

5. By the executor or administrator of a deceased person, claiming to have the estate of such person administered under the direction of the Court.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that your orator is the executor (or administrator) of E. F., late of , but now deceased, who departed this life on or about , and that he is willing and desirous to account for any part of the estate that has come to his hands, of which he hath possessed a certain amount, and that the whole of the estate of the said E. F. should be duly administered in this Court for the benefit of all persons interested therein or entitled thereto; and that C. D. is interested in the said estate as the next of kin of the said E. F., or as the residuary legatee of the said E. F. (and in case there is another or other executors or administrators who are not plaintiffs, and are to be made defendants, then add as follows :) and that the defendant G. H. is also an executor or administrator of the said E. F.; and your orator prays to have the estate of the said E. F. applied to a due course of administration under the direction of this Court, in the presence of the said C. D., (and G. H.,) and such other persons interested in the said estate as this Court may be pleased to direct, and that the costs of this suit may be provided for, and for these purposes that all proper directions may be given and accounts taken; and he prays also the process of the Court herein.

6. By a legal or equitable mortgagee or person entitled to a lien as security for a debt, seeking foreclosure or sale or otherwise to enforce his security.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that under and by virtue of an indenture, [or as the document may be,] dated the day of , and made between [the parties,] your orator is a mortgagee [or an equitable mortgagee], [or entitled to a lien upon certain freehold] [or leasehold] property [or other property as the case may be,] therein comprised, for securing the sum of £ and interest, and that the time of payment thereof has elapsed, and that the Defendant C. D. is entitled to the equity of redemption of the said mortgaged premises, [or the premises subject to such lien] and your orator therefore prays to be paid the said sum of £ and interest, and the costs of this suit, and in default thereof he prays the equity of redemption may be foreclosed, [and to have the said mortgaged premises sold, or to have the said premises subject to such lien sold, as the case may be,] and the produce thereof applied in payment of his said debt and costs, and for that purpose to have all proper directions given and accounts taken; and he prays the process of the Court herein.

7. By a person entitled to the redemption of any legal or equitable mortgage or any lien seeking to redeem the same.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that under and by virtue of an indenture, [or other document as the case may be,] dated the day of , and made between [the parties,] your orator is entitled to the equity of redemption of certain freehold [or other property, as the case may be,] therein comprised, which was originally mortgaged, [or pledged] for securing the sum of £ and interest, and that the Defendant C. D. is by virtue of the said indenture the mortgagee [or by an assignment of the said mortgage dated the day of , the assignee of the said mortgage,] [or holder of the said lien,] and entitled to the principal money and interest remaining due upon the said mortgage, [or lien,] your orator therefore prays that he may be allowed to redeem the said property, and that the same may be reconveyed [or delivered up] to him, or the mortgage cancelled upon payment of the principal money and interest due and owing upon the said mortgage, [or lien,] and for that purpose to have all proper directions given and accounts taken; and your orator prays the process of the Court herein.

8. By a person entitled to the specific performance of an agreement for the sale or purchase of any property seeking such specific performance.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that by an agreement dated the day of , and signed by the Defendant, C. D., your orator contracted to buy of him [or sell to him,] certain freehold property (or other property, as the case may be,) therein described or referred to, for the sum of £ , and that he has made, or caused to be made, an application to the said Defendant, specifically to perform the said agreement on his part, but that he has not done so; your orator therefore prays that the agreement may be specifically performed on the part of the Defendant, and to have his costs of this suit, and for that purpose to have all proper directions given; and he hereby offers specifically to perform the same on his part, and he prays the process of the Court herein.

[NOTE.—This form may be adapted to an agreement to lease or to mortgage, with proper alterations.]

9. By a person entitled to an account of the dealings and transactions of a partnership dissolved or expired seeking an account.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that from the day of down to the day of , your orator and the Defendant C. D. carried on the business of in co-partnership, under certain articles of co-partnership dated the day of , and made between [the parties], [or without articles, as the case may be], which partnership was dissolved [or expired] on the day of ; and your orator therefore prays that an account may be taken of the partnership dealings and transactions, and to have the said partnership wound up and settled under the direction of this Court, and for that purpose that all proper directions may be given and accounts taken; and he also prays the process of the Court herein.

10. By a person entitled to an equitable estate or interest and claiming to use the name of his trustee in prosecuting an action for his sole benefit.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that under an indenture dated the day of , and made between [the parties], your orator is entitled to an equitable estate or interest in certain property therein described or referred to, and that the Defendant C. D. is a trustee for your orator of such property, and that being desirous to prosecute an action at law against , in respect of such property, he has made or caused to be made an application to the said Defendant, to be allowed to bring such action in his name, and has offered to indemnify him against the costs of such action, but that the said Defendant has refused or neglected to allow his name to be used for that purpose; your orator therefore prays to be allowed to prosecute the said action in the name of the said Defendant, and hereby offers to indemnify him against the costs of such action; and he prays the process of the Court herein.

11. By a person entitled to have a new Trustee appointed in a case, where there is no power in the instrument creating the trust appointing the new trustee, or when the power cannot be exercised, and seeking to appoint a new trustee.

IN CHANCERY.

To &c. [address as usual.]

Humbly complaining, sheweth your orator, A. B., that under an indenture dated the day of , and made between [parties] [or under a will of , or other document, as the case may be], your orator is interested in certain trust property therein mentioned or referred to, and that the Defendant C. D. is the present trustee of such property, [or is the real or personal representative of the last surviving trustee of such property, as the case may be], and that there is no power in the said indenture, [or will, or other document], to appoint new trustees, or that the power in the said indenture, [or other document], to appoint new trustees cannot be executed; your orator therefore prays to have a new trustee appointed of the said trust property in the place of [or to act in conjunction with] the said Defendant; and he prays the process of the Court herein.

EDMUND HEAD, C.
N. PARKER, M. R.

Entered.

D. LUDLOW ROBINSON, Reg'r.

By JOHN C. VAIL, Esquire, one of the Justices of the Superior Court of Common Pleas in and for the County of King's County.

To all to whom it may concern, Greeting:

NOTICE is hereby given, That upon the application of John Urquhart, of the Parish of Springfield, in King's County, Farmer, to me made according to the form of the Act of Assembly in such case made and provided, I have directed all the Estate, as well real as personal, within this Province, of John M'Laggan, late of the Parish of Springfield, in King's County, aforesaid, (who being indebted to the said John Urquhart in the sum of thirteen pounds and upwards, after the said debt was contracted departed from and without the limits of this Province, and has not resided or been within the same for the space of six months next preceding the making of such application,) to be seized and attached; and that unless the said John M'Laggan doth return and discharge his said debts within six months from the publication hereof, all the Estate, as well real as personal, of the said John M'Laggan, within this Province, will be sold for the payment and satisfaction of the Creditors of the said John M'Laggan.—Dated this twelfth day of July, A. D. 1853.

JOHN C. VAIL, J. C. P.

C. W. STOCKTON, Sol. for Pet. Cred.

By the Honorable ROBERT PARKER, one of the Justices of Her Majesty's Supreme Court of Judicature of the Province of New Brunswick.

To all whom it may concern, Greeting:

NOTICE is hereby given, That upon the application of Michael Spragg, of the Parish of Portland, in the County of Saint John, Carpenter, to me duly made according to the form of the