

JUDGMENT APPEALED FROM.

IN THE CIRCUIT COURT.

The first day of February one thousand eight hundred and sixty, being an enquire day.

PRESENT THE HONORABLE MR. JUSTICE LAFONTAINE.

R. WRIGHT, *Plaintiff.*

vs.

J. HAGAN, *Defendant.*

THIS CAUSE having been inscribed for the adduction of evidence and final hearing on the merits at the same time, and the Court having heard the parties by their respective Counsel, and having seen the admission of the Defendant, examined the proceedings and proof of record, and having deliberated thereon it is considered and adjudged that the Plaintiff do recover from the said Defendant James Hagan the sum of fifty pounds current money of the Province of Canada, due and owing from the said Defendant to the said Plaintiff for balance of the principal and interest remaining unpaid, in virtue of a certain Deed of Sale, bearing date and executed at Avignon, on the thirteenth day of March, eighteen hundred and fifty four, before Maître R. A. Young and C^oleague, Notaire Public, of a piece or parcel of land, described in the said Deed of Sale, and sold to the said Defendant by Alexander Workman, Esquire, sitting for and in behalf of the Trustees of the said Plaintiff, under a certain Deed of Assignment and transfer in trust, bearing date, and executed by the said Plaintiff before Maître Easton and C^oleague, at Montreal, on the twenty sixth day of March, one thousand eight hundred and fifty one, with interest in the said sum of fifty pounds, from the ninth day of September, last past, date of service of process, and actual payment and costs of suit.

Extract from a Judgment of the Superior Court rendered 25th June, 1857, against the said Trustees in favor of the Respondent.

AND it is further considered and adjudged that the said Defendants and each of them do within one month after the service upon them of the present Judgment, make sign and execute before Notaries a good and sufficient deed or deeds transferring and recovering to the said Plaintiff such portion of the real estate of the said Plaintiff conveyed to them under the said Trust Deed as hath not been sold by them the said Defendants, and in default of the said Defendants to make sign and execute such deed or deeds of transfer and recovery, the Court doth order that the present Judgment's date and date as such transfer and recovery, and shall vest in the said Plaintiff the surplus of the said real and immovable estate remaining in the hands of the said Defendants as such trustees as the proprietor thereof. It is also considered and adjudged that the said Defendants do within the delay above mentioned deliver over to the said Plaintiff all the personal estate and all bills, books, accounts, and other papers and assets as may be in their and each of their hands undisposed of and forming part of the surplus so conveyed as aforesaid to the said Defendants.