

IN THE SUPREME COURT EXCHEQUER.

TRINITY TERM, 30th Victoria.

The QUEEN vs. William H. Dougherty.

IT is Ordered, That the Defendant, William H. Dougherty, formerly residing in the Parish of Simonds, in the County of Carleton, as is alleged, do appear to the Writ of *scire facias* issued against him at the suit of Her Majesty the Queen, within twenty days after the last publication of this Rule, pursuant to the provisions of the Act of Assembly passed in the second year of the Reign of His late Majesty King William the Fourth, entitled "An Act to regulate the service of Writs of *scire facias*."

W. H. TUCK,

Clerk of the Crown Sup. Court.

On motion of the Attorney General.—4w.

IN THE SUPREME COURT IN EQUITY.

Between Isaac N. Evans and James E. Evans, Executors of the last Will and Testament of James Evans, deceased, Plaintiffs; and

Gilbert Tower and Rebecca Tower, and Joseph B. Read and Herbert H. Read, Executors of the last Will and Testament of Joseph Read, deceased, Defendants.

WHEREAS it hath been made to appear to me by affidavit to my satisfaction, that Joseph B. Read and Herbert H. Read, 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 named Plaintiffs, as Executors of the late James Evans, have good *prima facie* grounds for filing a Bill against the above named Defendants in this cause: I do therefore order that the said Defendants, Joseph B. Read and Herbert H. Read, do cause an appearance to be entered for them in this cause, in our Supreme Court on the Equity side, on or before the tenth day of September next.—Dated this twenty fifth day of May, A. D. 1867.

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

D. L. HANINGTON, Plaintiff's Solicitor.

NOTICE is hereby given, That upon the application of Thomas Hatheway and John Thomas, I have directed all the Estate, as well real as personal, of Alexander Mitchell, of the City of Fredericton, in the County of York, House Carpenter, an absent 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 this twenty sixth day of June, A. D. 1867.

JOHN C. ALLEN, J. S. C.

GREGORY & BLAIR, Atty's for Pet. Creditors.

NOTICE is hereby given, That upon the application of David Wark, of Richibucto, in the County of Kent, Merchant, I have directed all the Estate, as well real as personal, of James English, of the same place, Tailor, an absconding or concealed 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 30th day of April, 1867.

J. W. WELDON, J. S. C.

J. A. JAMES, Atty. for Pet. Creditor.

NOTICE is hereby given, That upon the application of James A. Fenwick, I have directed all the Estate, as well real as personal, of James Doyal, of Studholm, in King's County, 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 sixth day of May, 1867.

J. W. WELDON, J. S. C.

FORBES & SINNOTT, Sol. for Pet'r.

NOTICE is hereby given, That upon the application of John Harley, of the Parish of Derby, in the County of Northumberland, Merchant, I have directed all the Estate, as well real as personal, of Dennis Claney, of the Parish of Northesk, in the said County, Farmer, an absent 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 sixteenth day of July, A. D. 1867.

JOHN C. ALLEN, J. S. C.

NOTICE is hereby given, That upon the application of William S. Smith, of Dalhousie, in the County of Restigouche, Merchant, I have directed all the Estate, as well real as personal, of Gabriel M'Isaac, late of the Parish of Dalhousie, in the County of Restigouche, Carpenter and Farmer, an absent 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 at Dalhousie this eighth day of July, A. D. 1867.

EDWARD WILLISTON, J. C. C.

JAMES S. MORSE, Sol. for Pet. Creditor.

In the matter of David Campbell, an absent Debtor.

NOTICE is hereby given, That upon the application of Matthew Markey, of Brighton, in the County of Carleton, Province of New Brunswick, Farmer, I have directed all the Estate, as well real as personal, of David Campbell, late of the Parish of Brighton, in said County, Carpenter, an absent 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 seventeenth July, 1867.

JOHN C. ALLEN, J. S. C.

IN THE SUPREME COURT IN EQUITY.

Between Robert G. Moran and James H. Moran, Executors of the last Will and Testament of James Moran, deceased, Plaintiffs; and

George S. E. Sherwood, John Sherwood, Robert M'Arthur, Silas Lockhart, Allan M'Lean, Margaret M'Lean, Thomas Vaughan, Mary Anne Vaughan, Henry Vaughan, Hannah Vaughan, Benjamin Wishart, Charlotte Wishart, William Vail, Elizabeth Vail, Margaret A. Vail, Herrington Bradshaw, Sarah Jane Bradshaw, George W. Marsters, Thomas Bradshaw, Caroline Bradshaw, Mary Anne Marsters, and Leonora Marsters, Defendants.

WHEREAS it has been made to appear to me by affidavit to my satisfaction, that the above named Defendant, Robert M'Arthur, 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 Defendants: I do therefore order that the said Defendant, Robert M'Arthur, do cause an appearance to be entered for him in this cause, in our Supreme Court on the Equity side, on or before the fifth day of August next.—Dated the twenty sixth day of April, A. D. 1867.

W. J. RITCHIE.

CHARLES DUFF, Plaintiffs' Solicitor.

PUBLIC SALE.

THERE will be sold at Public Auction, at Ossekeag Railway Station, in the Parish of Hampton, in King's County, and Province of New Brunswick, on Monday the seventh day of October next, at ten o'clock in the forenoon of that day, pursuant to a Decretal Order of the Supreme Court in Equity, dated the fourth day of June, A. D. 1867, and made in a certain Cause wherein Frederick A. Wiggins, Charles Merritt, and William Scovil, Executors and Trustees of the last Will and Testament of Stephen Wiggins, deceased, are plaintiffs, and James T. Floyd is defendant; and by amendment, wherein Frederick A. Wiggins, Charles Merritt, and William Scovil, Executors and Trustees of the last Will and Testament of Stephen Wiggins, deceased, and Frederick A. Wiggins, are plaintiffs, and James T. Floyd is defendant, by and with the approbation of the undersigned, one of the Barristers of the Supreme Court, to whom the said Decretal Orders is directed, the Lands and Premises following, that is to say:—All that certain lot, piece or parcel of Land situate, lying and being in the Parish of Norton, in King's County, and bounded and described as follows, that is to say, on the north by the Kennebecasis River, on the east by lands formerly owned by the heirs of the late Martin Fahy, on the south by twenty five acres of land sold by the said Oliver Barberie to George Puddington, and on the west by lands formerly owned by the late Simon B. Hayes, containing in the whole one hundred and seventy acres more or less, and having a frontage on the said River of about one hundred rods, together with all and singular the buildings, improvements, privileges and appurtenances to the said premises belonging or in any wise appertaining; excepting thereout, nevertheless, all that part of the said Mortgaged Lands and Premises released to the Mortgagor, Oliver Barberie, by the said Stephen Wiggins, by indenture bearing date the twentieth day of June, one thousand eight hundred and sixty two, and described in the plaintiff's Bill as bounded as follows, that is to say:—Beginning at a stone standing on the southern bank of the River Kennebecasis, at a centre or dividing line between the said lot and the eastern part or half thereon; thence running south until it meets the northern line of lands occupied by the heirs of the late Thomas Wetmore; thence following that line southwesterly forty nine rods more or less, until it meets the eastern line of lands owned by John Smith; thence following the said line north to the bank of the River; thence up stream to the place of beginning, containing eighty acres more or less; together with all buildings, erections and improvements thereon standing and being.

For terms and other particulars apply to the Plaintiffs' Solicitor at Saint John.—Dated this twenty ninth day of June, A. D. 1867.

GEORGE OTTY, Barrister.

JOHN A. WRIGHT, Plaintiff's Solicitor.

PUBLIC SALE.

FOR Sale by Public Auction, on Thursday the first day of August next, at eleven o'clock, in front of the Court House in Bathurst, in the County of Gloucester, with the approbation of the undersigned, a Barrister, under and by virtue of a Decretal Order of the Supreme Court in Equity, in a cause in which C. W. Robin and Philip Gosset are Plaintiffs, and Gilbert Albert is defendant—All that piece, parcel or tract of Land on which the said Gilbert Albert resides, situate at Caraque, in the County of Gloucester aforesaid, bounded in front by the Harbour, on the west by John Baptiste Albert, on the east by the heirs of the late Honoré Albert, and on the rear by the rear line of Caraque Great Grant, measuring thirty eight yards in front, and containing thirty eight acres more or less; with all and singular the rights, privileges and appurtenances to the same belonging or appertaining.

Terms of sale, and other particulars, may be had on application to the undersigned, or to the Plaintiffs' Solicitor, at Bathurst, Gloucester.—Dated this 17th day of April, A. D. 1867.

D. G. MACLAUHLAN, Barrister.

WILLIAM END, Plaintiffs' Solicitor, Bathurst.