

1853. mortgage security in the pleadings mentioned; and in taking such account the said Master is to make to the parties all just allowances; and in case the said Master shall find that any thing remained due to the said defendant at the time of filing the plaintiff's bill, it is ordered that he do tax to the said defendant her costs of this suit and add the same to what shall remain due for principal and interest; and upon the said plaintiff paying to the said defendant what shall remain due for principal, interest and costs as aforesaid, within six months after the said Master shall have made his report, at such time and place as the Master shall appoint,—It is ordered that the said defendant do reconvey the four lots comprised in the said mortgage security, being lots numbers eleven and twelve on the south side of Dundas street, and lots numbers eleven and twelve on the north side of King street, in the town of London, free and clear of all incumbrances done by her, or any claiming by, from or under her, and deliver up all deeds and writings in her custody or power relating thereto, upon oath, to the said plaintiff or to whom he shall appoint. But in default of the said plaintiff paying to the said defendant such principal money, interest and costs aforesaid, by the time aforesaid,—It is ordered that the plaintiff's bill of complaint do stand dismissed out of this Court, with costs to be paid by the said plaintiff to the said defendant, and it is hereby referred to the said Master to tax the same. But in case the Master shall find that there was nothing due to the said defendant at the time of filing the said bill, then this Court doth reserve the consideration of further directions and costs. And this Court doth order and decree that the plaintiff's bill of complaint do stand dismissed out of this Court, in so far as the same relates to lot number seventeen on the north side of Dundas Street, in the town of London, without prejudice to the plaintiff filing a new Bill in regard thereto, as he may be advised."

Matthews
v.
Holmes.

Statement.

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