

or Probate Court, shall be by notice of motion, and no rule nisi or order to show cause shall be necessary. Such notice of motion shall state whether all or part only of the judgment, order, decree or finding is complained of, and in the latter case shall specify such part.

4. The notice of motion shall be served within twenty days after the date of the judgment, order, decree or finding appealed from, unless the time be extended by order of a Judge of the Court from, or to which the appeal is taken, made either before or after the expiration of the said twenty days. Such notice of motion shall be for the session of the Court of Appeal next after the service thereof.

5. Rules 8 and 9 of Order LVIII shall, as far as applicable, extend and apply to every appeal taken or motion made to the Court of Appeal from any verdict entered or judgment, finding, order or decree made or found in the Court of Divorce and Matrimonial Causes, or in any County Court or Probate Court.

6. No appeal from the Court of Divorce and Matrimonial Causes shall be entered on the docket unless the provisions of Rule 1 of this Order shall have been complied with; and no appeal from any County Court or Probate Court shall be entered on the Docket unless there shall have been filed in the office of the Registrar, in the case of an appeal from a County Court, the proceedings duly certified by the Judge of the Court appealed from, and in the case of an appeal from a Probate Court the return of the Judge appealed from.

7. In case the appellant shall neglect to enter the appeal according to his notice thereof, or, having entered it, shall not argue it when reached in its order on the docket, or at the time fixed by order of the court for its hearing, the respondent may, on the case being called, or, upon notice, on a common motion day, move that the appeal be dismissed.

8. On an appeal from a decision of a Judge of the Court of Divorce and Matrimonial Causes, or of any County Court, or Probate Court, the Court shall have power to draw all inferences of fact which might have been drawn by the Court below, and to give any judgment and make any order which ought to have been given or made. No appeal shall succeed on the ground merely of misdirection or improper reception or rejection of evidence, unless, in the opinion of the Court, substantial wrong or miscarriage has been occasioned thereby in the Court below.

9. If, on any motion by way of appeal from any of the Courts in this Order mentioned, any of the documents required by this Order to be filed, has or have not been so filed, the Court of Appeal may nevertheless hear and determine such appeal upon such evidence or statement of what occurred in the Court appealed from, as the Court of Appeal may deem sufficient in lieu thereof.

Dated this 24th day of April, A. D. 1918.

Take notice that the above Rules of Court, pursuant to sub-section 2 of Section 50 of the said "The Judicature Act, 1909," shall come into force on the thirtieth day from this twelfth day of June, A. D. 1918.

M. B. DIXON,
Clerk of the Executive Council of N. B.

CHANCERY SALE.

PURSUANT to a decree of the Supreme Court, Chancery Division, bearing date the 8th day of April, A. D. 1918, and made in a suit between E. Clifford Powell on behalf of himself and all other holders of the bonds of the Beersville Coal & Railway Company, Plaintiff, and The Van Norden Trust Company and others, Defendants, and as amended by order of Mr. Justice White, dated the 19th day of November, A. D. 1915, between E. Clifford Powell, on behalf of himself and all other holders of the bonds of the Beersville Coal & Railway Company, Plaintiff, and The Van Norden Trust Company and others, Defendants,

There will be sold at public auction with the approbation of a Master of the Supreme Court, and pursuant to the provisions of the Judicature Act, 1909, on Saturday, the 13th day of July, 1918, at twelve o'clock noon at the City Hall, so called, in the City of Moncton, County of Westmorland, and Province of New Brunswick, the Railway and Rolling Stock, real and personal property and all the rights, privileges and franchises mentioned in said decree, and described as follows, namely: The railway and rolling stock mentioned in Chapter 57 of the Acts of the Legislative Assembly of the Province of New Brunswick, passed in the year 1914, and all and singular the property, real and personal, and all the rights, privileges and franchises described in said Indenture of Mortgage, namely:

"All the land conveyed by Peter Henry and wife to Charles G. Polleys by deed dated September 21st, A. D. 1903, and duly recorded in the Kent County Records of Deeds, etc., by the No. 35143 in Book N., No. 1, at page 695, on the fifth day of October, A. D. 1903, and afterwards conveyed by said Polleys and wife to the Beersville Coal and Railway Company" and being fully described in said deed.

"All the land conveyed by Phineas Beers to the Beersville Coal and Railway Company by deed dated September 18th, A. D. 1903, and duly recorded in the Kent County Records of Deeds, etc., by the number 35241 in Book N., No. 2, at page 697, on the fifth day of November, A. D. 1903," and being fully described in said deed.

"All the land conveyed by Thomas Dunn and wife to the Beersville Coal & Railway Company by Deed dated September 21st, A. D. 1903, and duly recorded in the Kent County Records of Deeds, etc., by the number 35244, in Book N., No. 2, at page 698, on the fifth day of November, A. D. 1903," and being fully described in said deed.

"All the land conveyed by James Jardine to the Beersville Coal & Railway Company by deed dated October 26th, A. D. 1903, and duly recorded in the Kent County Records of Deeds, etc., by the number 35246, in Book N., No. 2, at pages 699 and 700, on the fifth day of November, A. D. 1903," and in said deed fully described.

"All the land conveyed by Thomas McWilliam and wife to the Beersville Coal & Railway Company by deed dated October 26th, A. D. 1903, and duly recorded in the Kent County Records of Deeds, etc., by the number 35245, in book N., No. 2,

at pages 698 and 699, on the fifth day of November, A. D. 1903," and fully described in said deed.

"And all other lands of the Beersville Coal and Railway Company situate in the said County of Kent."

"Together with all and every franchise (including the franchise to be a corporation), right and privilege and easement of whatsoever kind or nature now or hereafter at any time howsoever owned, acquired, possessed, enjoyed or exercised by the Railway Company by virtue of any Act of the Legislative Assembly of the Province of New Brunswick or of any contract or lease between the Railway Company and any other railway or other corporation or individual, or under or by virtue of any authority whatsoever heretofore or hereafter conferred which are or may be hereafter with or appurtenant to the hereinbefore described and hereby mortgaged railway and rights, together with all and singular the liberties, privileges and franchises connected with or relating to said railway routes and real and personal property hereby mortgaged, or the maintenance, operation and use thereof, which are now or may be hereafter owned, possessed, enjoyed or exercised by the Railway Company, with all and singular the tolls, income, profits, advantages, hereditaments, easements and appurtenances to the hereinbefore described and hereby mortgaged railway routes and personal property, franchises and premises, or any part thereof now or hereafter belonging to or in anywise appertaining."

At which sale all parties have leave to bid.

For further particulars apply to Messrs. Fowler & Freeze, Barristers, etc., Sussex, N. B.

Dated at Richibucto, in the County of Kent, and Province of New Brunswick, this first day of May, A. D. 1918.

(Sgd.) HENRY H. JAMES,
Master of the Supreme Court.

9 ins

NOTICE OF SALE.

PUBLIC NOTICE is hereby given, that under authority of Canadian Railway Act, the Dominion Express Company will sell at public auction in the City of Montreal, in the Province of Quebec, on Tuesday, June 18th, 1918, all unclaimed shipments that have been on hand since previous to June 1st, 1917, at offices in the Atlantic Division.

7 ins

W. S. STOUT,
President and General Manager.

THERE will be a sale of unclaimed goods at the Freight House, St. John, N. B., on Thursday, June 20th, 1918, commencing at 10 o'clock in the morning. Catalogue can be seen in the Railway Station.

C. A. HAYES,
General Manager Canadian Government Railways.
Moncton, N. B., 6th May, 1918. 7 ins

CROWN LAND DEPARTMENT

SALE OF CROWN LANDS.

Crown Land Office, June 5th, 1918.

THE following lots of vacant Crown Land will be offered for sale at this office on Tuesday, the 2nd day of July, 1918, at noon. All improvements to be paid for at the time of sale or as soon thereafter as the Minister of Lands and Mines determines the present value thereof. The said lots are sold subject to the cost of the survey, which will be in addition to the upset price.

Gloucester.

5 acres, Lot 3, southern side Pokesuedie Island, Point Marcel. Theophile H. LeBouthillier. Upset price per acre, \$1.
29 acres, Lot 12, Pokesuedie Island. Andre D. Doiron. Upset price per acre, \$1.
45 acres, Lot 13, Pokesuedie Island. Ferdinand F. Lanteigne. Upset price per acre, \$1.
42 acres, Lot 14, Pokesuedie Island. Joseph S. Doucet. Upset price per acre, \$1.
36 acres, Lot 15, Pokesuedie Island. Desire P. Doiron. Upset price per acre, \$1.
4-10 acres, Lot 43, west in Big Belledune Settlement. James N. McKenzie. Upset price per acre, \$3.
91 acres, Lot 82, north of Tracadie Lagoon. Elizee McGraw. Upset price per acre, \$2.

4 ins

E. A. SMITH,
Minister of Lands and Mines.

APPLICATIONS FOR CROWN LANDS APPROVED.

Crown Land Office, June 19th, 1918.

THE following applications for land under the Act to facilitate the settlement of Crown Lands, viz., Chapter 25, C. S. 1903, and the regulations thereunder (passed in Council 12th April, 1875, and 8th September, 1913) are approved.

No Commissioner to assign work until he knows that the applicant has improved to the value of \$40.00 (as required by the 3rd Regulation), otherwise no credit will be given for the labor.

The following lots are "approved" subject to timber license to the first of August, 1919:

Restigouche.

L. B. Somers and Andrew Savoie, Commissioners.
32,299 Arthur Richard, 100 acres, Lot 9, Range 4, Grimmer Settlement.
32,300 Alexander A. Bouchard, 100 acres, Lot 13, Range 9, Grimmer Settlement.
32,301 Damase Chartier, 100 acres, Lot 15, Range 9, Grimmer Settlement.
32,302 Louis Poulin, 100 acres, Lot 16, Range 9, Grimmer Sett.
32,303 Constant Grosset, 100 acres, Lot 4, Range 10, Grimmer Settlement.