

RULES OF COURT.

RULES

Under The Winding Up Act, Revised Statutes of Canada, Chapter 129, (Sec. 92).

1. When any Order shall be made under Section 78 of "The Winding up Act," the Order and other papers on which such Order was made and which were used before the Judge or Court making such Order, shall be filed with the Clerk, who shall mark thereon in the usual way the date of filing.

2. Before any Execution shall issue to enforce any such Order, Judgment shall be signed on the same in manner following, that is to say:—A Judgment Roll and Docket shall be filed and an entry thereof be made by the Clerk in the same manner as is usual in the case of Judgments in the Supreme Court. The Judgment Roll and Docket may be in the following form:—

IN THE SUPREME COURT.

In the matter of the (name of Company being wound up) and its winding up under "The Winding up Act."

On this day of , A. D. 188 , (the date of signing Judgment), come (the Liquidators of the Company), by their Attorney, and make it known to the Court that on the day of , A. D. 188 , (the date of the Order for payment), an Order under the said Act was made by the Court, (or, by His Honor Mr. Justice , if made by a Judge), whereby (name the person against whom the Order was made), was ordered to pay to the said Liquidators the sum of dollars and cents, being the amount due them for (state briefly the claim ordered to be paid, for example, for an instalment of \$ due them on the day of A. D. 1888, on a call on him as a Contributory made by an Order of Mr. Justice under the said Act, dated the day of A. D. 1888), together with the costs of the said Order to be taxed by the Clerk. It is therefore adjudged that the said (Liquidators) do recover against the said the said sum of so ordered to be paid, together with the sum of , their costs taxed under the said Order, which together amount to the sum of , for which sum execution is awarded.

(Form of Judgment Docket.)

IN THE SUPREME COURT.

In the matter of (name of Company) and its winding up under "The Winding up Act."

(Name of Liquidators.)
vs. Judgment signed on an Order made by
(Name of person against whom Order was made.) { Mr. Justice (or, the Court), dated the day of , A. D. 1888, for the payment of \$
Costs taxed thereunder,
Judgment for the sum of \$
Signed the day of , A. D. 1888.

Attorneys for Liquidators.

3. When on the hearing of the Summons upon which any such Order shall have been made, the party shall not have appeared, either personally or by Counsel, and the Order for payment shall have been made with costs, no notice of taxation or service of a copy of a Bill of Costs shall be necessary. If the party appear on such Summons without Counsel, notice of taxation shall be served on him, either personally or by leaving the same at his place of business or residence; but if he appear by Counsel, service of notice of taxation on such Counsel, or any of them, shall be sufficient in all cases.

4. When any such Judgment shall have been signed as aforesaid, execution may issue thereon in the same form in all respects as though such Judgment had been signed in an ordinary action between the Liquidators mentioned in the said Order and the person therein ordered to make payment, and Judgment had been signed therein for the amount mentioned in the said Judgment in the said Order, and for which execution is therein awarded.

5. All Summonses, Affidavits, Orders and other papers, (except Judgment Rolls, Dockets and Executions), filed with the Clerk, shall be kept separate from the papers filed in ordinary suits and proceedings in the Court, and such files shall be designated and distinguished as "Winding up Act Papers."

JOHN C. ALLEN,
A. R. WETMORE,
JNO. JAS. FRASER,
W. H. TUCK.

In the County Court of York.

NOTICE IS HEREBY GIVEN, that upon the application of Isaac W. Marsten, I have directed all the Estate, as well real as personal, of Jonathan Brooks, of Southampton, in the County of York, Laborer, 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.

J. STEADMAN, Judge
County Court, County of York.
FISHER & A. B. CONNELL, Sol. for Pet. Creditor. s27

IN THE SUPREME COURT.

IN LIQUIDATION.

In re "The Albert Brick, Lime and Cement Company," having its chief place of business at Hopewell Cape, in the County of Albert, in the Province of New Brunswick, in the Dominion of Canada.

UPON reading the Petition of William H. Duffy and Peter Duffy, of Hillsborough, in the County of Albert, and Province aforesaid, Merchants, Creditors of the said Company for the sum of five hundred and twenty dollars and forty seven cents, and the affidavit of Benjamin Bray, of Hopewell Cape, in the said County of Albert aforesaid, and it appearing thereby that notice, that application by the presentment of the said Petition would be made to me this day, had been duly served on the said Company on the tenth day of May instant, and that from the facts and circumstances stated and verified by the said Petition and Affidavit of the petitioners, that the said Company is insolvent under the provisions of Chapter 129 of the Revised Statutes of Canada aforesaid, and upon said application of said petitioners made to me in that behalf, pursuant to said notice by the petitioners, and no person appearing to the contrary; I do hereby order, that the business of the said The Albert Brick, Lime and Cement Company above mentioned be wound up, pursuant to the provisions of said Chapter 129 of the said Revised Statutes of Canada aforesaid; and I do hereby in pursuance of said provisions appoint Samuel Gay Morse, Esquire, of Hopewell Cape, in the County of Albert, Barrister-at-Law, Provisional Liquidator of the Estate and effects of the said Company, and that the said Samuel Gay Morse furnish security by guarantee bonds or otherwise to my satisfaction in the sum of eight hundred dollars, and until such security be perfected, the powers of said Company shall continue as provided by the thirty fourth Section of such Chapter, and I do hereby order and direct that a meeting of the Creditors, Contributories, Shareholders, or Members of said Company be holden at the Office of George H. Steadman, Barrister at Hopewell Cape, in the County of Albert aforesaid, on Monday the tenth day of September next, at two o'clock in the afternoon, for the purpose of expressing their wishes jointly or separately by resolution or otherwise, relating to the number and person or persons to be appointed as liquidators of the said Estate and effects of said Company, and that such meeting shall be organized and presided over as Chairman thereof by the said Provisional Liquidator, and who shall immediately thereafter report to me in writing under his hand the wishes of said meeting in the premises expressed thereat as aforesaid. And I do hereby further order and appoint the eighth day of October next, at eleven o'clock in the forenoon, at the Judge's Chambers, in Palmer's Building, in the City of Saint John, as the time and place of the appointment by me of one or more liquidators of the said Estate and effects of said Company, and that three weekly publications of this Order previous to said meeting, in one or more of the public newspapers printed and published in the County of Albert aforesaid, and in the Royal Gazette of the Province of New Brunswick, shall be deemed and taken to be a previous notice to the said several creditors, contributories, shareholders or members of the said Company, of the meeting to be holden at the Office of George H. Steadman, Barrister, as aforesaid directed, and also of the time and place of the appointment by me of the said one or more liquidators as aforesaid, and of the making and service of this Order on the said Company under and pursuant to the said Chapter 129 of the said Revised Statutes of Canada.

Dated this eighteenth day of May, A. D. 1888.

W. H. TUCK, Judge of the
Supreme Court of New Brunswick.

IN THE SUPREME COURT.

In the matter of James E. Parker, an absconding or concealed Debtor.

WE, the undersigned, Trustees of the above named James E. Parker, an absconding or concealed Debtor, do hereby give notice that a general meeting of the Creditors of the said Jas. E. Parker, for the purpose of examining and passing the Accounts of the said Estate of the said James E. Parker, will be held on Friday, the thirtieth day of November next, at the hour of four o'clock in the afternoon, at the Office of J. Norman W. Winslow, Esquire, Barrister-at-Law, at the Town of Woodstock, in the County of Carleton, in the Province of New Brunswick.

Creditors will take notice, that a first and final dividend will be declared immediately after the passing of the Accounts.

Dated the 16th day of August, A. D. 1888.

J. M. HUMPHREY,
R. M. MAGEE,
J. N. W. WINSLOW,

Trustees of the Estate of James E. Parker,
an absconding or concealed Debtor.

C. A. STOCKTON, Solicitor to Trustees.

Advertisements for the Gazette are required to be forwarded by Mail on TUESDAY, in order to be in time for Wednesday.