

## 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.

## NOTICE OF SALE.

To George Walker, of Saint Mary's, in the County of York, and Adelaide his wife.

NOTICE is hereby given, that by virtue of a Power of Sale contained in an Indenture of Mortgage bearing date the twenty eighth day of June, in the year of our Lord one thousand eight hundred and seventy seven, and made between the said George Walker and Adelaide his wife of the one part, and Solomon Grier, of New Maryland, in the said County of York, of the other part, and duly recorded in Book H 3 of York County Records, pages 425, 426 and 427, there will, for the purpose of satisfying the moneys secured by said Indenture of Mortgage, default having been made in payment thereof, be sold at Public Auction, at Phoenix Square, in the City of Fredericton, in the County of York, on Saturday the third day of January next, at twelve o'clock, noon, the lands and premises mentioned and described in the said Indenture of Mortgage as follows, viz.:—"All that certain lot, piece or parcel of Land situate, lying and being in the Parish of Saint Mary's, in the County of York aforesaid, and being Lot number three, on the north side of Pennyock Stream, containing two hundred and fifty acres more or less, bounded on the upper side by land owned by James M'Sorley, on the lower side by land owned by William Donalds, on the front by the Pennyock Stream, and on the rear by Wilderness Land;" together with all and singular the buildings and improvements thereon, and the privileges to the same belonging.

Dated November 26th, A. D. 1879.

SOLOMON GRIER, Mortgagee.

RAINSFORD & BLACK, Sols. for Mortgagee.

## NOTICE.

THIS is to certify, that the firm of "Campbell & Fowler," a Co-partnership composed of Wilmm Campbell, of the City of Saint John, in the City and County of Saint John, and Province of New Brunswick, and Josiah Fowler, of the same place, doing business as Machinists and manufacturers in the Town of Portland, in the said City and County of Saint John, was this first day of November, A. D. 1879, dissolved by the retirement of the said Josiah Fowler from said co-partnership.

In witness whereof, the said William Campbell and Josiah Fowler have hereunto set their hands and seals, this first day of November, in the year of our Lord one thousand eight hundred and seventy nine.

(Sgd.) WILLIAM CAMPBELL. [seal.]  
(Sgd.) JOSIAH FOWLER. [seal.]

Signed, sealed and delivered in the presence of  
(Sgd.) W. WATSON ALLEN.

The Certificate of Dissolution, of which the above is a copy, was filed in the Office of the Registrar of Deeds, this twentieth day of November, A. D. 1879.

WILLIAM CAMPBELL.  
JOSIAH FOWLER.

## 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

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JAMES INMAN, Collector.

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