

William the Fourth, by the Grace of GOD, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith.

To the SHERIFF of the District of MONTREAL, in our Province of Lower Canada, GREETING. At the instance of John Waterhouse and Samuel Waterhouse of Halifax in the County of York in that part of the United Kingdom of Great Britain and Ireland called England, merchants and copartners and copartners copy with on trade together under the name style and firm of Samuel and John Waterhouse

Estates Property Credits and Effects of the individual Partners in the said firms respectively, The Honorable Francois Xavier Mailhiot Esquire in the said District of Montreal Esquire Benjamin Beaulieu and John Samuel Mc Cord of Montreal aforesaid Esquires Advocates and Robert Lester Morrogh of the same place Esquire



We command you, that you attach and seize all such Goods, Monies, Credits and Effects, that you may find in the hands, possession, or power of Samuel Gerard and George Gregory of Montreal in the District of Montreal Esquires, individually and also as assignees and trustees of the Estates Property Credits and Effects of certain mercantile copartnerships heretofore existing and trading at Montreal aforesaid under the names or firms of M^r. Jarvis M^r. Gillivray & Company and M^r. Gillivray Thibon and Company and of the belonging to or due to Francis William Frotter Desrivieres and Henry Frotter Desrivieres of Montreal in the said District of Montreal Esquires, James Olive of the Parish of St. Thomas in the District of Quebec and Province of Lower Canada a merchant and Marie Marguerite Frotter Desrivieres his wife Alexander Mackenzie of Montreal aforesaid merchant and Marie Louise Frotter Desrivieres his wife or so much thereof, as may be sufficient to answer the demand of the said John Waterhouse and Samuel Waterhouse

for the sum of nine hundred and eighty seven pounds eighteen shillings and six pence Current money of our said Province, due as stated in the declaration herunto annexed; and the said Goods, Monies, Credits and Effects so attached and seized, that you enjoin the said Samuel Gerard and George Gregory individually and also as assignees and trustees as aforesaid, the Honorable Francois Xavier Mailhiot, Benjamin Beaulieu, John Samuel Mc Cord and Robert Lester Morrogh not to dispossess themselves thereof under pain of being reputed the personal debtors of the said John Waterhouse and Samuel Waterhouse

be adjudged in due course of Law. We likewise command you, that you summon the said Samuel Gerard and George Gregory individually and also as assignees and trustees aforesaid, the Honorable Francois Xavier Mailhiot, Benjamin Beaulieu, John Samuel Mc Cord and Robert Lester Morrogh to be and appear before our Justices of our Court of King's Bench, at the Court House, in our City of Montreal, on Monday the sixteenth day of June next at Nine o'Clock in the Forenoon, to declare upon oath, what Goods, Credits, Monies or Effects they may have in their hands, possession, custody

or power, of or belonging to the said Francis William Frotter Desrivieres and Henry Frotter Desrivieres James Olive and Marie Marguerite Frotter Desrivieres his wife, Alexander Mackenzie and Marie Louise Frotter Desrivieres his wife as heirs par benefice d'inventaire of the late Francis Desrivieres deceased and Thomas Blackwood or what sum or sums of money they now owe, or hereafter shall or may owe, in any manner whatsoever, to the said Francis William Frotter Desrivieres and Henry Frotter Desrivieres James Olive and Marie Marguerite Frotter Desrivieres his wife and Marie Louise Frotter Desrivieres his wife, Alexander Mackenzie and Marie Louise Frotter Desrivieres to abide our further orders thereon. And we further command you, that you attach and seize all Goods, Monies and Effects in the hands of the said Alexander Mackenzie and Marie Louise Frotter Desrivieres or of so much thereof to answer the demand of the said John Waterhouse and Samuel Waterhouse and also that you summon the said Francis William Frotter Desrivieres and Henry Frotter Desrivieres James Olive and Marie Marguerite Frotter Desrivieres his wife and Marie Louise Frotter Desrivieres his wife, Alexander Mackenzie and Marie Louise Frotter Desrivieres to be and appear at the aforesaid time and place, to hear the said attachments declared good and valid, and further to answer as the said declaration requires, and have you then and there this Writ.

Witness the Honorable JAMES REID, Chief Justice of our said Court, at Montreal, this thirtieth day of May in the fourth year of our Reign. One thousand eight hundred and thirtyfour.

as heirs par benefice d'inventaire of the late Francis Desrivieres deceased in his lifetime of Montreal aforesaid Esquire and Thomas Blackwood of Montreal aforesaid merchant

Pand Marie Marguerite Frotter Desrivieres his wife Alexander Mackenzie and Marie Louise Frotter Desrivieres his wife as heirs par benefice d'inventaire of the late Francis Desrivieres deceased and Thomas Blackwood

(A true Copy)
[Signature] Sheriff

(Signed) MONK & MORROGH, P. K. B.

DISTRICT
OF
MONTREAL.

In the King's Bench.

June TERM, 1836.

John Waterhouse & Co. Plaintiff,

vs.

Francis M. T. Des Rivieres & Co. Defendant,

&

Samuel Gerrard & Co. Garnishee.

To the HONORABLE THE CHIEF JUSTICE AND JUSTICES OF HIS MAJESTY'S
COURT OF KING'S BENCH in and for the District of Montreal.

THE PETITION OF John Waterhouse & Samuel
Waterhouse, of Halifax in the County of York in that
part of the United Kingdom of Great Britain and
Ireland called England, Merchants & Partners
carrying on trade together under the name & style
of firm of Samuel & John Waterhouse

Humbly represents,—

That your Petitioner, in the said Court of King's Bench on the 21st day of
April last past in the year one thousand eight hundred and
did recover Judgment

against Francis William Des Rivieres & Mary his wife
Des Rivieres, of Montreal in the said District of Montreal, Coigneurs,
James Dura, of the Parish of St. Thomas in the District of Quebec in
Province of Lower Canada, Merchant, & Marie Marguerite Des Rivieres
Des Rivieres, his wife, Alexander Mackenzie, of Montreal aforesaid,
Merchant, & Marie Louise Des Rivieres, his wife, jointly
as heirs per beneficia & inheritance of the late Francis Des Rivieres,
deceased, in his life time of Montreal aforesaid, Coigneurs, and Thomas
Blaswood, of Montreal aforesaid, Merchant, jointly & severally
with them the said heirs as aforesaid
for the sum of £671. — .8

current money of this Province, with interest on the sum of £840. 13/8 said former
Money from the 1st day of September 1829 to the 13th day of August 1833,
doe the said sum of £671. — .8 from the said 13th day of August 1833
until perfect payment — until paid, and costs of suit, which costs abrogately
taxed do amount to the further sum of £42. 4/1

current money aforesaid, that the costs accrued on
a writ of execution in bonis sued out under the said Judgment
amount to the further sum of £2. — .4 Current Money aforesaid:—

That the said several sums of money with the interest
aforesaid calculated to this day amount to the sum of
£987. 18/8 Current Money aforesaid, and that the whole
thereof still remains due and unpaid:

That there are in the hands, possession, custody, charge &
power of Samuel Gerrard & George Gagnon, of Montreal aforesaid,
That the said several sums of money, making together the sum of
£987. 18/8 Current Money aforesaid, and also as assignees & trustees of certain
merchandise copartnerships heretofore existing and trading at
besides interest as aforesaid, Montreal aforesaid under the names of firms
of Messrs. McGillivray & Co. & McGillivray Thant & Co. and of
the estate, property, credits and effects of the individual partners
still remain due and unpaid.

The estate, property,
credits & effects of
G.G.



That there are in the hands, possession, custody, charge, and power of in the said forms respectively; the Honorable Francois Larin Maillet, of Vercheres in the said District of Montreal, Cogne; Benjamin Beaubien & John Samuel McLeod, of Montreal aforesaid, Cogne, Advocates, and Robert Lester Morrogh, of the same place, Cogne.

Joint heirs per beneficia d'inventaire of the said late Francis Deslivins and Thomas Blackwood, Defendants in the said cause. J.L.

divers sums of money, debts, credits, goods, chattels, and effects, the property of, or due, owing and belonging to the said Defendant. Your Petitioners therefore pray that a writ of Attachment or Saisie Arrêt may issue in due course of law to attach and seize all such sums of money, debts, credits, goods, chattels, and effects as may now be or hereafter may come into the hands and possession of the said Samuel Gerard & George Gregory, individually, as assignees & trustees as aforesaid, Francois Larin Maillet, Benjamin Beaubien, John Samuel McLeod & Robert Lester Morrogh belonging or due to the said Defendant, and that the said Samuel Gerard & George Gregory, individually, as assignees & trustees as aforesaid, Francois Larin Maillet, Benjamin Beaubien, John Samuel McLeod, and Robert Lester Morrogh,

* or either of them, J.L.
* or either of them, J.L.

may be ordered not to dispossess themselves thereof under pain of being reputed the personal debtors of your petitioner for the payment and satisfaction of the said debt, interest, and costs, and that the said Samuel Gerard & George Gregory, individually, and as assignees & trustees as aforesaid, Francois Larin Maillet, Benjamin Beaubien, John Samuel McLeod, & Robert Lester Morrogh

* to wit: the said Francis William Trothen Deslivins, Mary Trothen Deslivins, James Olive Thierie, Marguerite Trothen Deslivins, his wife, Alexandra Kachey, Marie Louise Trothen Deslivins, his wife jointly as heirs per beneficia d'inventaire of the said late Francis Deslivins, & Thomas Blackwood, jointly & severally with them as such heirs, J.L.

may be summoned to be and appear before this Honorable Court on the day of June next, to declare upon oath what sums of money, debts, credits, goods, chattels, and effects they may have in their hands and possession, belonging to the said Defendants, or what sums of money they now owe or hereafter may owe to the said Defendants; and in default of their so appearing and answering as aforesaid that they may be adjudged and reputed to be the personal debtors of your Petitioners for the payment and satisfaction of the said debt, interest, and costs. And further your Petitioners pray that the said Defendants may be summoned to be and appear before this Honorable Court on the day and year last aforesaid, to see and hear the said attachment declared good and valid, and that they may be then and there adjudged and condemned to pay and satisfy to your Petitioners the sum of \$987.18/8

current money of this Province, with interest or at 7 1/2 % from this day until perfect payment

* or either of them J.L.

till paid, and costs of this suit; and that the said goods, chattels, and effects so attached and seized may be ordered to be sold in due course of law, and the proceeds thereof, together with all and every the sums of money, debts, and credits, which may be in the hands of the said Samuel Gerard & George Gregory, individually, as assignees & trustees as aforesaid, Francois Larin Maillet, Benjamin Beaubien, John Samuel McLeod, and belonging to, or due and owing to the said Defendants, may be ordered to be paid over to your Petitioners; to be by them applied towards the payment and satisfaction of their said debt, interest, and costs.

Montreal 20th May 1834.
Signed J. R. Colman
MONTREAL, 18
W.H. for the Pet.

Let a writ of Attachment or Saisie Arrêt issue as prayed for.
Montreal, 20th May 1834.
Signed J. R. Colman
J.H.D.

No. 1682.

King's Bench, Montreal,
Jan Term 1834.

Petition for a saisie-arrest

John Waterhouse deb. M^{rs}

vs
James W. J. Desbarres deb.

and
Samuel Leonard deb. Jan

Copies for
D. Desbarres Esq

fol: 62

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