

the same shall be presented to the trustee or other person making the distribution of the proceeds of such sale, accompanied by evidence that they have not been paid, within three months from the time of such sale, and then shall rank *pari passu* as if such coupon were attached to the original bond or debenture.

## CAP. XXXII.

An Act to amend "The Highways Act, 1896."

Passed 9th May, 1903.

WHEREAS doubts exist as to the number of jurors required to concur in any finding or assessment made by a jury under "The Highways Act, 1896," and it is expedient to remove such doubts;

Be it therefore enacted by the Lieutenant-Governor and Legislative Assembly as follows:—

It is hereby declared to be and to have been since the time of the passage of "The Highways Act, 1896," the true intent and meaning of said Act that any finding or assessment made by a jury under said Act shall, if otherwise valid, be sufficient if such finding or assessment is made or concurred in by at least four of the jurors.

## CAP. XXXIII.

An Act to amend the Practice and Proceedings in the Supreme Court.

Passed 9th May, 1903.

Be it enacted by the Lieutenant-Governor and Legislative Assembly as follows:—

1. Either party may call upon the other party to admit any document saving all just exceptions, and in case of refusal or neglect to admit after such notice, the costs of proving any such document shall be paid by any such party so neglecting or refusing, whatever the result of the suit or matter may be, unless the Judge who tried the case shall certify that the refusal to admit was reasonable; and notice to admit documents shall be in Form (A) to this Act.

2. Any party may by notice in writing at any time after issue joined and not later than ten days before the opening of the Court at which such issue is to be tried, call on any other party to admit, for the purposes of the suit or issue only, any specific fact or facts mentioned in such notice, and in case of refusal or neglect to admit the same within six days after the service of such notice, or within such further time as may be allowed by the Court or Judge, the costs of proving such fact or facts shall be paid by the party so refusing or neglecting, whatever the result of the suit or issue may be, unless at the trial of the issue the Court or Judge certify that the refusal to admit was reasonable, or unless the Court or Judge shall at any time otherwise order or direct; provided that any admission made in pursuance of such notice is to be deemed to be only for the purposes of the particular suit or issue and not as an admission to be used against the party on any other occasion, or in favor of any person other than the party giving the notice; provided also, that the Court or Judge may at any time allow any party to amend or withdraw any admission so made on such terms as may be just.

3. The notice to admit facts under the last preceding section shall be in the Form (B), and admission of facts shall be in the Form (C) to this Act, with such variations as circumstances may require.

## FORM (A).

In the Supreme Court.

Between A. B., Plaintiff;

and

C. D., Defendant.

Take notice that the (plaintiff or defendant) in this cause proposes to adduce in evidence the several documents hereunder specified, and that the same may be inspected by the (plaintiff or defendant) his attorney or agent at on between the hours of , and the (plaintiff or defendant) is hereby required within six days from the last mentioned day to admit that such of the said documents as are specified to be originals were respectively written, signed or executed as they purport respectively to have been; that such as are specified as copies are true copies, and such documents as are stated to have been served, sent or delivered were so served, sent or delivered respectively; saving all just exceptions to the admissibility of all such documents as evidence in this suit.

(Describe documents).

## FORM (B).

In the Supreme Court.

Between A. B., Plaintiff;

and

C. D., Defendant.

Take notice that the plaintiff (or defendant) in this suit requires the defendant (or plaintiff) to admit, for the purposes of this suit only, the several facts hereunder respectively

specified; and the defendant (or plaintiff) is hereby required, within six days from the service of this notice, to admit the said several facts, saving all just exceptions to the admissibility of such facts as evidence in this suit.

The facts, the admission of which is required, are:

1. That J. S. died on

FORM (C).

In the Supreme Court.

Between A. B., Plaintiff;

and

C. D., Defendant.

The defendant (or plaintiff) in this suit, for the purpose of this suit only, hereby admits the several facts respectively hereunder specified, subject to the qualifications or limitations, if any, hereunder specified, saving all just exceptions to the admissibility of such facts, or any of them, as evidence in this suit; provided that this admission is made for the purposes of this suit only, and is not an admission to be used against the defendant (or plaintiff) on any other occasion, or by any one other than the plaintiff (or defendant).

Facts admitted:

1. That J. S. died, etc.

## IN THE CHARLOTTE COUNTY PROBATE COURT

To the Sheriff of the County of Charlotte, or any Constable of the said County.—GREETING:

WHEREAS Arthur W. Hickson and Archibald C. Calder, the Executors named in the last Will and Testament of Robert Limond, late of Campobello, in the County of Charlotte, have by their petition dated the seventeenth day of March instant, and presented to this Court, and now filed with the Registrar of this Court, prayed that the last Will and Testament may be proved in solemn form:

You are therefore required to cite the following next of kin, devisees and legatees of the said Robert Limond, deceased, namely, Arthur W. Hickson and Archibald C. Calder, the Executors and Petitioners aforesaid, John Limond, Andrew Steven Limond, Adam Boyd Limond, David Limond, Edwin Limond, Alice Limond and Lena James, heirs at law and next of kin of the said Robert Limond, deceased, and legatees under the last Will and Testament of the said deceased; Limond Taylor, Alice B. Hickson, Arthur W. Hickson and Archibald C. Calder, being legatees and devisees under the said Will of the said deceased, and all others whom it may concern, to appear before me at a Court of Probate to be held in and for the County of Charlotte, at the office of the Judge of Probate in the Town of Saint Andrews, on THURSDAY the ninth day of JULY next, at the hour of eleven of the clock in the forenoon, to attend and take such part with regard to the proving of such last Will and Testament in solemn form as they may see fit, with full power to oppose such last Will and Testament if so proved, or otherwise, as they and every of them may deem right, the petitioners affirming the validity of the said Will and Testament.

Given under my hand and Seal of the said Probate Court, this twenty-sixth day of March, A. D. 1903.

—[L.S.]—

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MELVILLE N. COCKBURN,

Judge of Probate for Charlotte County.

JAS. G. STEVENS, Jr., Registrar of Probate for Charlotte County.

## In the Supreme Court in Equity.

Charles W. Hewson, Plaintiff; and

Frederick W. Thompson, and Amelia Thompson, his wife, 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 Frederick W. Thompson, one of the above Defendants, does not reside within the Province so that he cannot be served with a summons, and that his place of residence cannot be ascertained by the Plaintiff, and that the above Plaintiff has good prima facie grounds for filing a bill against the above named Defendants, I do hereby order that the said Defendant, on or before the first day of August next, do enter an appearance in this suit (if he intend to defend the same) wherein a bill will be filed against the above named Defendant by the above named Plaintiff, Charles W. Hewson, for the foreclosure and sale of certain mortgaged lands and premises, mentioned and described and conveyed in and by a certain mortgage dated the fifteenth of July, A. D. 1895, and made by the Defendants to the University of Mount Allison College, and duly registered in the Westmorland County Registry by the No. 64608, folio 341, libro I. 6, and afterwards assigned to the Plaintiff by the said University of Mount Allison College, by deed of Assignment dated the eighteenth day of July, A. D. 1901, and duly registered in the Registry aforesaid, by the No. 73305, folio 66, of libro C. 7., on the eighteenth day of July, A. D. 1901; and unless an appearance is so entered, the Bill may be taken pro confesso and a decree made. Let this order be published two months in the Royal Gazette and Chignecto Post, at Sackville.

Dated this Twentieth day of May, A. D., 1903.

D. L. HANINGTON, J. S. C.

HEWSON & HUTCHINSON, Plaintiff's Attorney.

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## NOTICE.

ALL ADVERTISEMENTS must be prepaid before insertion. Observance of this Rule will be insisted upon in all cases, and unless the advertisement is accompanied by the cash, the advertisement will not be inserted. In cases where the amount cannot be ascertained before remitting, a sufficient sum must be forwarded to cover insertion and any surplus will be returned.

R. W. L. TIRRETS, King's Printer.