

INSOLVENT ACT OF 1875, And Amending Acts.

In the matter of Norris Best, an Insolvent.

A DIVIDEND SHEET has been prepared, open to objection until the seventh day of July next, after which Dividend will be paid. Saint John, N. B., 7th June, 1881.

E. McLEOD, Assignee.

IN THE SUPREME COURT IN EQUITY.

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 Sarah 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 S. Wanamake, deceased), Benjamin Appleby and Mary his wife, (daughter of Robert Napier and the late Mary S. 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 Sarah 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 S. Wanamake, deceased), Benjamin Appleby and Mary his wife, (daughter of Robert Napier and the late Mary S. Wanamake his wife, deceased), William Napier, Julia Napier, Francis Napier, Frederick Napier, Olivia Napier, Earle Napier, and Hattie Napier, Defendants.

WHEREAS it has been made to appear by Affidavit to the satisfaction of me, the undersigned, one of the Judges of the Supreme Court, that William Appleby, Benjamin Appleby, Junior, and Elizabeth Appleby, three of the above Defendants, do not reside within the Province, so that they cannot be served with Summons, and that their place or places of residence is unknown to the Plaintiff, and that the above Plaintiff has good *prima facie* grounds for filing a Bill against the above Defendants; I do therefore hereby order that the said Defendants, William Appleby, Benjamin Appleby, Junior, and Elizabeth Appleby, on or before the first day of September next, do enter an appearance in this suit, (if they intend to defend the same), wherein a Bill will be filed against the above named Defendants by the above named Plaintiff for a partition of all the lands, tenements and hereditaments of which William Wanamake, late of the Parish of Hampton, in the County of King's, and Province of New Brunswick, Farmer, who died intestate, died seized and possessed of, and unless such an appearance is so entered the Bill may be taken *pro confesso* and a Decree made.

Dated this twenty fifth day of May, A. D. 1881.

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

MacMONAGLE & RAND, Plaintiff's Solicitor.

EQUITY SALE.

THERE will be sold at Public Auction on Wednesday the tenth day of August next, at the hour of twelve o'clock, noon, in front of the Court House at Edmundston, in the County of Madawaska, pursuant to the provisions of a Decretal Order of the Supreme Court in Equity, made on the twenty ninth day of March, A. D. 1881, in a certain cause in said Court wherein Mary Ward is Plaintiff, and Isaac Bijou, Joseph Leverque, James Robinson, Thomas G. Ralston, Thomas R. Jones, and Thomas R. Jones, Assignee of the estate and effects of Isaac Bijou, an Insolvent, are Defendants, and with the approbation of the undersigned Barrister, the Mortgaged Lands and Premises described in said Order as follows:—

"All that certain piece or parcel of Land situate, lying and being in the Parish of Saint Leonards, then in Carleton County, now in the County of Madawaska, known and distinguished as Lot number one hundred and twenty eight (128), containing two hundred and forty acres more or less, together with all and singular the buildings, improvements, privileges and appurtenances to the said premises belonging, or in any wise appertaining."

For terms of sale and other particulars apply to the Plaintiff's Solicitor.

Dated the 2d day of May, 1881.

C. H. MASTERS, Barrister.

R. C. SKINNER, Plaintiff's Solicitor.

To all whom it may concern:

NOTICE is hereby given, that by virtue of a Power of Sale contained in a certain Indenture of Mortgage bearing date the fifteenth day of March, A. D. 1876, made between Alexander M-Kenzie, of the Parish of Saint Mary's, in the County of York, Inn Keeper, and Margaret his Wife, of the first part, and John Owens, of Fredericton, in the said County of York, Merchant, of the second part, duly recorded in Book F 3 of York County Records, pages 291, 292, and 293, there will, for the purpose of satisfying the moneys secured by the said Indenture, default having been made in payment thereof, be sold at Public Auction at Phoenix Square, in the City of Fredericton, in the County of York, on Saturday the tenth day of September next, at twelve o'clock, noon, the Lands and Premises mentioned and described in the said Indenture of Mortgage as follows:—"All that certain piece or parcel of Land situate, lying and being on the east side of the Nashwaak River, in the Parish of Saint Mary's, County of York, and Province of New Brunswick, and bounded as follows—On the west or front by the River Nashwaak, on the north by the Miramichi Portage Road, on the east by the road leading from Portage Road to M-Bean's Mills, on the south by lands owned by Patrick and Angus M-Bean, (formerly Ralston property), and more particularly known as part of half-lots number one hundred and thirty five, one hundred and thirty six, and one hundred and thirty seven, containing ten acres more or less;" together with all buildings and improvements thereon, and the privileges and appurtenances to the same belonging.

Dated June 7th, A. D. 1881.

JOHN OWENS, Mortgagee.

RAINSFORD & BLACK, Sols. for Mortgagee.

To Henry B. Estey, of the Parish of Bright, in the County of York, and Province of New Brunswick, Carriage Maker, and Lydia his Wife, and all others whom it may concern.

NOTICE is hereby given, that under and by virtue of a Power of Sale contained in a certain Indenture of Mortgage bearing date the twenty sixth day of December in the year of our Lord one thousand eight hundred and seventy three, and registered in Book A 3, pages 511, 512, and 513, of the York County Records, and made between the said Henry B. Estey and Lydia his Wife of the first part, and Abraham D. Yerxa, of the Parish of Saint Mary's, County and Province aforesaid, Executor of the last Will and Testament of Isaac Allen Yerxa, of the second part; which said Mortgage was duly assigned by the said Abraham D. Yerxa to the undersigned Jeffrey Yerxa, of the Parish of Douglas, in the County and Province aforesaid, Farmer, by Assignment bearing date the ninth day of October in the year of our Lord one thousand eight hundred and seventy six, and recorded under No. 28.172, in Book G 3, pages 516, 517 and 518 of the York County Records; there will, for the purpose of satisfying the moneys secured by said Mortgage, default having been made in the payment thereof, be sold at Public Auction, at Phoenix Square in front of the City Hall, in the City of Fredericton, County and Province aforesaid, on Monday the fourth day of July next, at twelve o'clock, noon, the Lands and Premises mentioned and described in said Indenture of Mortgage as follows:—"All that certain piece, parcel or lot of Land and premises situated, lying and being on the Madam Keswick Road, in the Parish of Bright, being part of lot number eighty, situated at Smith's Corner, so called, being bounded as follows: On the northwest side by the Madam Keswick Road; on the northeast, southeast and southwest by lands owned and occupied by Robert M-Kay; the dimensions of the above named boundaries being as follows: Commencing at a cedar stake at the Madam Keswick Road, the said stake being four poles and fifteen links from the junction of the aforesaid Madam Keswick Road with the Tripp Settlement Road, and running from thence in a southeast direction three poles and twenty one links to a stone marked No. 2, and running from thence in a northwest course four poles and fifteen links to the Madam Keswick Road, and running along said road in a northeast direction ten poles and nineteen links to the cedar stake named at the beginning, containing in all one quarter of an acre more or less; together with all and singular the buildings and improvements thereon, and the rights, members, privileges and appurtenances to the same belonging or in any wise appertaining.

Dated this 31st day of May, A. D. 1881.

JEFFREY YERXA,

Assignee of Mortgagee.

J. A. & W. VANWART, Sols. for Assignee of Mortgagee.

PUBLIC NOTICE is hereby given, that we, the undersigned have been duly appointed Trustees for all the creditors of the estate and effects of Frederick Bonness, late of Saint Stephen, in the County of Charlotte, an absent debtor, and have been duly sworn: All persons indebted to the said Frederick Bonness will, on or before the eighth day of June next, pay to us or either of us, all sums of money they owe to the said Frederick Bonness; and all persons having any effects of the said Frederick Bonness in their hands or custody, will deliver the same to us or either of us as aforesaid; and we require all the creditors of the said Frederick Bonness, on or before the eighth day of June, A. D. 1881, to deliver to us or some one of us their respective accounts and demands against the said Frederick Bonness, that justice may be done to the parties.

Dated this 7th day of May, A. D. 1881.

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