

17. The said Action of Ejectment was tried upon the seventeenth and eighteenth days of April, in the year of our Lord 1873, at the Assizes for the County of Elgin, and a verdict was rendered against your Complainant in the said Action, and in favor of the above-named Defendants, George T. Claris and James Hill.

18. The Defendants, George T. Claris and James Hill, threaten and intend to enter up judgment in the said Action of Ejectment, and threaten and intend to, and will unless restrained by the order and injunction of this Honorable Court, proceed to execution therein, and will obtain possession of the said 75 acres.

19. Your Complainant has always been ready and willing, and hereby offers, to pay the said 2 sums of \$100 each, which the said Richard Penhale, by his said will, made in the year of our Lord 1850, directed him to pay to the said Defendants, Mary Miller and Ann Cole respectively.

20. The Defendant, Mary Penhale, the Testator's Widow, claims dower in the said lands

21. The executors named in the said will, and the Defendants hereto, have taken out Probate of the said will, and have assumed the burden of the execution thereof.

YOUR COMPLAINANT THEREFORE PRAYS :

1. That it may be declared that the said agreement by the said Richard Penhale, in the sixth paragraph of this Bill of Complaint mentioned, ought to be carried into execution, your Complainant hereby submitting to the payment of the 2 sums of \$100 each, mentioned in the will of the said Richard Penhale, dated in the year of our Lord 1850, as hereinbefore stated.

2. That the Defendants may be ordered to convey and release to your Complainant and his heirs, in pursuance of such agreement, the said 75 acres of land, being the southerly 75 acres of the west half of Lot Number 16, in the Seventh Concession of Yarmouth, subject only to a charge for the payment of the said 2 sums of \$100 each.

3. That the Defendants, George T. Claris and James Hill, may be restrained by the order and injunction of this Honorable Court, for which writ your Complainant specially prays, from issuing any writ or writs of habere facias possessionem in the said Action of Ejectment, and from in any way proceeding to obtain possession of the said lands, or to disturb your Complainant in his possession thereof.

4. That your Complainant may be paid his costs of this suit.

5. That for the purposes aforesaid all proper directions may be given and accounts taken.

6. That your Complainant may have such further and other relief in the premises as to your Lordships shall seem meet.

And your Complainant will ever pray.