William Thomson, deceased, Defendants.

**WHEREAS** it has been made to appear to me by Affidavit to my satisfaction, that the above named Defendants, Ann Thomson and Barbara Thomson, are out of the limits of this Province, so that they cannot be served with Summons in this cause; and that the above named 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 Ann Thomson and Barbara Thomson do cause an appearance to be entered for them in this cause on or before the first day of October next—Dated the sixth day of June, A. D. 1864.

N. PARKER.

CHARLES A. HOLSTEAD, Plaintiffs' Sol.

## 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.

**NOTICE** is hereby given. That upon the application of Thomas Crozier, of Grand Falls, in the County of Victoria, Merchant, I have directed all the Estate, as well real as personal, of N. Beckwith Hart of the same place, School Teacher, an absconding Debtor, to be seized; and unless he return and discharge his Debts within three months after publication hereof, such Estate will be sold for the payment thereof.—Dated the twenty sixth day of May 1864.

L. A. WILMOT, J. S. C.

**NOTICE** is hereby given. That upon the application of Robert E. Ferguson, Benbow B. Ferguson, and Thomas S. Ferguson, I have directed all the Estate, as well real as personal, of Thomas Curtis, of the City of Saint John, in the City and County of Saint John, and Province of New Brunswick, dealer in Liquors, an absconding Debtor, to be seized; and unless he return and discharge his debts within three months after publication hereof, such Estate will be sold for the payment thereof.—Dated the twenty sixth day of April, 1864.

R. PARKER, J. S. C.

J. R. MACSHANE, Pet. Cred. Sol.

## 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 Cocaigne 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 Cocaigne 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 Cocaigne Island, being the southernmost angle of land purchased by Francis Hebert from Noel John: Also, all that part of the Upland of 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 Surett; on the south by the road or highway; on the west by land granted Roman Breaw; 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.

## 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 westerly 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 87 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 westerly 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 Olre, 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.

## King's County.

To be sold by Public Auction, at the Sussex Railway Station House, in the Parish of Sussex, in King's County, on Friday the nineteenth day of August next, between the hours of twelve o'clock, noon, and five o'clock, P. M.

**ALL** the right, title, interest, property, claim, and demand, of William Ross, of, in, to or out of the following lot, piece, or parcel of Land, situate in the Parish of Norton, in King's County aforesaid, heretofore granted to the said William Ross by Letters Patent under the Great Seal of the said Province, bearing date 22nd December, A. D. 1851, and in the said Letters Patent, described as follows, viz:—Beginning at a post standing on the northwest angle of Lot No. 14, in the fourth tier, south of the Kennebecasis River, granted to David Caldwell; thence running by the magnet south one degree and fifty minutes west sixty three chains, crossing the road from Baxter's to the old Westmorland Road, in that distance, to a fir tree standing on the most eastern line of the grant to Thomas Anderson; thence along that line north twenty three degrees and thirty minutes west sixty nine chains, to a pine tree standing on the south side of a reserved road; thence south eighty eight degrees and thirty minutes east thirty chains, along the said line of the said road last mentioned, re-crossing in that distance the road above-mentioned from Baxter's to the old Westmorland Road, to the place of beginning; containing ninety four acres, more or less: Also, all the right, title, interest, property, claim, and demand, of the said William Ross, of, in, or to a certain one and a half story dwelling house, situate on the public highway near Norton Railway Station, now occupied by the said William Ross: The above having been taken and levied upon by virtue of an Execution issued out of the Supreme Court against the said William Ross.—Dated this tenth day of February, A. D. 1864.

SAMUEL N. FREEZE, SHERIFF.