

## IN THE SUPREME COURT IN EQUITY.

Between Hiram H. Veysey, Plaintiff; and  
Robert Forsyth, Defendant.

WHEREAS it has been made to appear by Affidavit to the satisfaction of me, the undersigned, one of the Judges of the Supreme Court of New Brunswick, that Robert Forsyth, the above named defendant, 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 plaintiff, and that the plaintiff has good *prima facie* grounds for filing a Bill against the above named defendant: I do, therefore, hereby order, that the said defendant, Robert Forsyth, on or before the second day of December next, do enter an appearance in this suit, (if he intends to defend the same,) wherein a Bill will be filed against the above named defendant by the above named plaintiff, for the foreclosure of a certain Indenture of Mortgage, dated the twenty fourth day of July, A. D. 1874, and made between one Justus J. Vesey of the first part, and the said defendant of the second part, and duly recorded in the Office of the Registrar of Deeds in and for King's County, in Book M, No. 3, pages 80, 81, 82 and 83, of Records, and which said Mortgage has been duly assigned by the said Justus J. Vesey to the said plaintiff by an Indenture of Assignment, dated the 28th day of January, A. D. 1876, and duly recorded in the Registry Office aforesaid, in Book P, No. 3, pages 493 and 494, and for the foreclosure and sale of the Lands and Premises described in 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 sixteenth day of August, 1889.

(Signed) A. L. PALMER, J. S. O.

A. A. STOCKTON, Plaintiff's Solicitor.

STANLEY OF PRESTON.

[L.S.]

CANADA.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.

To all to whom these presents shall come, or whom the same may in anywise concern,—GREETING:

A PROCLAMATION.

A. POWER,  
Acting Deputy of the Minister }  
of Justice, Canada. }  
WHEREAS in pursuance of  
the provisions of the  
Canada Temperance Act, the  
following notice has been addressed to the Secretary of State for Canada, embodying the petition therein set forth:

"To the Honorable the Secretary of State for Canada,  
"SIR,—We, the undersigned electors of the City of Frederic-  
"ton, in the County of York, and Province of New Brunswick,  
"request you to take notice that we propose presenting the fol-  
"lowing petition to His Excellency the Governor General of  
"Canada in Council:—  
"The petition of the electors of the City of Fredericton, in  
"the County of York and Province of New Brunswick, quali-  
"fied and competent to vote at the election of a member of the  
"House of Commons in the said City, respectfully shows, that  
"your petitioners are desirous that the Order in Council passed  
"for bringing into force within the said City the second part of  
"the Canada Temperance Act," should be revoked; where-  
"fore your petitioners humbly pray that Your Excellency will  
"be pleased by an Order in Council, under section nine of "The  
"Canada Temperance Amendment Act, 1888," to declare that  
"the said Order in Council which brought into force and effect  
"the said second part of the said "The Canada Temperance  
"Act" in the said City, shall no longer be in force.  
"And your petitioners will ever pray, &c."  
"And that we desire that the votes of the electors of the said  
"City be taken for and against the revocation of the said Order  
"in Council."

AND WHEREAS the second part of the said Act was brought into force in the said City of Fredericton, by an Order in Council dated the third day of January, in the year of Our Lord one thousand eight hundred and seventy nine to take effect as therein directed;

AND WHEREAS it appears by evidence to the satisfaction of the Governor General in Council that such notice has appended to it the genuine signatures of one-fourth or more of all the electors of the said City of Fredericton, the number of the signatures to the notice proved to be genuine, being two hundred and fifty-two, and that the other requirements of the law have been observed;

AND WHEREAS an Order of the Governor General in Council, has been passed, directing that the votes of all the electors of the said City of Fredericton, be taken for and against the adoption of the said petition,—

NOW KNOW YE, that We do hereby, and by virtue of the authority vested in Us by the said Act and Order in Council, proclaim and declare, that on Thursday, the twenty-eighth day of November next, a poll will be held in the said City of Fredericton for taking the votes of the electors for and against the said petition; That such votes will be taken between the hours of nine o'clock in the forenoon and five o'clock in the afternoon of that day and by ballot; That A. A. Sterling, Sheriff of the said City of Fredericton, Esquire, has been appointed Returning Officer for and

against the petition, and of afterward summing up the same and making a return of the result to the Governor General in Council; That the said Returning Officer is empowered and required to appoint a Deputy Returning Officer at and for each polling place or station; That the Returning Officer will appoint persons to attend at the various polling stations and at the final summing up of votes, on behalf of the persons interested in and promoting or opposing, respectively, the adoption of the petition, at the office of the Sheriff of the said City of Fredericton, on Monday, the twenty-fifth day of November next, at ten of the clock in the forenoon; That the votes of the electors will be summed up and the result of the polling declared by the Returning Officer at the office of the Sheriff of the said City of Fredericton, on Monday, the second day of December next, at ten of the clock in the forenoon.

And we do further proclaim and declare that in the event of the petition being adopted by the electors, the Governor General in Council may, at any time after the expiration of thirty days from the day on which the same was adopted, and after the expiration of three years from the day of the coming into force of the second part of the said Act in the said City of Fredericton, under the said Order in Council dated the third day of January, one thousand eight hundred and seventy-nine, by Order in Council published in the *Canada Gazette*, revoke the said Order in Council of the third day of January, one thousand eight hundred and seventy-nine, by which the second part of "The Canada Temperance Act, 1878," was brought into force in the said City of Fredericton, as therein mentioned.

Of all which Our loving subjects and all others whom these presents may concern, are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF, We have caused these Our Letters to be made Patent, and the Great Seal of Canada to be hereunto affixed. WITNESS, Our Right Trusty and Well-Beloved the Right Honorable SIR FREDERICK ARTHUR STANLEY, Baron Stanley of Preston, in the County of Lancaster, in the Peerage of the United Kingdom, Knight Grand Cross of Our Most Honorable Order of the Bath; Governor General of Canada.

At Our Government House, in Our CITY of OTTAWA, this SEVENTH day of SEPTEMBER, in the year of Our Lord one thousand eight hundred and eighty-nine, and in the Fifty-third year of Our Reign.

By Command,

J. A. CHAPLEAU,  
Secretary of State.

CANADA.

PROVINCE OF NEW BRUNSWICK.

## IN THE SUPREME COURT IN EQUITY.

Between Thomas Richards, Plaintiff; and  
Mary Nevins, Widow, John Nevins and Mary Jane Nevins  
his wife, and John M'D. Armstrong, Defendants.

WHEREAS it has been made to appear to me, the undersigned, one of the Judges of the Supreme Court, by Affidavit, that John Nevins and Mary J. Nevins his wife, and John M'D. Armstrong, three of the above named defendants, do not reside within the said Province of New Brunswick, and cannot therefore be served with the Summons herein, and that the place of residence of the said three defendants, John Nevins and Mary J. Nevins his wife and John M'D. Armstrong, are unknown to the plaintiff; and it being further made to appear to my satisfaction that the plaintiff has good *prima facie* grounds for filing a Bill against the Defendants: I do therefore hereby order that the said defendants, John Nevins, Mary J. Nevins his wife, and John M'D. Armstrong, on or before the tenth day of February next, do enter an appearance in this suit, (if he, she or they intend to defend the same), wherein a Bill will be filed by plaintiff against the above named defendants for a Decree, declaring that the conveyance made by John M'D. Armstrong, of the one part, and James Nevins, now deceased, of the other part, bearing date the thirtieth day of September, in the year of our Lord one thousand eight hundred and seventy six, of the Lands and Premises situate in the Parish of Bathurst, in the County of Gloucester, in the Province of New Brunswick, containing three hundred acres more or less, and originally granted by the Crown to John Gordon, and known and described as the Nevins Pabineau property, was received by him, the said James Nevins, to himself in fraud of the said Mary Nevins his then wife, and was made without consideration between him, the said James Nevins, and the said John M'D. Armstrong, the title to the said Lands and Premises then being held by the said John M'D. Armstrong in trust for the said Mary Nevins; and also for a declaration that the fee in the said Lands and Premises was prior to and on the nineteenth day of November, in the year of our Lord one thousand eight hundred and eighty seven, in the said Mary Nevins, Widow, and not in the said James Nevins, deceased, and is now in the plaintiff by virtue of a Conveyance made by the said Mary Nevins, Widow, to the plaintiff, bearing date the nineteenth day of November, in the year aforesaid, and unless such appearance is so entered, a Bill will be taken *pro confesso*, and a Decree made.

Dated this 21st day of October, A. D. 1889.

(Signed) JNO. JAS. FRASER,  
J. S. C. in Equity.

R. A. LAWLOB, Plaintiff's Solicitor.