

## THE SUPREME COURT IN EQUITY.

TUESDAY, 7th November 1876.

Before His Honor Mr. Justice WETMORE.

Between the Bank of Nova Scotia, Plaintiff; and  
John Grant, Margaret Grant, and Peter Murley, De-  
fendants.

UPON the motion of Mr. Gregory, of Counsel for the above named Plaintiff, and on hearing the affidavit of W. Herbert Sinnott, of the Firm of Forbes & Sinnott, the Solicitors for the Plaintiff, read, by which it appears that Peter Murley, one of the above named Defendants, is out of the limits of this Province, and has no known place of residence, so that he can be served with a Summons in this cause, and that the above named Plaintiff has good *prima facie* grounds for filing a Bill against the said Peter Murley, together with the other Defendants: It is ordered, that the said Peter Murley do cause an appearance to be entered for him in this Honorable Court in this suit on or before the first day of March next.

By the Court.

W. CARMAN, Clerk in Equity.

**Private and Local Bills.**

*Rules adopted by the Legislative Council and House of  
Assembly, February, 1871.*

29. That no Bill of a private or local nature, or Bill for making any amendments of a like nature to any former Act, shall be received by the House, unless a notice, specifying the several objects desired to be attained, has been published four successive weeks, previous to the meeting of the Legislature or to the introduction of the Bill, in some one of the Newspapers published in the City or County interested in the measure, or in the locality where the parties affected reside; and when no Newspaper is published in either of such localities, then in some Newspaper published in the nearest adjoining County, or in the Royal Gazette; provided that when the City or County interested in the measure, or where the locality in which the parties affected reside, is composed of a mixed English and French population, then such notice shall be published both in French and English, if a Newspaper published in French shall or may be published in the Province; and provided also, that in any County where no Newspaper may be published, that such Bill, in lieu of other publication, may be read at the Assizes or at some General Sessions of the County or City and County interested in such Bill, in the presence of the Grand Jury, or in Incorporated Counties before the County Council, and a Certificate be endorsed thereon by the Clerk of the Court or the Secretary Treasurer as the case may be, that the same has been so read.

30. That separate Petitions be presented to each Branch of the Legislature, setting forth in detail the object of the measure, and the reasons that may be urged for its adoption.

31. It shall be the duty of all parties seeking the interference of the Legislature in any private or local Bill, to file with the Clerk of each House the evidence of their having complied with the Rules and Standing Orders thereof; and that in default of such proof being so furnished, it shall be the duty of the Clerk to report that the Rules and Standing Orders have not been complied with, and to endorse the same upon the Bill.

32. That no Bill of a private nature shall be received by the House after the fourteenth day from the opening of the Session, both inclusive; and that the Clerk of this House do cause this Rule, and Rules Nos. 29, 30, and 31, to be published in the Royal Gazette, over the signature of the Clerk of each House, weekly, during each recess of the Legislature.

GEO. BOTSFORD, *Clerk Leg. Council.*GEO. J. BLISS, *Clerk Assembly.*

[The following Decisions by Mr. Speaker WEDDERBURN, relating to the foregoing Rules, are published for general information.  
G. J. B.]

On motion for leave to introduce Resolutions in relation to a Bill, Mr. Speaker ruled—

The Motion cannot be entertained, or the Resolutions read. The subject-matter of the Resolutions must be submitted to the House by Petition, concluding with a prayer; and not by the introduction of copies of Resolutions.—*Jour.* 1875, p. 46.

The practice of annexing a copy of the Notice to Bills to be introduced under the Rules, is not a full compliance therewith. Mr. Speaker will require the certificate of the Publisher of the Newspaper, or of some person of competent knowledge on the subject, that the Notice has been published in the manner and for the term required by the Rule.—*Jour.* 47.

It is not a sufficient compliance with the Rules, if the Title of the Bill only has been disclosed in the Notice thereof; but a brief statement, "specifying the several objects desired to be attained," must have been published.—*Jour.* 188.

A Notice concluding with the words "and for other purposes," or words of like effect, is not sufficient; the proposed "purposes" must have been specified in the Notice.—*Jour.* 188.

The Notice should be sufficiently full and explicit to convey to the public intelligent information of each leading provision of the proposed Bill.—*Jour.* 188.

## THE SUPREME COURT IN EQUITY.

TUESDAY, 7th November 1876.

Before His Honor Mr. Justice WETMORE.

Between the Bank of Nova Scotia, Plaintiff; and  
Alfred Crawford and William H. Perkins, Defendants.

UPON the motion of Mr. Gregory, of Counsel for the above named Plaintiff, and on hearing the affidavit of W. Herbert Sinnott, of the Firm of Forbes & Sinnott, the Solicitors for the Plaintiff, read, by which it appears that Alfred Crawford, one of the above named Defendants, is out of the limits of this Province, and has no known place of residence, so that he can be served with a Summons in this cause, and that the above named Plaintiff has good *prima facie* grounds for filing a Bill against the said Alfred Crawford, together with the other Defendant: It is ordered, that the said Alfred Crawford do cause an appearance to be entered for him in this Honorable Court in this suit on or before the first day of March next.

By the Court.

W. CARMAN, Clerk in Equity.

## NEW BRUNSWICK—YORK TO-WIT.

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

WHEREAS application by Petition hath been made to me by William A. Mooers, a creditor of James H. Tower, late of the Parish of Kingsclear, in the County of York, deceased, alleging that the said James H. Tower departed this life on or about the twentieth day of January in the year of our Lord one thousand eight hundred and seventy five, without having, to the best of his knowledge and belief, made any Will, and praying that Letters of Administration of the Estate and effects of the said James H. Tower, deceased, may be granted to him: You are therefore required to cite the heirs, next of kin, creditors, and all others interested in the said Estate, to appear before me at a Court of Probate to be held at my Office in Fredericton, in the County of York, on Thursday the seventh day of December next, at eleven of the clock in the forenoon, to shew cause (if any they have) why Letters of Administration of the Estate and effects of the said James H. Tower, deceased, should not be granted to the said William A. Mooers, as prayed for.

Given under my hand and the Seal of the said Court, this twenty eighth day of October, A. D. 1876.

G. F. H. MINCHIN, *Surrogate*

and Judge of Probate, for the County of York.

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

## NEW BRUNSWICK—YORK, TO-WIT:

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

WHEREAS application by Petition hath been made to me by Thomas B. Buxton, a creditor of Edward Tague, late of the Parish of Prince William, in the County of York, Trader, deceased, alleging that the said Edward Tague departed this life on or about the first day of November in the year of our Lord one thousand eight hundred and seventy five, without having, to the best of his knowledge and belief, made any Will, and praying that Letters of Administration of the Estate and effects of the said Edward Tague, deceased, may be granted to him: You are therefore required to cite the heirs, next of kin, creditors, and all others interested in the said Estate, to appear before me at a Court of Probate to be held at my Office in Fredericton, in the County of York, on Tuesday the nineteenth day of December next, at eleven of the clock in the forenoon, to shew cause (if any they have) why Letters of Administration of the Estate and effects of the said Edward Tague, deceased, should not be granted to the said Thomas B. Buxton.

Given under my hand and the Seal of the said Court, this eighth day of November, A. D. 1876.

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

and Judge of Probate for the County of York.

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

NOTICE is hereby given, that upon the application of George C. Sutherland, I have directed all the Estate, as well real as personal, of William Scott, late of the Parish of New Bandon, in the County of Gloucester, Laborer, an absconding, concealed or 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 16th day of October 1876.

EDWARD WILLISTON, J. C. C.

MICHAEL ADAMS, Atty. for Pet. Creditor.

## COLLECTOR'S NOTICE.

THE undermentioned non-resident Ratepayers in the Parish of Ludlow, in the County of Northumberland, are required to pay their respective rates, as set opposite their names, together with the cost of advertising, (\$1.33 each), within three months from the date hereof, to the subscriber at Bolestown, in the Parish of Ludlow, otherwise legal proceedings will be taken to recover the same.

John McLaggan, .. .. .	\$1 27
John N. W. Price, .. .. .	1 27
Joseph Cunard, .. .. .	6 80

JOHN CAMPBELL, Collecting Justice Peace.

Bolestown, Nov. 6, 1876.