

## IN THE SUPREME COURT IN EQUITY.

TUESDAY SEPTEMBER 6th, A. D. 1881.

Before His Honor the Judge in Equity.

Between William M. Wanamake, Plaintiff; and  
 Charles F. Wanamake, John F. Wanamake, Albert S. Wanamake, Elizabeth Ann Wanamake, Francis Connors and Louisa Matilda his wife, Benjamin Appleby, Senior, Emma Blair, George Appleby, John Appleby, Robert Appleby, William Appleby, Benjamin Appleby, Junior, Elizabeth Appleby, Albert Cookson and Leah his wife, (daughter of Benjamin Appleby, Senior, and his late wife, Margaret S. Wanamake, deceased), William Tobin, Senior, (husband of the late Mary Ann Appleby, deceased, who was the daughter of Benjamin Appleby, Senior, and his late wife, Margaret S. Wanamake, deceased), Benjamin Tobin, William Tobin, Junior, and George Tobin, Robert Napier, (husband of the late Mary L. Wanamake, deceased), Benjamin Appleby and Mary his wife, (daughter of Robert Napier and the late Mary L. Wanamake his wife, deceased), William Napier, Julia Napier, Francis Napier, Frederick Napier, Olivia Napier, and Earle Napier, Defendants.

And by Amendment—

Between William M. Wanamake, Plaintiff; and  
 Charles A. Wanamake, John F. Wanamake, Albert S. Wanamake, Elizabeth Ann Wanamake, Francis Connors and Louisa Matilda his wife, Benjamin Appleby, Senior, Emma Blair, George Appleby, John Appleby, Robert Appleby, William Appleby, Benjamin Appleby, Junior, Elizabeth Appleby, Albert Cookson and Leah his wife, (daughter of Benjamin Appleby, Senior, and his late wife, Margaret S. Wanamake, deceased), William Tobin, Senior, (husband of the late Mary Ann Appleby, deceased, who was the daughter of Benjamin Appleby, Senior, and his late wife, Margaret S. Wanamake, deceased), Benjamin Tobin, William Tobin, Junior, and George Tobin, Robert Napier, (husband of the late Mary L. Wanamake, deceased), Benjamin Appleby and Mary his wife, (daughter of Robert Napier and the late Mary L. Wanamake his wife, deceased), William Napier, Julia Napier, Francis Napier, Frederick Napier, Olivia Napier, Earle Napier, and Hattie Napier, Defendants.

UPON motion made this present day unto this Court by Mr. L. R. Harrison, being of the Plaintiff's Counsel, and upon hearing the Affidavit of Stephen Rand read, whereby it appears that the Defendants, Benjamin Tobin, William Tobin, Junior, George Tobin, Francis Napier, Olivia Napier, and Earle Napier, are Infants: It is ordered, that unless the said Infant Defendants do cause an appearance to be entered in this suit within twenty days from the date of this Order, the Plaintiff shall be at liberty to prove his case against the said Benjamin Tobin, William Tobin, Junior, George Tobin, Francis Napier, Olivia Napier, and Earle Napier, by Affidavit.

By the Court.

W. CARMAN, Clerk in Equity.

M<sup>c</sup>MONAGLE & RAND, Plaintiff's Sol.*In the County Court of Charlotte.*

In the matter of Frederick Bonness, an Absent Debtor.

NOTICE is hereby given, that a general meeting of the creditors of said Frederick Bonness, to examine and pass the Accounts of the Estate, will be held on fifth day of November next, at the hour of ten o'clock in the forenoon, at the Office of M. MacMonagle, Esquire, in the Town of Saint Stephen, in the County of Charlotte.

Dated 9th day of July, A. D. 1881.

HUGH ALEXANDER, }  
 JOHN CLARK, } Trustees.  
 CHARLES F. KIRK, }

*In the County Court of the City and County of Saint John.*

NOTICE is hereby given, that upon the application of Edward Nugent, I have directed all the Estate, as well real as personal, of Thomas Carson, Mariner, in the Parish of Saint Martins, in the City and County of Saint John, 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 30th July, 1881.

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CHARLES WATERS, J. C. C.

On motion Mr. RAND.

*In the County Court of the City and County of Saint John.*

NOTICE is hereby given, that upon the application of Edward Nugent, I have directed all the Estate, as well real as personal, of William Wilson, Carpenter, in the Parish of Saint Martins, in the City and County of Saint John, 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 30th July, 1881.

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CHARLES WATERS, J. C. C.

On motion Mr. RAND.

## Rules and Practice of the House of Assembly

*Bills—Private.*

185. No Bill of a local or private nature shall be received by this House after the twentieth day from the opening of the Session, both inclusive, and that the Clerk of this House do cause this Rule to be published in the Royal Gazette weekly during each recess of the Legislature; and this Rule shall not be suspended except in the same manner as a Joint Rule of this House and the Legislative Council is suspended.

186. (*Joint Rule*).—No Bill of a private 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 or to be affected by the measure, or in the locality where the parties affected or the majority of them reside.

187. When no Newspaper is published in either of such localities, then in some Newspaper published in the nearest adjoining County; and when no Newspaper is published therein, then in the Royal Gazette.

188. When the City or County interested in the measure, or the locality in which the parties affected reside, is largely composed of a French population, then such notice shall also be published in a French Newspaper, if any be published in the Province.

189. In any County where no Newspaper may be published, the Bill, in lieu of other local notice or publication, may be read at the Assizes, in the presence of the Grand Jury, or before the Council of an Incorporated Town, or before the Municipal Council of the County, interested in or affected by the Bill; and a certificate of such reading shall be endorsed upon or attached to the said Bill, by the Clerk of the Court, or the Town Clerk, or the Secretary-Treasurer, as the case may be, verified by the Seal, if any, of and in case of the Town Council or Municipal Council, as the case may be; and (*Joint Rule*) separate Petitions must 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.

190. (*Joint Rule*).—It shall be the duty of all parties seeking the interference of the Legislature in any Private Bill, to file with the Clerk of each House the evidence of their having complied with the Rules and Standing Orders thereof.

191. In default of such proof, or evidence, being so furnished, it shall be the duty of the Clerk to report to Mr. Speaker or the House that the Rules and Standing Orders have not been complied with, and to endorse the same upon the Bill.

GEO. J. BLISS, Clerk Assembly.

## Joint Rules of Council and Assembly.

1. 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 largely composed of a French population, then such notice shall also be published in a French Newspaper, if any 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 local notice or 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.

2. 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.

3. No Bill of a private nature shall be received unless it shall be certified by the Receiver General that there has been paid into his hands, towards the printing and other contingent expenses of the House, the sum of *Thirty Dollars*, except in case of a Bill in amendment of or in addition to an Act, when there shall be paid the sum of *Twenty Dollars*; provided that where a Bill, in respect of which such payment may be made, does not pass the Legislature, it may be introduced without further payment at the next Session; and provided that this Rule shall not extend to "Local Acts."

4. 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 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.

GEO. BOTSFORD, Clerk Leg. Council

GEO. J. BLISS, Clerk Assembly.