

Fifty per cent. of the labour performed to be credited. If other than the claimant of the labour become the purchaser, to be paid for the same as in the case of improvements, at the time of sale.

KING'S.

By Deputy Godard, at Sussex.

100 acres, lot 5, Londonderry, Hugh Lynch; \$3 survey; labour returned, \$60; improved, \$20.
35 acres, Lake Block, Sussex, E. Harmer; labour returned \$21; improved \$144.

WESTMORLAND.

By Deputy S. S. Wilmot, at Salisbury.

100 acres, lot 16, block 6, Moncton, E. B. Chandler, Jr.; labour returned, \$37.52; improved, \$96.

ALBERT.

By Deputy J. R. Russell, at Hopewell.

100 acres, lot north of Robert Milton, Turtle Creek, Martin Ricker; labour returned, \$60; improved, \$80.

(5w)

RICHARD SUTTON, *Sur. Gen.*

SUPREME COURT.—TRINITY TERM, 31ST VICTORIA.

GENERAL RULES.

(*Appeals.*)

1. When the Minutes of any Decree shall not be settled under the Act 17th Victoria, Cap. 18, s. 32, more than fourteen days before the first day of any Term, a party intending to appeal therefrom, shall enter the Cause on the Equity Appeal Paper of the Term next after the settling of such Minutes; but may obtain the Order of a Judge to postpone the hearing of such Appeal until the second Term thereafter, which Order shall be made, unless good cause be shewn to the contrary; and such Order shall direct the time of serving the grounds of Appeal on the opposite party.

2. When an Appeal is intended to be made from any Order of a Judge in Equity in a cause where no Decree is made, and such Order shall have been made within fourteen days before the first day of any Term, a like Order may be made as is provided for in the preceding rule.

3. Whenever an Appeal is made from a Decree or Order of the Court, or of a Judge in Equity, or from the Court of Divorce and Matrimonial Causes, or from a Probate Court, this Court may order the whole or any part of the pleadings, evidence, judgment, or other proceedings, to be printed, and such number of printed copies thereof to be furnished for the use of the appellate Court, as may be deemed necessary, and may make order for the payment of the expenses thereof in the costs of the suit.

(*Proceedings against Infants.*)

4. When any person residing out of the Province, against whom a suit is commenced, is an Infant, and does not appear within the time limited by the Order made for that purpose under the Act 17th Victoria, Cap. 18, s. 3, the Court may make the like Order for the appearance of the Infant, as is provided by the 12th Rule of the 5th July, 1853; and at the expiration of the time so limited, the Plaintiff may proceed to prove his case against the Infant in the manner provided by the said Rule. (*Vide Botsford's Rules, 23.*)

(*Hearing Causes.*)

5. All Causes intended for hearing at the Sittings in Equity shall be set down with the Clerk in Equity six days before the first day of the Sitting of the Court, and shall be entered by him on a docket to be kept for that purpose, and no Cause not so entered shall be heard without the order of the Judge sitting in such Court.

(*Special Cases.*)

6. All Special Cases submitted for the opinion of the Supreme Court (whether on the Equity or Pleas side) shall be printed at the joint expense of both parties, and copies thereof furnished for the use of the Judges, and for the Clerk of the Court; and the cost thereof shall be taxed and allowed after the decision of the case according to the rights of the parties.

W. J. RITCHIE,
L. A. WILMOT,
JOHN C. ALLEN,
J. W. WELDON.

IN THE SUPREME COURT IN EQUITY.

Between Isabella P. Robson, Plaintiff; and

Sydney B. Paterson, Augusta Paterson his wife, Henry Melick, Champion Brown, and William S. Childs, Defendants.

WHEREAS it has been made to appear to me by affidavit to my satisfaction, that Champion Brown and William S. Childs, 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 Plaintiff has good *prima facie* grounds for filing a Bill against the above named Champion Brown and William S. Childs, with the other Defendants: I do therefore order, that the said Defendants, Champion Brown and William S. Childs, do cause an appearance to be entered for them in our Supreme Court, on the Equity side, on or before the first day of August next.—Dated the twenty fifth day of April, A. D. 1868.

J. W. WELDON.

MORRISON & KING, Plaintiff's Sols.

IN THE SUPREME COURT.

TRINITY TERM, 31ST VICTORIA.

ORDERED, That Stephen Binney, of Moncton, and John Boyd, of Salisbury, in the County of Westmorland, be appointed Commissioners for taking Recognizances of Bail and Affidavits to be read in the Supreme Court.

By the Court.

W. CARMAN.

By the Honorable JOHN W. WELDON, one of the Justices of the Supreme Court of Judicature for the Province of New Brunswick.

In the matter of the President, Directors and Company of the Westmorland Bank of New Brunswick, and the winding up of the same.

I hereby require all creditors of the said President, Directors and Company, to file with the Curator their claims against the said Company, verified by oath, on or before the first day of July next, otherwise they shall not be entitled to any dividends or payments thereon.—This Order to be published in the Royal Gazette.—Dated the 30th day of April, A. D. 1868.

(Signed)

J. W. WELDON.

A. L. PALMER, Sol. of Curator.

IN THE SUPREME COURT IN EQUITY.

Between Isaac Munger, James Munger, William Sherwood and Sarah his wife, Plaintiffs; and

John Aiton and Isabel his wife, John Duffy and Louisa his wife, Mary Wanawake, James Bull and Mahelibel his wife, Robert Porter, Sarah Porter, Caleb Smith and Mary Jane his wife, William M. Smith, Stephen Sherwood, Charles E. Sherwood, William Henry Sherwood, James S. Sherwood, John F. Sherwood, Albert Sherwood, Martin Hurd and Sarah Ann his wife, and Alfred Flanagan and Mary his wife, Defendants.

WHEREAS it has been made to appear to me by affidavit to my satisfaction, that Charles E. Sherwood, William Henry Sherwood, Albert Sherwood, Martin Hurd and Sarah Ann his wife, five 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 have good *prima facie* grounds for filing a Bill against the above named Defendants in this cause: I do therefore order that the Defendants, Charles E. Sherwood, William Henry Sherwood, Albert Sherwood, Martin Hurd and Sarah Ann his wife, do cause an appearance to be entered for them in our Supreme Court, on the Equity side, on or before the fifth day of August next.—Dated the 28th day of April, A. D. 1868.

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

CRAWFORD & PUGSLEY, Plaintiffs' Solicitors.

In re Shepard S. Stevens, an Absconding Debtor.

NOTICE is hereby given, That upon the application of Thomas Wentworth, on behalf of himself and George D. Vittum and Edward Faxon, Co-partners in trade, I have directed all the estate, as well real as personal, of Shepard S. Stevens, lately of the Parish of Richmond, County of Carleton, an absconding debtor, to be seized; and unless he returns and discharges his debts within three months after publication hereof, such estate will be sold for the payment thereof.—Dated the 14th day of May, A. D. 1868.

J. STEADMAN, *J. C. C.*

WINSLOW & EDGAR, Sols. for Pet. Creditors.

NOTICE is hereby given, That upon the application of Charles R. Ray, of the City of Saint John, Merchant, I have directed all the Estate, as well real as personal, of Edward Phalon, of Andover, in the County of Victoria, 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 13th day of March, A. D. 1868.

JAMES G. STEVENS, *J. C. C.*

WINSLOW & EDGAR, Any. for Pet. Creditor.

PROBATE COURT, COUNTY OF YORK.

[L. S.] To the Sheriff of the County of York, or any Constable within the said County, Greeting:

WHEREAS application by Petition has been made to me by William Hunter, alleging, among other things, that James Nelson, of the Parish of Kingsclear, in the said County of York, lately died intestate to the best of the Petitioner's knowledge; that the said deceased left two nephews him surviving; that the said Petitioner is a creditor of the Estate of the said James Nelson, and praying that Letters of Administration of the estate and effects of the said deceased may be granted to him: You are therefore required to cite the said heirs, next of kin, creditors, and all others interested in the said Estate, to appear before me at a Court of Probate to be holden at my Office in the City of Fredericton, on Monday the thirteenth day of July next, at ten of the clock in the forenoon, to shew cause (if any they have) why Administration should not be granted to the said William Hunter of the said Estate, otherwise Administration will be granted to him as prayed.—Given under my hand and the Seal of the said Court, this fifth day of June in the year of our Lord one thousand eight hundred and sixty eight.

G. F. H. MINCHIN, *Surrogate,*

and Judge of Probate for the County of York.

F. A. H. STRATON, Reg. of Probates for York County.