

IN THE SUPREME COURT IN EQUITY.

Between Sarah M. Smith, Edward J. Smith, and Henry R. Emmerson, Executrix and Executors and Trustees under the last Will and Testament of Sir Albert J. Smith, deceased, and John W. Y. Smith, an Infant, by Sarah M. Smith, his next friend, Plaintiffs; and

Vital Dupuis, Thomas Dupuis and Sarah his wife, Pacifique Dupuis, and Obeline Dupuis, Defendants.

WHEREAS it has been made to appear by affidavit to the satisfaction of me, one of the Judges of the Supreme Court and Judge in Equity, that one of the above named defendants, namely, Pacifique Dupuis, does not reside within the Province, so that he cannot be served with a Summons, and that his place of residence is unknown to the plaintiffs, and that the above named plaintiffs have good *prima facie* grounds for filing a Bill against the said defendants: I do therefore hereby order, that the said defendant, Pacifique Dupuis, on or before the sixth day of March, A. D. 1886, do enter an appearance in this suit (if he intend to defend the same), wherein a Bill will be filed against the above named defendants by the above named plaintiffs, for the foreclosure of the Equity of Redemption in and the sale of certain lands and premises situate in the Parish of Dorchester, in the County of Westmorland, and Province of New Brunswick, particularly mentioned and described in a certain Indenture of Mortgage bearing date the 17th day of May, A. D. 1876, made between Oliver Dupuis, of Dorchester, in the County of Westmorland, since deceased, and Obeline his wife, of the one part, and the above named Sir Albert J. Smith, since deceased, of the other part, duly registered in the Office of the Registrar of Deeds in and for the County of Westmorland, in book 23, at page 134, on the 17th day of May, A. D. 1876; default having been made in the payment of the principal moneys and interest secured by the said Indenture of Mortgage; and unless such an appearance is so entered, the Bill may be taken *pro confesso*, and a decree made.

Dated this 28th day of November, A. D. 1885.

A. L. PALMER,
Judge in Equity.

ENDORSED.

The plaintiffs claim under the within mentioned Mortgage—for principal the sum of \$2,617.36, and for interest the sum of \$655.17, to the fifth day of October last past. Issued November 28th, 1885.

W. H. CHAPMAN, Plaintiffs' Solicitor.

EQUITY SALE.

THERE will be sold at Public Auction, on Saturday the twentieth day of March next, at the hour of twelve of the clock, noon, at Chubb's Corner, (so called), on the Corner of Prince William and Princess Streets, in the City of Saint John, in the City and County of Saint John, pursuant to a Decretal Order of the Supreme Court in Equity, made on Saturday the third day of October last past, in a cause wherein George S. DeForest, Thomas Clark, William Kerr, Henry J. Thorne, and Robert C. Thorne, are Plaintiffs, and John T. Mallery, Sarah A. Mallery his wife, and William Cooper, are Defendants, with the approbation of the undersigned Barrister, the mortgaged Premises described in the said Decretal Order as—"All those certain lots, pieces or parcels of Land and Premises situate, lying and being in the Parish of Petersville, Queen's County, being the southwestern half of a lot granted by the Crown to Curtis Mallery by grant bearing date the nineteenth day of February, in the year of our Lord one thousand eight hundred and fifty two, containing fifty acres; also the southwestern half of a lot granted to the said Curtis Mallery by grant bearing date the twenty fifth day of January, A. D. 1860; also the north-western half of a lot granted to the said Curtis Mallery by grant bearing date the twenty seventh day of July, A. D. 1868; the whole of the premises hereby conveyed containing one hundred and fifty acres, more or less, being the same as was by Deed bearing date the first above written even herewith conveyed by the said T. Medley Wetmore and wife to the said party of the first part: Together with all and singular the buildings, improvements, privileges, and appurtenances to the said premises belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title and interest, dower, right of dower, whatever, both at law and in equity, of the said

parties of the first part, of, in, to out of or upon the said Premises and every and any part thereof."

For terms of Sale and other particulars apply to the Plaintiff's Solicitor.

Dated the twenty first day of November, A. D. 1885.

CHARLES H. MASTERS, Barrister.

HANINGTON, MILLIDGE & WILSON, Plaintiff's Solicitor.

EQUITY SALE.

THERE will be sold at Public Auction, at Chubb's Corner (so called), in the City of Saint John, in the City and County of Saint John, on Saturday the seventeenth day of April next, at twelve o'clock, noon, pursuant to the direction of a Decretal Order of the Supreme Court in Equity, made on the twelfth day of December, in the year of our Lord one thousand eight hundred and eighty five, in a certain suit in the said Court, wherein David Caldwell is Plaintiff, and Alexander Campbell, Agnes Campbell his wife, James Campbell and Elizabeth Campbell his wife, are Defendants, with the approbation of the undersigned Barrister, the mortgaged Lands and Premises described in the said Order, as follows:—

"All and singular that certain lot, tract or parcel of Land situate, lying and being in the Parish of Hampton, in King's County, and Province of New Brunswick, adjoining the Glebe lands of the said Parish, and bounded as follows:—Beginning at a marked spruce tree on the north side of Hammond River, and on the south end of the eastern boundary line of the tract of land reserved for a Glebe; thence running by the magnet of the year one thousand eight hundred and twenty one along the said boundary line north one hundred and twenty chains; thence east forty five chains; thence south one hundred and twenty eight chains, or to the said River; thence westerly, bounded by the said River, to the place of beginning, containing five hundred acres more or less, with an allowance of ten per cent. for roads and waste, known as lot R, granted by the Crown to Charles Robertson, conveyed by said Charles Robertson to Edward Bennison, by said Edward Bennison and Matilda his wife to Ann Scoullar, and by said Ann Scoullar to said James Campbell, reserving thereout nevertheless the lands heretofore conveyed by said James Campbell to John M'Ginnis, to New-on Smith and to James Simpson."

For terms of Sale and other particulars apply to the Plaintiff's Solicitors.

Dated this seventh day of January, A. D. 1886.

S. J. JENKINS, Barrister.

A. A. & R. O. STOCKTON, Plaintiff's Solicitors.

GEO. E. SNIDER, Auctioneer.

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