

IN THE SUPREME COURT IN EQUITY.

Between John Trenaman and Margaret A. his wife, Plaintiffs; and

Charlotte A. Olive, Charles A. Heale and Mary E. his wife, Stephen P. Heale and Sarah his wife, Elizabeth M. Heale, William H. Heale and Helen his wife, Jeremiah Everett Heale, Owen Smith, Helen Smith, and Rebecca B. Heale, 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 Owen Smith and Helen Smith, two of the above defendants, do not reside within the Province, so that they cannot be served with a Summons, and that their place of residence cannot be ascertained by the plaintiffs; and that the above plaintiffs have good *prima facie* grounds for filing a Bill against the above named defendants: I do hereby order, that the said defendants, Owen Smith and Helen Smith, on or before the third day of February 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 plaintiffs, for the partition of all the lands and premises of which John Heale, late of the City of Saint John, in the City and County of Saint John, deceased, died seized and possessed, and being the lands and premises conveyed to the said John Heale by Charles Hazen, by Deed bearing date the thirtieth day of September, A. D. 1837, and registered in the Office of the Registrar of Deeds in and for the said City of Saint John, in Book S, No. 2, pages 440, 441 and 442 of Records; and the said Owen Smith and Helen Smith are made parties to this suit by reason of their being heirs of the said John Heale; and unless such an appearance is so entered, the Bill may be taken *pro confesso* and a Decree made.

Dated this twenty first day of November, A. D. 1890.

A. L. PALMER, Judge in Equity.

ARTHUR I. TRUMAN, Plaintiff's Solicitor.

To Charity Banks wife of David Banks, late of Saint Mary's, in the County of York, and to the Heirs and Assigns of the said David Banks.

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 July, in the year of our Lord one thousand eight hundred and seventy eight, duly recorded in Book K3 of York County Records, pages 307, 308 and 309, and made between said David Banks, of the Parish of Saint Mary's, in the County of York, and Province of New Brunswick, Farmer, now deceased, and Charity his wife, of the one part, and John Robinson, of Fredericton, in the County and Province aforesaid, Esquire, formerly a Lieutenant Colonel in Her Majesty's 44th Regiment of Foot, now deceased, of the other part; there will, for the purpose of satisfying the moneys secured by the said mortgage, default having been made in the payment thereof, be sold at Public Auction in front of the County Court House in the City of Fredericton, in the said County of York, on Saturday the twenty eighth day of February next, at twelve o'clock, noon, the Lands and Premises mentioned and described in the said Indenture of Mortgage as follows:—"All that certain tract of land situate in the Parish of Saint Mary's aforesaid, in the County of York, and described in the Grant thereof from the Crown to the said David Banks, as follows: Beginning at a stake standing at the southeasterly angle of lot number twenty four, purchased by Mortimer Abernathy, in Durham; thence north nineteen degrees east fifty chains to a stake; thence south seventy one degrees east twenty chains to another stake; thence south nineteen degrees west fifty chains to a beach tree; and thence north seventy one degrees west twenty chains to the place of beginning, containing one hundred acres more or less, and distinguished as lot number twenty five in Durham." Together with all and singular the buildings and improvements thereon with the privileges and appurtenances to the same belonging.—Dated this 25th day of November, A. D. 1890.

MARY HYDE ROBINSON, Sole Executrix of the last Will and Testament of the said John Robinson, deceased.

HENRY B. RAINSFORD, Solicitor for Executrix and Estate of John Robinson, deceased.

NOTICE OF SALE.

To Amos Watson, Junior, of the Parish of Grand Falls, in the County of Victoria, in the Province of New Brunswick, and Charlotte Elizabeth his wife, and to all others whom it doth, can or may concern.

TAKE NOTICE that there will be sold by Public Auction, at Chubb's Corner, (so called), in the City of Saint John, in the City and County of Saint John, and Province aforesaid, on Thursday the twenty sixth day of February next, at twelve o'clock, noon, "all those two lots of Land situate, lying and being in the Parish of Grand Falls, (now Parish of Drummond), in the said County of Victoria, on the eastern side of the River Saint John, and abutted and bounded as follows:—In front by the said River; on the upper side by land owned by Amos Watson, Senior; on the lower side by land in the possession of Eliza Jane Watson; and in the rear by wilderness land; the said two lots containing together one hundred and ninety six acres more or less, and being known as lots No. 13 and 14; together with the

buildings and improvements thereon, and the privileges and appurtenances thereto belonging.

The above Sale will be made under and by virtue of a Power of Sale contained in an Indenture of Mortgage, made by the said Amos Watson, Junior, and Charlotte Elizabeth his wife, of the one part, and one Charles K. Leonard of the other part, dated the eighth day of May, A. D. 1871, and duly registered in the Office of the Registrar of Deeds in and for the County of Victoria, in Book F of Records, pages 631, 632, 633 and 634, reference being thereunto had will more fully appear; which said Indenture of Mortgage has been duly assigned by the said Charles K. Leonard to the undersigned, Frederick E. Macdonald, by Deed of Assignment, dated the first day of February, A. D. 1887, and duly registered in the Office of the Registrar of Deeds in and for the County of Victoria, in Book O of Records, pages 228 and 229, reference being thereunto had will more fully appear, default having been made in payment of a part of the moneys secured by the said Indenture of Mortgage.

Terms of Sale—Cash.

Dated the eleventh day of November, A. D. 1890.

FREDERICK E. MACDONALD,

Assignee of Mortgagee.

MONT. M'DONALD, Sol. to Assignee of Mortgagee.

NOTICE OF SALE.

To Samuel Rideout, of the Parish of Drummond, in the County of Victoria, and Province of New Brunswick, Farmer, and Emily his wife, and all others whom it may concern.

NOTICE is hereby given, that under and by virtue of a Power of Sale contained in a certain Indenture of Mortgage bearing date the twenty first day of September, in the year of our Lord one thousand eight hundred and eighty six, and made between the said Samuel Rideout and Emily his wife, of the first part, and Elizabeth M. Hazen, of Fredericton, in the County of York, and Province aforesaid, Widow, of the second part, and registered in Book L, pages 399, 400 and 401 of Victoria County Records; there will, for the purpose of satisfying the money secured by said Mortgage, default having been made in the payment thereof, be sold at Public Auction in front of the County Court House in Andover, in the County of Victoria aforesaid, on Tuesday the tenth day of February next, at twelve o'clock, noon, the Lands and Premises described in said Indenture of Mortgage, as follows:—"All that certain lot, piece or parcel of Land, described in the Deed thereof, from Elias Rideout to the said Samuel Rideout as follows, viz: All that Farm and tract of Land consisting of Lot number thirty, on the east side of the River Saint John, in the said Parish of Grand Falls, (now Drummond), and County of Victoria aforesaid, and containing one hundred acres more or less, bounded on the north by land occupied by Gideon Rideout, and on the east by ungranted land, and on the south by land granted to Thomas Dixon, and westerly by the River Saint John." Together with all and singular the buildings and improvements thereon, and the privileges and appurtenances to the said Premises belonging, or in any wise appertaining.

Dated this third day of November, A. D. 1890.

ELIZABETH M. HAZEN, Mortgagee.

BLACK, JORDAN & BLISS, Sols. for Mortgagee.

In the County Court of Westmorland.

NOTICE is hereby given, that upon the application of Joseph A. Killam and John M. Killam, I have directed all the Estate, as well real as personal, of Freeze Wheten, lately of the Parish of Salisbury, in the County of Westmorland, and Province of New Brunswick, Contractor, an absent debtor, to be seized; and unless he return and discharge his debts within three months after publication hereof, such estate will be sold for the payment thereof.

Dated this twenty fourth day of October, A. D. 1890.

P. A. LANDRY, Judge of the County Court of Westmorland.

NOTICE.

APPLICATION will be made at the next Session of the Parliament of Canada for an Act confirming an Agreement embodied in an Indenture between The New Brunswick Railway Company and The Canadian Pacific Railway Company, dated the first day of July, 1890, by which the former Company leased its Railways to the latter Company for nine hundred and ninety years, with the right to purchase certain of its properties, the whole on the terms therein specified, and authorizing each of the Companies to carry out the meaning and intention of the said Agreement, and for other purposes.

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WELDON & McLEAN, Solicitors.

NOTICE.

APPLICATION will be made at the next Session of the Legislature of the Province of New Brunswick, for an Act confirming an Agreement embodied in an Indenture between The New Brunswick Railway Company and The Canadian Pacific Railway Company, dated the 1st day of July, 1890, by which the former Company leased its Railways to the latter Company for nine hundred and ninety years, with the right to purchase certain of its properties, the whole on the terms therein specified, and authorizing each of the Companies to carry out the meaning and intention of the said Agreement, and for other purposes.

(2m)

WELDON & McLEAN, Solicitors.