

17/06/2014
R0D

Southern District Court

Vol. 3 Fol. 77-81

09/07/1839

Power of Attorney

Nicholas Brand to J. M. Carter

To all to whom these presents shall come
Greeting

Witness that I Nicholas Brand
of Topsham in the County of Devon hath
hereby nominated constituted and appointed
and by these presents constituted & appointed
James Mose Carter of Tisbury in the Island
of Newfoundland Merchant my true and
lawful Attorney for him to ask demand
and receive of and from all and every Tenant
and other persons whomsoever in the said
Island of Newfoundland all and every sum
of Money whatsoever now due and owing
or which at any time or times hereafter shall
or may become due and owing to him the
said Nicholas Brand for and in respect
of Rent or use or occupation of Messuages
Lands Tenements and Hereditaments in
the said Island of Newfoundland generally
known as Messuages Lands and Tenements be-
longing to the said Nicholas Brand or for or
in respect of any Matter cause or thing what-
soever and to settle and adjust accounts with
such Tenants and other persons and every of them
and to make to them all just and reasonable
allowances and to give and sign all such
Receipts and acquittances as shall be proper
and which shall be effectual discharged to
the person or persons paying the money
therein or thereby acknowledged or supposed
to be received and in case of non payment
of such monies or any part thereof by all
lawful ways and means to sue for recovery

and enforce payment of the monies and every
of them, and also to contract and agree with
any person or persons whomsoever for letting
or Demising and for the surrender of any
existing Lease or Demise of any Land messu-
age or Tenements and hereditaments & parts
and shares of Messuages Lands Tenements and
Hereditaments, whatsoever in the said Island
of Newfoundland, and such Rent or Rents for such
Term or Terms of years and with such various
Conditions and agreements and such manner
as be the said Attorney shall think proper
and advantageous, and to sign and agree
to any contract or agreement and also to sign
and Seal and do the act and deed of the said
party hereto and to deliver any and every such
Lease or Demise or other Deed or writing whatsoever
as shall or may be requisite or necessary for
the purpose aforesaid or to accept of any surrender
or agreement of any Lease or Demise of any
of the aforesaid Hereditaments and premises
if the attorney shall so think fit and he further
authorize and empower the said attorney to
appear for him before the Register or Registers
in any District or District Court, or Court at
Newfoundland aforesaid for the purpose of
proving Registering and Recording this power
of attorney or any Deed or Deeds Document or
Documents writing or writings relating to or in
any wise concerning the said Hereditaments
and premises or any of them or any part thereof
of respectively, and to sign and Seal as his
act and Deed deliver all and every or any Deed
memorial, record or writing that in any be
necessary. And he doth further authorize and
empower the said attorney to appoint under
him any substitute or substitutes to act do

manage and transact in and about the several
matters aforesaid or any of them and such substitute
or substitutes to revoke and displace, and another
or others to nominate and appoint at his will
notwithstanding such substitution or appointment
for him the said Attorney to act in and about
the said premises as if none such had been made
and generally to act do and transact all what
shall be requisite and necessary in and
about all and singular the premises as fully
and effectually to every intent and purpose
as he could do if personally present and acting
therein He doth ratifying allowing & confirming
and promising and agreeing to allow ratify allow
and confirm all and whatsoever the said Attorney
or his substitute or substitutes shall or may
lawfully do or cause to be done in and about
the said premises by virtue of these presents and
he the said party hereto doth hereby promise
and agree to and with whomsoever it may
concern that in case of his decease the power
of Attorney as to all transactions matters and
things which after his death shall be done by
virtue thereof shall be binding upon his
Executors and Administrators as the same
would have been if living

In witness whereof the said Nicholas
Brand has hereunto set his hand and seal
the twenty eighth day of March one thousand
eight hundred and thirty nine

Nich^d Brand (LS)

Signed sealed and delivered by the above named
Nicholas Brand in the presence of T. M. L
Rog^r of Topham Devon Gen^l

Alex^r H Hametore
Magistrate for Devon

89
I J. M. L. Ross of Topham in the County of
Down Gentleman do solemnly and sincerely
declare that I was present as a witness and did
see Nicholas Brand the Constituent named
in the said Poll or Power of Attorney
unnamed sign and Seal and in his hand did
deliver the said said Poll or Power of Attorney
and that the name and signature of Nicholas
Brand set or subscribed to the said Poll or
Power of Attorney as the name of the Party executing
the same is of the proper hand writing of the said
Nicholas Brand whose name or signature the same
purports or appears to be, and that the name or
signature J. M. L. Ross set and subscribed to the
said said Poll or Power of Attorney as the name
of the Witness attesting the execution thereof
is the proper hand writing of this declarant

And I make this solemn declaration
Concurrently believing the same to be true
and by virtue of the provisions of an act made
and passed in the fifth and sixth years of his
late Majesty William the fourth entitled "An
act to repeal an act of the present Session of
Parliament intitled an act for the more effectual
abolition of oaths and affirmations taken and made
in various Departments of the State and to
substitute Declarations in lieu thereof and for
the more entire suppression of voluntary and
extrajudicial Oaths and Affidavits and to make
other provisions for the abolition of unnecessary
Oaths

Declared at Topham J. M. L. Ross
This second day of April 1839

Alex^r H. Hamilton
Mag^r for Down

I do hereby certify that the foregoing Power
of Attorney and declaration Commencing
at Folio 77 and ending at folio 80. was at
the request of James H Taylor of Peryland
Esq^r a party therein named / duly recorded
by me this ninth day of July one thousand
eight hundred and thirty nine

George Simms
Peryland 9th July 3 Registrar
1839

Mick^l Batcock of Trepassey
To
William Gregory of Baigus

This Indenture made at Saint Johns in the
Island of Newfoundland this thirteenth day of May
in the Year of our Lord one thousand eight hundred
and thirty nine Between Michael Batcock of
Trepassey in the Island aforesaid Tuckerman
of the one part and William Gregory of Baigus
south in the Island aforesaid Tuckerman of the
other part Witnesseth that for and in consideration
of the sum of Forty pounds of current money of
the Island aforesaid to the said Michael Bat-
cock with and paid by the said William Gregory
upon or ^{immediately} before the sealing and delivery of these
presents the Receipt hereof is hereby acknowledged
And the said Michael Batcock hath granted bar-
gained, sold, aliened, imperfed, conveyed and
confirmed and by these presents doth grant bar-
gain sell, alien, imperff, convey and confirm
unto the said William Gregory his Heirs and
assigns for ever all that piece and parcel of
Land