

THE SUPREME COURT INEQUITY.

Between John M'Laggan, surviving Trustee and Executor of the last Will and Testament of Alexander M'Laggan, deceased, Plaintiff; and

George Nelson, James Nelson, Dennis M'Elwee, Elizabeth M'Elwee, James M'Elwee, Rebecca M'Elwee, Adam Nelson, John Praught, Christy Praught, John Nelson, John Bruce, Sophia Bruce, Charles Nelson, Margaret Nelson, Alexis Nelson, Eliza Nelson, Robert Nelson, and Justus Nelson, 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 John Nelson, Dennis M'Elwee, and Elizabeth M'Elwee, three of the above named Defendants, do not reside within the Province, so that they cannot be served with a Summons, and that their place of residence is unknown to the Plaintiff, and that the above Plaintiff has good *prima facie* grounds for filing a Bill against the above Defendants, I do therefore order that the said John Nelson, Dennis M'Elwee, and Elizabeth M'Elwee, on or before the first day of March next, do enter an appearance in this suit, if they intend to defend the same, wherein a Bill will be filed against the above named Defendants by the above named Plaintiff, for the foreclosure and sale of certain Mortgaged Lands and premises, situate in the Parish of Ludlow, in the County of Northumberland, and particularly described in a certain Indenture of Mortgage, bearing date the twenty ninth day of September, A. D. 1860, and made between John Nelson, of the Parish of Ludlow, in the said County of Northumberland, Farmer, of the one part, and the said Alexander M'Laggan of the other part; also in a certain other Indenture of Mortgage, bearing date the twenty first day of December, A. D. 1860, also made between the said John Nelson of the one part, and the said Alexander M'Laggan of the other part, wherein the Plaintiff claims twelve hundred dollars for principal on the said Mortgages, and nine hundred and sixty dollars for interest from the twenty ninth day of June, A. D. 1866 to the date of this Order for appearance, and unless such an appearance is so entered, the Bill may be taken *pro confesso*, and a Decree made.

Dated this 23rd day of October, A. D. 1879.

A. L. PALMER, Judge in Equity.

ALLAN A. DAVIDSON, Plaintiff's Solicitor.

To Oliver Curless, of Grand Falls, in the County of Victoria, Gentleman, and Eliza Curless his Wife, and William A. Curless, of the same place, Gentleman, and to all others whom it may concern:

NOTICE is hereby given, that by virtue of a Power of Sale contained in a certain Indenture of Mortgage bearing date the sixth day of February, A. D. 1878, and made between the said Oliver Curless and Eliza Curless his Wife, and William A. Curless, all of Grand Falls aforesaid, of the first part, and the undersigned Bridget E. Bryson, of the City of Fredericton, in the County of York, Wife of James Bryson, of the same place, Merchant, of the second part; which Mortgage was duly recorded in the Records of the County of Victoria, in Book H, pages 701, 702, 703, & 704, on the 20th day of February, A. D. 1878; there will, in pursuance of the said power of sale, and for the purpose of satisfying the moneys secured by the said Indenture of Mortgage, default having been made in the payment thereof, be sold at Public Auction, at the Weigh Scales opposite the County Court House in Fredericton, York County, on Thursday the fourth day of December next, at twelve o'clock, noon, the Lands and Premises in said Indenture mentioned and described as follows, viz:—A tract of Land situate at the Parish of Grand Falls, in the County of Victoria, and distinguished as Lots numbers 26 and 27 in the Colebrooke Pasture Lots, and containing three acres more or less, and being same lots granted to one Oliver Curless by Grant dated the 17th August, A. D. 1875, and registered the 18th August, A. D. 1875: Also, all that lot of Land at Ennishone, in the Parish of Drummond, in the said County of Victoria, being known and distinguished as Lot G, in Ennishone, and containing one hundred acres more or less; being the same lands and premises granted to one Oliver Curless by Grant registered the 10th November, 1874: Also, all that certain piece of Land situate in the Town plat of Colebrooke, in the County of Victoria, situate on the south side of Front Street, so called, known as Lot number 15 in Block No. 7, granted to one Eliza Curless by Grant registered September 3rd, A. D. 1872: Also, all that certain lot situate in the Parish of Grand Falls, in the County of Victoria, and Province aforesaid, and known as Lot number fourteen in Block seven, Town plat of Colebrooke, being part of a tract of land granted to one Thomas Crozier the 23rd day of September, A. D. 1873, and by the said Thomas Crozier conveyed to the said Eliza Curless by Deed bearing date the 14th day of July, A. D. 1874, recorded as No. 3153 in Victoria County Records, Book H, pages 22 & 23, the 12th day of September, A. D. 1874: Together with all and singular the buildings and improvements thereon.

Dated this 21st day of August, A. D. 1879.

his
JAMES X BRYSON,
mark
BRIDGET E. BRYSON.

Witness to mark of James Bryson,
and to signature of Mrs. Bryson,
E. BYRON WINSLOW.

FRASER, WETMORE & WINSLOW, Sols. for Mortgagee.

EQUITY SALE.

THERE will be sold at Public Auction, on Thursday the fifth day of February, eighteen hundred and eighty, at twelve o'clock, noon, in front of the Hutchinson Hotel, in Buctouche, Kent County, and with the approbation of the undersigned Barrister-at-Law, under and by virtue of a Decretal Order of the Supreme Court in Equity, made on the fifth day of August, in the year of our Lord one thousand eight hundred and seventy nine, in a certain cause, in which Richard S. DeVeber and J. S. Boies DeVeber are Plaintiffs, and Gilbert A. Girouard, and Sophia Girouard his wife, and Alexis H. Girouard, and Mary Girouard his wife, are Defendants, the Land and premises mentioned in the said Decretal Order as follows, viz:—“That certain strip or parcel of land, situated, lying between the prolongation of the Post Road extended to the Buctouche River, and between the road leading from the Post Road down the river towards the Chapel and the said River Buctouche to the land formerly owned by John Keswick, being known as the front of the M'Phelim place, between the road leading towards the Chapel and the said River Buctouche,” together with stone buildings and wharf erected thereon. Also a certain other piece of land on the south side of the said road or highway leading down to the Chapel, on the north side of the said Buctouche River from the Post Road, and lying between the said road so leading down and the said Buctouche River, bounded on the east by lands in possession of Andrew Bastrash and his sons; on the upper or westerly side by lands formerly belonging to Eliva White, containing fourteen acres more or less, being the property whereon the steam mill now stands, together with the said steam saw mill, wharves, booms, mill machinery, houses, buildings and erections thereon, the said pieces of land included in a conveyance from John W. Weldon and wife to the said John A. Morrison, bearing date the twenty second day of February, in the year of our Lord one thousand eight hundred and sixty, and registered in Kent Registry of Deeds, Volume 6, pages 134 and 135. Also that certain other piece or parcel of land situate on the north side of the said Buctouche River, in the Parish of Wellington aforesaid, bounded and described as follows, that is to say:—Being all that piece of land situate in Eliva White's Cove (so called), bounded on the north by the road leading down the river towards the Chapel; on the west by the line separating lands in possession of John Keswick from the lands hereby conveyed; on the south by the River Buctouche; and on the east by the line dividing lands hitherto conveyed by the Reverend Julian Recaux to James M'Phelim and the lands hereby conveyed, excepting thereout a piece of land sold and conveyed to Daniel Lanigan, on the angle of the said described land, being that certain tract of land heretofore conveyed by the said John W. Weldon and wife to the said John A. Morrison, by deed, bearing date the said twenty second day of February, and registered in the Kent County Records, Volume O, pages 135 and 136. Also that certain other piece or parcel of land situate on the north side of the said Buctouche River, in the Parish of Wellington aforesaid, and bounded and described as follows: On the west by lands formerly owned and possessed by John Keswick; on the north by lands formerly owned and occupied by the said John Keswick and Eustache White; on the south by the River or Bay of Buctouche; and on the east by lands formerly owned by Francis M'Phelim, and to measure in breadth from east to west along the course of the road leading to the Chapel two hundred and twenty feet, deeded by John Keswick and Eustache White to one James Carter, and by him conveyed to the said John A. Morrison, by deed, bearing date the sixth day of June, in the year of our Lord one thousand eight hundred and sixty, and registered in Kent County Records, Volume N, pages 523 and 524. Also that piece and parcel of land situate on the north side of the Big Buctouche River, being the front part of that lot or parcel of land owned and occupied by John Keswick, bounded and described as follows: On the front by the Buctouche River as aforesaid; on the west by M'Phelim line, so called; on the north by the highway leading to the Chapel; and on the east by lands owned by James Carter, deeded to him by the said John Keswick, being the same piece of land heretofore conveyed by the said John Keswick to the said John A. Morrison, by deed, bearing date the ninth day of June, in the year of our Lord one thousand eight hundred and sixty, and registered in Kent County Records, Volume O, and numbered 5400, together with all the buildings, erections, ways, water courses, privileges and appurtenances to the said pieces or parcels of land belonging or appertaining.

For terms of sale and other particulars apply to the Plaintiffs' Solicitor, or Hutchinson & Phinney.

Dated the 22nd day of October, A. D. 1879.

R. HUTCHINSON, Barrister.

S. R. THOMSON, Plaintiffs' Solicitor.

COLLECTOR'S NOTICE.

THE undermentioned non-resident Ratepayers in the Parish of Perth, County of Victoria, are hereby required to pay their respective Rates for the year 1879, as set opposite their respective names, together with the cost of advertising, [\$1.00 each], within two months from this date, to the subscriber, otherwise legal proceedings will be taken to recover the same.

Rankine & Co.	..	..	..	\$4 00
Sutherland, James	..	..	..	6 00
Beckwith, Charles W.	..	..	..	1 50

d31 JAMES INMAN, Collector.

Parish of Perth, Victoria County, October 17, 1879.