

EXCHEQUER COURT SALE.

THERE will be sold at Public Auction at the County Court House, in the Parish of Bathurst, in the County of Gloucester, and Province of New Brunswick, on Thursday the tenth day of February next, at the hour of twelve of the clock, noon, pursuant to the directions of an Order of the Supreme Court, Exchequer side, made on Tuesday the second day of November instant, at the instance of Her Majesty's Attorney General, in certain proceedings had and taken by Her said Majesty the Queen against John Sivewright, a debtor of Her said Majesty, whereby, among other things, it was ordered and directed by the said Court that the right, title, estate and interest of the said John Sivewright, the said debtor to Her Majesty, in and to any and all lands, tenements and hereditaments which had been extended under and by virtue of a certain writ of extent, issued out of the said Court on the fourth day of May, in the fifty-ninth year of the Reign of Her present Majesty Queen Victoria and the inquisition thereunder, and appearing by the said inquisition and the return thereto to have been vested in the said Crown debtor at the date of the teste of the said writ of extent be sold and conveyance thereof made by Her Majesty's Remembrancer by deed of bargain and sale upon such notice and in such manner as the Court should direct, and that the moneys arising from such sale be applied as far as the same should extend to the satisfaction of a crown debt, specified in the said writ of extent, and to satisfy which the said writ was issued, and to the satisfaction of the costs and expenses incurred in enforcing the payment of such debt by means of such writ of extent and the proceedings thereunder, all the right, title and interest, both at law and in equity, of the said John Sivewright, the said debtor to Her Majesty, in and to any and all of the lands, tenements and hereditaments following, that is to say:—

1st. All and singular that certain lot or parcel of land and premises situate, lying and being in the Town Plot of Bathurst, and distinguished on the plan of the said Town as number forty-four (44), and abutted and bounded as follows, that is to say:—North-erly by Saint George Street, one hundred feet; Easterly by King Street, two hundred feet; Southerly by lot number sixty-eight, one hundred feet; and Westerly by lot number forty-three, two hundred feet; together with all the buildings and improvements thereon.

2nd. Also all and singular that certain lot or parcel of land and premises situate, lying and being in the Parish of Bathurst, known and distinguished on the plan of the Town Plot of Bathurst as the westerly half of lot number one hundred and two, and bounded as follows, to-wit:—Beginning on the North side of Saint Patrick Street at the Southeasterly angle of lands known as the Methodist Chapel lots; thence Northerly along the easterly side line of the said lots and at right angles with the said Street, two hundred feet; thence Easterly on a line parallel with the said Street, fifty feet; thence on a line running Southerly through the centre of the said lot and parallel with the first mentioned line, two hundred feet or to the North side of the said Street; thence Westerly along said Street, fifty feet or to the place of beginning; together with all buildings and improvements thereon.

3rd. Also all and singular that certain lot, piece or parcel of land and premises situate, lying and being in the Town Plot of Bathurst, in the said County of Gloucester, bounded and described as follows, that is to say:—On the North by lot number forty-seven; on the South by Saint Andrew's Street; on the East by lot number sixty-four, being that piece of land conveyed by the said John Sivewright to William E. Pitre by deed bearing date the twenty-ninth day of November, A. D. 1893; and on the West by lot number sixty-six, being the lot or parcel of land formerly conveyed to William Sivewright by John Sivewright by deed bearing date the seventeenth day of July, 1877; together with all buildings and improvements thereon.

4th. Also all and singular that certain piece or parcel of land and premises situate, lying and being on the North side of Water Street, in the Town of Bathurst, in the County of Gloucester, on the Westerly side of lands formerly owned by the late Samuel Miller, beginning at the Southwesterly corner of said lands of said Samuel Miller; thence running West along said Water Street, one hundred and twenty-eight feet; thence North to the waters of the Bay; thence along the said waters East until it reaches the North-westerly corner of the said lands of Samuel Miller; thence along the line dividing the said lands of Samuel Miller from the lands hereby granted to the place of beginning; together with all buildings and improvements thereon.

5th. Also all that certain lot, piece or parcel of land and premises in the Town Plot of Bathurst aforesaid, being part of the bank and water privilege in front of lot number twenty-six, being the lands and premises formerly occupied by John Proctor, on the North side of Water Street in Bathurst aforesaid; which said last mentioned piece or parcel of land was deeded to one Charles Boss by the said John Proctor and Mary his wife, by deed bearing date on the twenty-sixth day of August, in the year of our Lord one thousand eight hundred and seventy-four, and duly registered in the Records of the said County of Gloucester on the said last mentioned date, as number 41, on page 82 of the 24th Volume of said Records, as by reference thereto for a fuller description of said lands will fully and at large appear; together with all buildings and improvements thereon.

These two last mentioned and described pieces of land were conveyed to the said John Sivewright by Charles Boss by deed bearing date the twenty-fifth day of June, A. D. 1886.

6th. Also all that certain piece or parcel of land and premises situate, lying and being on the East side of Black Street, in the Town of Bathurst, in said County of Gloucester, commencing at the Southwestern corner of land now occupied by Francis J. Gaitain; thence running South along said Street fifty-five feet; thence Easterly to the waters of Bathurst Harbour; thence along said waters of said Harbour Northerly as far as the said lands occupied by said Francis J. Gaitain; thence along the same to place of beginning; together with all the buildings and improvements thereon.

7th. Also all that piece and parcel of land and premises situate, lying and being in the Town of Bathurst aforesaid, abutted and bounded as follows, to-wit:—Easterly or in front by the waters of the Big Nipisiquit River; Southerly by the lands conveyed by William Cunard and Laura Charlotte Cunard his wife, to John Miller; Westerly by the Easterly side of Black Street; and Northerly by lands owned and occupied by the said John Sivewright, being part of the lands and premises conveyed to the said William Cunard by George Edward Francklyn by Indenture bearing date the fourth day of June, in the year of our Lord one thousand eight hundred and seventy-nine, as by reference thereto will more fully appear; together with all buildings and improvements thereon.

8th. Also all that certain lot or parcel of land and premises situate, lying and being in the Parish of New Bandou, in the County of Gloucester aforesaid, distinguished and described as follows, that is to say:—Commencing at the Queen's Highway two feet distant from the line fence between the lands formerly owned by the late Thomas Smith, now occupied by his son Mathew, and the lands of Joseph Wiseman; thence South ten degrees East sixteen rods on a line parallel with the said line fence; thence East on a course parallel with the Queen's Highway ten rods; thence North ten degrees West to the Queen's Highway aforesaid; thence Westerly along the said Highway to the place of beginning, being a part of the Easterly half of lot number twenty-nine, and containing one acre more or less.

9th. Also all that tract or parcel of land situate, lying and being in the Parish of Shippegan, bounded and described as follows, that is to say:—Beginning at the Northeastern corner where it meets the Public Highway leading to Pokemouche and the road leading to Saint Simon; thence following the said road leading to Saint Simon forty-seven yards to a stake, when it meets the line of division of original lot and the lot occupied by Fabian Dugway; thence in a Southerly direction, following said line parallel with the road leading to Pokemouche, one hundred and three yards to a cedar stake; thence in an Easterly direction parallel with the road leading to Saint Simon forty-seven yards to a stake, when it meets the road leading to Pokemouche; thence following said road in a Northerly direction one hundred and three yards to the place of beginning, containing one acre more or less. The said piece of land being deeded to one Arcade Landry by Moses Herbert and wife by deed bearing date the seventeenth day of November, A. D. 1890.

10th. Also all that lot of land in the Parish of Inkerman, in the said County of Gloucester, containing the third part of two hundred acres of land originally granted to the late Augustine Landry, situate, lying and being near Pokemouche River, in the said Parish of Inkerman between the land belonging to Peter Landry and the land belonging to the heirs of Michael Finn, deceased, which land was conveyed to the said Arcade Landry by deed bearing date the fifth day of July, A. D. 1873.

TERMS OF SALE.—The lands will be sold separately as above described. Twenty per cent. of the purchase money to be paid on the land being knocked down. The balance to be paid to the undersigned at his Office in Fredericton upon delivery of the deed, within ten days from sale.

Dated this thirtieth day of November, A. D. 1897.

(10ins)

T. CARLETON ALLEN,
Remembrancer to Her Majesty.

In the Supreme Court in Equity.

Charles D. Lowery, Plaintiff;

vs.

Ira T. McDonald, Mary E. McDonald, George H. Waterbury,
Edward L. Rising, Fred A. Dykeman, and Harvey L.
Hewson, 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 Ira T. McDonald, one of the above 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 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, Ira T. McDonald, on or before the twenty fifth day of January next, do enter an appearance in this suit, (if he intend to defend the same), wherein a bill will be filed against the above named defendants by the above named plaintiff, for the foreclosure of a certain Indenture of Mortgage dated the nineteenth day of May, A. D. 1894, and made between the said Ira T. McDonald and Mary E. McDonald and one L. Inglewood Flower, and since assigned by the said L. Inglewood Flower to the above named plaintiff, Charles D. Lowery, by a certain Indenture of Assignment dated the second day of January, A. D. 1897, and for the foreclosure and sale of the Lands and Premises described in the said Indenture of Mortgage; and unless such an appearance is so entered, the bill may be taken pro confesso and a Decree made.

Dated this eighth day of November, A. D. 1897,

(Sgd) E. McLEOD, J. S. C.

JAMES W. FLOWER, Plaintiff's Solicitor.

This Order is granted on the application of James W. Flower, Esquire, of the Parish of Norton, in the County of King's, in the Province of New Brunswick, the plaintiff's Solicitor in this cause.

(Sgd) E. McLEOD, J. S. C.

ENDORSED.

The plaintiff claims \$450.00 as principal on the within mentioned mortgage, and \$40.74 for eighteen months interest thereon, from the ninth day of April, A. D. 1895 to the date of this Order for appearance.

Dated the 14th day of October, A. D. 1897.

11ins

JAMES W. FLOWER,
Plaintiff's Solicitor.