

IN THE SUPREME COURT IN EQUITY.

Between N. Bradford Carter, Plaintiff;

vs.

Thomas Lowerison and Louise his wife, Charles Lowerison, James Isaac Lowerison, William Lowerison, Clarissa Mitten, Abigail Bishop, George Bowser and Mary R. his wife, Guilford Townshend, George Townshend and Mary his wife, Henry E. Townshend and Grace his wife, William Manford Townshend and Delia his wife, Frederick C. Townshend and Agnes his wife, Nellie Atkinson and Byron Atkinson her husband, Susan Read Arminta Cook and Joseph Cook her husband, Edward C. Anderson and Elvira Victoria his wife, Willard P. Anderson and Clementine his wife, Joseph Anderson and Jane his wife, James Anderson and Marjorie his wife, Charles Spurgeon Rayworth and Alice his wife, Orton Edward Rayworth, Emma Rosamond Allen and Wilfred G. Allen her husband, William Anderson, St. Clair Anderson, Grace Anderson, Lillian Anderson, Oliver Wry and Laylia his wife, Thomas Wry and Sarah his wife, Arthur Wry and Amy his wife, Eunice Doherty and George Doherty her husband, Alma Wry, Harmon Wry and Annie his wife, George Wry and Gertrude his wife, Emma Fawcett and Aubrey Fawcett her husband, Laura Ayer and Stanley Ayer her husband, Louise Wry, Frank Wry, Ernest L. Wry and Nettie M. his wife, Melbourne Wry and Sarah his wife, Charles Wry, Ella Fish and Daniel B. Fish her husband, Lizzie Fillmore and Ernest Fillmore her husband, Burmah Connors and Thomas Connors her husband, Hazzeltine McRix and Charles McRix her husband, Frank Maxwell and Adelaide his wife, Warren Maxwell and Ella his wife, Elmer Maxwell, John Maxwell and Sarah his wife, Bertha Cole, Mabel Cole, James Cole, Edwin Cole, Mary Beharrell and Benjamin Beharrell her husband, Charlotte Hicks and Timothy Hicks her husband, Attalissa Carter wife of the plaintiff N. Bradford Carter, Hugh Fawcett and Jane his wife, Henry R. Fawcett and Catherine his wife, Albert T. Fawcett and Kate his wife, Elizabeth Estabrooks and Albion B. Estabrooks her husband, Mary Cole and Christopher Cole her husband, Thomas Anderson and Alice his wife, Amos Patterson and Parthenia his wife, Mary Anderson and Albert Anderson her husband, Edward Patterson and Ellida his wife, and Cassie Patterson, Defendants.

And by amendment,—

N. Bradford Carter, Plaintiff;

vs.

Thomas Lowerison and Louise his wife, Charles Lowerison, James Isaac Lowerison, William Lowerison, Clarissa Mitten, Abigail Bishop, George Bowser and Mary R. his wife, Guilford Townshend, George Townshend and Mary his wife, Henry E. Townshend and Grace his wife, William Manford Townshend and Delia his wife, Frederick C. Townshend and Agnes his wife, Nellie Atkinson and Byron Atkinson her husband, Susan Read Arminta Cook and Joseph Cook her husband, Edward C. Anderson and Elvira Victoria his wife, Willard P. Anderson and Clementine his wife, Joseph Anderson and Jane his wife, James Anderson and Marjorie his wife, Charles Spurgeon Rayworth and Alice his wife, Orton Edward Rayworth, Emma Rosamond Allen and Wilfred G. Allen her husband, William Anderson, St. Clair Anderson, Grace Anderson, Lillian Anderson, Oliver Wry and Laylia his wife, Thomas Wry and Sarah his wife, Arthur Wry and Amy his wife, Eunice Doherty and Robert Doherty her husband, Alma Wry, Harmon Wry and Annie his wife, George Wry and Gertrude his wife, Emma Fawcett and Aubrey Fawcett her husband, Laura Ayer and Stanley Ayer her husband, Louise Wry, Frank Wry, Ernest L. Wry and Nettie M. his wife, Melbourne Wry and Sarah his wife, Charles Wry, Ella Fish and Daniel B. Fish her husband, Lizzie Fillmore and Ernest Fillmore her husband, Burmah Connors and Thomas Connors her husband, Hazzeltine McRix and Charles McRix her husband, Frank Maxwell and Adelaide his wife, Warren Maxwell and Ella his wife, Elmer Maxwell, John Maxwell and Sarah his wife, Bertha Cole, Mabel Cole, James Cole, Charles Cole, Mary Beharrell and Benjamin Beharrell her husband, Charlotte Hicks and Timothy Hicks her husband, Attalissa Carter wife of the plaintiff N. Bradford Carter, Hugh Fawcett and Jane his wife, Henry R. Fawcett and Catherine his wife, Albert T. Fawcett and Kate his wife, Elizabeth Estabrooks and Albion B. Estabrooks her husband, Mary Cole and Christopher Cole her husband, Thomas Anderson and Grace his wife, Thomas Patterson and Alice his wife, Amos Patterson and Parthenia his wife, Mary Anderson and Albert Anderson her husband, Edward Patterson and Ellida his wife, Cassie Patterson, Bessie Haden and John Haden her husband, Amos Anderson and Dacie his wife, William Anderson and Ann his wife, Emma Allen and Eldbridge Allen her husband, Anna Hatch and Thomas Hatch her husband, Lillian Smith and Elliot Smith her husband, Wesley Wells, Raymond Wells, Allietta Craig and Thomas Parker Craig her husband, and Isla Cole, 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 sitting in Equity, that Charles Wry, one of the above named Defendants, does not reside within the Province so that he cannot be served with a summons, and that his place of residence cannot be ascertained by the plaintiff; and it being made to ap-

pear to me by affidavit that the said Charles Wry is a son of the late Gilbert Wry, deceased, and that the said late Gilbert Wry, deceased, was a son of the late Hannah Wry, deceased, who was a paternal aunt of the said late Robert A. Lowerison, deceased, and that the said Charles Wry is therefore one of the heirs of the late Robert A. Lowerison, deceased, and that the said late Robert A. Lowerison, deceased, died intestate, seized and possessed of an estate of an inheritance in fee simple in and to certain lands and premises situate in the Parish of Sackville, in the County of Westmorland, and that the above named plaintiff has good prima facie grounds for filing a bill against the above named defendants.

I Do HEREBY ORDER, that the said defendant, on or before the tenth day of October next, do enter an appearance in this suit, (if he intends to defend the same) wherein a bill will be filed against the above named defendants by the above named plaintiff for the partition or sale of all and singular the lands and premises of which Robert A. Lowerison, late of the Parish of Sackville, in the County of Westmorland and Province of New Brunswick, Farmer, deceased, died seized, possessed or otherwise entitled unto, situate in the Parish of Sackville, or elsewhere; and unless such an appearance is so entered the bill may be taken pro confesso and a decree made.

Dated this twenty-ninth day of July, A. D. 1907.

D. L. HANINGTON,

Judge of the Supreme Court sitting in Equity.

This order is granted on the application of Mr. Bennett of the firm of Powell, Bennett & Trites, of Sackville, in said Province, Plaintiff's Solicitors in said Cause.

D. L. HANINGTON,

10ins Judge of the Supreme Court sitting in Equity.

IN THE PROBATE COURT OF NORTHUMBERLAND.

[L.S.] To the Sheriff of the County of Northumberland, or any Constable in the said County,—GREETING:

WHEREAS, John S. Pond, Administrator of the estate and effects which were of Margaret Bubeat, late of the Parish of Ludlow, in the County of Northumberland and Province of New Brunswick, Widow, deceased, hath prayed that he may appear to pass the accounts of the said estate. You are therefore required to cite the heirs, next of kin, creditors and any persons interested in the estate of the deceased, to appear before the Judge of Probate for the County of Northumberland, at a Probate Court to be held in the Council Chamber in the Town Hall in the Town of Chatham, in the said County, on FRIDAY the eighth day of NOVEMBER next at eleven o'clock in the forenoon, for the purpose of showing cause, if any, why the said accounts should not be passed and the estate distributed as prayed for.

Given under my hand and the Seal of the said Court this twenty-ninth day of July, A. D. 1907.

(Signed) R. A. LAWLOR,

Judge of Probate, County of Northumberland.

(Signed) G. B. FRASER,
Registrar of Probates for said County.

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IN THE SUPREME COURT IN EQUITY.

Thomas Jardine, on behalf of himself and all other creditors of Annabella Moore who may come in and contribute to the expenses of this suit, Plaintiffs;

and

Annabella Moore and Alexander Fraser, Senior, 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 the above named Annabella Moore, one of the above defendants, does not reside within the Province so that she cannot be served with a summons, and that her place of residence can not be ascertained by the plaintiff, and that the above plaintiff has good prima facie grounds for filing a bill against the above named defendants: I do hereby order that the said defendant, Annabella Moore, on or before the first day of NOVEMBER next, do enter an appearance in this suit, (if she intend to defend the same), wherein a bill will be filed against the above named defendants by the above named plaintiff for a declaration and decree, that the conveyance by the said Annabella Moore made in and by a certain deed to the said Alexander Fraser, Senior, bearing date the fourteenth day of September, A. D. 1906, and registered in the Registry of Deeds for the County of Kent, in Book Y, Number 2, of Records of said County of Kent, at pages 167 and 168, and numbered therein 36903, of certain lands and premises therein mentioned and described was and is fraudulent, null and utterly void, and was voluntarily made with the collusive intent to defeat, hinder, delay and defraud plaintiff and other creditors of the said Annabella Moore, and with intent to give the said Alexander Fraser an unjust preference over plaintiff and other creditors of the said Annabella Moore, she, the said Annabella Moore, being at the time of the giving of the said conveyance in insolvent circumstances and unable to pay her debts in full to the knowledge of the said Alexander Fraser, Senior; and also for an injunction to restrain the said Alexander Fraser from transferring, selling or disposing of the said real estate so conveyed by the said Annabella Moore, and for such other and further relief as the nature of the case may require; and unless such an appearance is so entered a bill may be taken pro confesso and a decree made.

Dated this sixteenth day of August, A. D. 1907.

P. A. LANDRY, J. S. C.

CARTER & HUTCHINSON, Plaintiff's Solicitor.

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Advertisements for the Gazette are required to be forwarded by Mail to R. W. L. TIBBIS, King's Printer, on TUESDAY, in order to be in time for Wednesday's issue.