

## Rules and Practice of the House of Assembly.

### PRIVATE BILLS

78. A typewritten copy or printed copy of every Private Bill or Local Bill introduced into this House shall be filed with the Clerk of the House within ten days after the opening of the Session, and in case of failure to comply with this provision the fee on the introduction of any such Private Bill shall be double the fee provided for in Rule 84 applicable to such Bill, and Local Bills introduced after ten days of the opening of the Session shall pay the same fee as a Private Bill.

79. No Private Bill, or Bill making any amendments of a like nature to a former Act, shall be received by the House, unless a notice specifying clearly and distinctly the nature and objects thereof, 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 County interested in or to be affected by the measure, or in the locality where the parties affected, or the majority of them, reside; and when no newspaper is published in such County or locality, then in some newspaper published in the nearest adjoining County in which a newspaper is published, and also in the ROYAL GAZETTE. When the City or County interested in the measures, 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.

80. In any County where no newspaper may be published, the Bill, in lieu of other local publications, may be read at the Assizes in the presence of the Grand Jury, 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 the Court, Town Council, or Municipal Council, as the case may be; and separate Petitions may be presented to the House, setting forth in detail the object of the measure, and the reasons that may be urged for its adoption.

81. It shall be the duty of all parties seeking the interference of the Legislature in any private bill, to file, with the Clerk of the House, the evidence of their having complied with the Rules and Standing Orders thereof.

84. No private bill shall be received unless it shall be certified by the Receiver General upon the bill, or by Certificate annexed thereto, that there has been paid into his hands towards the printing and other contingent expenses of the House, the fees following, namely:

On Bills other than for the incorporation of Companies,	\$40 00
On Bills in amendment of such Acts,	30 00
On Bills for the incorporation of Companies, fees to be paid according to the amount of capital, and to be the same as are imposed under the Letters Patent Act for Companies which may be incorporated under that Act,	
On Bills amending the last mentioned incorporating Acts, one-third of the original fee.	
On Bills for the incorporation of Companies or Associations not having a stated capital,	40 00
On Bills in amendment of such Acts,	30 00

Provided, that where a Bill in respect of which such payment has been made does not pass the Legislature, it may be introduced at the next following Session upon the payment of an additional sum of \$10;

And provided, that this Rule shall not extend to local Bills, not of a private nature, or to Acts for the incorporation of Cemetery Companies or Churches, or relating to the property or objects thereof.

71. No Bill shall be read the second time until it has been printed according to a form to be prescribed by the Clerk of this House, and a sufficient number of copies thereof, folded, and with the title and name of the Member who has introduced the same, and the number of the Bill endorsed thereon, have been distributed for the use of the Members, and the Clerk-Assistant shall have certified accordingly on the Orders of the Day, thus: "Printed," signifying that it has been printed according to this Rule, and distributed.

155. When Bills are presented to the House any section or sections of which are intended to amend a section or sections of previous Acts, either by adding to or striking out therefrom any words or clauses, the intended amendment should be first stated and the section or sections amended as proposed should then be set out in full.

Forms of Bills can be obtained on application to the Clerk of the Legislative Assembly at his office in Fredericton.

Dated the 27th day of December, A. D. 1906.

HENRY B. RAINSFORD,  
Clerk Legislative Assembly.

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### IN THE SUPREME COURT.

In the matter of "The Companies Winding-up Act," being Chapter 90 of "The Consolidated Statutes, 1903;" and

In the matter of "The Fredericton Boom Company."

NOTICE IS HEREBY GIVEN, That a petition for the winding up of the above named Company, will be presented by the said Company, and heard before the Honorable William Henry Tuck, Chief Justice of the said Court, at the Judges' Chambers in the Pugsley Building, in the City of Saint John, on FRIDAY the twenty-second day of FEBRUARY instant, at 2.30 o'clock in the afternoon, or as soon thereafter as counsel can be heard; and on such application will be read the several affidavits of Jeremiah H. Barry, Allan H. F. Randolph and Edward L. Jewett, in verification of said petition, and any creditor or contributory of the said Company desirous to support or oppose the making of an order on the said petition, may appear at the time of hearing by himself or his counsel for that purpose.

Dated the fifth day of February, A. D. 1907.

J. H. BARRY,  
Solicitor for the above named Company.

NOTICE IS HEREBY GIVEN, That application will be made, at the next Session of the New Brunswick Legislature, to renew, extend and amend the Act incorporating the "Auto Road Company," Chapter 87, 4 Edward VII., and the Act in amendment thereof, Chapter 90, 5 Edward VII.

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J. S. ARMSTRONG,  
for Applicants

### IN THE SUPREME COURT IN EQUITY.

Between George W. Fowler, James Robinson, William A. Marsh, John Ritchie, Fred H. Hale, Neil McCrimmon, John A. McIntosh, Robert R. Hall and The Chimalapa Land Company, Limited, plaintiffs;

and

William L. T. Foy, Charles J. Morgan, Walter des Fontaines Foy, Duncombe Bradford Gellibrand and William Ray Lenanton, doing business under the firm, name and style of Foy, Morgan & Co., Sydney H. Shadbolt, James T. White and Alfred W. Wright, 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 Alfred W. Wright, one of the above named defendants, does not reside within the Province of New Brunswick, so that he cannot be served with Summons, and that his place of residence cannot be ascertained by the plaintiffs, and that the above plaintiffs have good prima facie grounds for filing a Bill against the above named defendants: I do hereby order that the said defendant, Alfred W. Wright, on or before the first day of March 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 plaintiffs for a decree setting aside a certain agreement, bearing date the fourth day of May, 1905, and made between the said William L. T. Foy, Charles J. Morgan, Walter des Fontaines Foy, Duncombe Bradford Gellibrand and William Ray Lenanton, by the said Sydney H. Shadbolt as their Attorney, of the first part, and the said George W. Fowler, James Robinson, William A. Marsh, John Ritchie, Fred H. Hale, Neil McCrimmon, John A. McIntosh and Robert R. Hall, James T. White, Alfred W. Wright and William K. George of the second part, for the purchase by the said parties last mentioned from the said Foy, Morgan and Company, of a tract of about 130,000 acres of land, situated in Mexico, for the price of \$325,000 upon the terms and conditions in said agreement contained, and also to set aside a certain other agreement, dated on or about the twenty-fourth day of October, 1895, and made between the parties aforesaid, other than the said William K. George, and being supplementary to the said agreement of the said fourth day of May, and also for the setting aside, cancellation and delivery up of a certain promissory note, dated the first day of November, 1895, and made by the said George W. Fowler, James Robinson, William A. Marsh, John Ritchie, Fred H. Hale, James T. White, Neil McCrimmon, Alfred W. Wright, John A. McIntosh and Robert R. Hall, jointly and severally in favor of and payable to the Chimalapa Land Company, Limited, for the payment of the sum of \$40,000 three months after the date thereof at the office of James Robinson, 148 McGill Street, Montreal, and which said promissory note was indorsed by the said Chimalapa Land Company, Limited, and is now held by the defendants, William L. T. Foy, Charles J. Morgan, Walter des Fontaines Foy, Duncombe Bradford Gellibrand and William Ray Lenanton, and upon which they have brought a certain action at Law in the Supreme Court of the Province of New Brunswick against the said George W. Fowler, and also for the setting aside, cancellation and delivery up of a certain other promissory note for the payment of the sum of \$23,203 three months after the date thereof, and bearing date on or about the first day of November, 1895, and made in favor of the said Sydney H. Shadbolt by the said parties hereinbefore mentioned as having made the said promissory note for \$40,000; and also for a decree for the payment by the said Foy, Morgan & Company to the plaintiffs, other than The Chimalapa Land Company, Limited, and to said defendants, Alfred W. Wright and James T. White, of the sum of \$18,833 due by the said parties to the said Foy, Morgan & Company, under and by virtue of the said agreements upon the ground that the said plaintiffs, parties to said Agreement, and to said Promissory Note respectively, were induced to make and did make the said several agreements and became parties thereto, and made or became parties to the said two promissory notes, and were induced to pay and did pay the said moneys to the said Foy, Morgan & Company, by the fraud, misrepresentation and deceit of the said defendants, other than the said James T. White, and that the said Agreements, Promissory Notes and moneys were obtained by the said defendants, other than the said James T. White, from the plaintiffs by fraud, misrepresentation and deceit and for an Injunction Order restraining the said defendants, William L. T. Foy, Charles J. Morgan, Walter des Fontaines Foy, Duncombe Bradford Gellibrand and William Ray Lenanton, from proceeding with a certain Action at Law commenced by them in the Supreme Court in the Province of New Brunswick against the defendant, George W. Fowler, for the recovery of the said Promissory Note for \$40,000, and to restrain them and the said Sydney H. Shadbolt respectively from commencing or prosecuting any other Action at Law against the said plaintiffs, or either of them, upon the said Promissory Notes, or either of them, or upon or under the said two Agreements, or either of them, and to restrain the negotiation or transfer by the said defendants and each of them of the said two Promissory Notes, and each of them; and unless such an Appearance is so entered, the Bill may be taken pro confesso and a Decree made.

Dated this 27th day of November, A. D. 1906.

(Sgd.) FRED. E. BARKER, J. S. C.

HANINGTON, TEED & HANINGTON, Plaintiffs' Solicitor. 10ins

### NOTICE.

NOTICE IS HEREBY GIVEN, That application will be made to the Legislative Assembly of New Brunswick, at the next Session, for the passing of an Act to incorporate the "Saint John River Boom Company," with power to purchase, build, erect, place and maintain booms, piers and other works in the Saint John River and branches, and on both sides of the Saint John River and branches, and on the Islands in the said River and branches, for the more convenient collecting, picking up, securing and rafting timber, logs, masts, spars, cedars and other lumber floating in or down the River Saint John and branches, and for carrying on, and managing the same, and for carrying on and managing the duties and business of a Boom Company.

Dated at Fredericton this twenty-fifth day of January, A. D. 1907

WINSLOW & ALLEN,  
Solicitors for Applicants.

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