

In the Supreme Court of Newfoundland

Be it remembered that on this nineteenth day of September one thousand eight hundred and eleven The Honorable Thomas Bewick Chief Justice of the Island of Newfoundland &c &c here recordeth that on this day came Thomas Stabb of Saint Johns Merchant and brought with him three certain Instruments of Writing and prayed that the same might be recorded in the Books of Enrollments in His Majesty's Supreme Court Saint Johns Newfoundland and it is recorded in these words

Mortgage of the bellage by Thomas Skinner to William Carter and Thomas Stabb

This Indenture made the twenty ninth day of August in the fifty first years of the Reign of our Sovereign Lord George the Third by the Grace of God of the United Kingdom of Great Britain and Ireland King Defender of the Faith and so forth and in the year of our Lord one thousand eight hundred and eleven Between Thomas Skinner of Saint Johns in the Island of Newfoundland Esquire of the one part and Thomas Stabb and William Carter of Saint Johns aforesaid Esquires of the other part Witnesseth that the said Thomas Skinner for and in consideration of the sum of Five Hundred pounds of lawful money of Great Britain to him in hand paid by the said Thomas Stabb and William Carter the receipt whereof the said Thomas Skinner doth hereby acknowledge and thereof and every part thereof doth freely and absolutely acquit and discharge the said Thomas Stabb and William Carter Heirs Executors Administrators and Assigns both bargain sold granted and assigned and by these presents doth bargain sell grant and assign unto

In the original

ing and performing the lease on... and quietly keep... according to the lease on... were having and... fifth day of... and Eight

Keen (L.S.)

them the said Thomas Stabb and William Carter their Executors Administrators and Assignes **all** that messuage tenement or farm, with the out houses, edifices, buildings, Yards, Gardens, and appurtenances to the said Messuages and farm belonging, and also those several enclosures and parcels of Ground therewith occupied and enjoyed, commonly called or known by the name of the College situate lying and being on the North side of Dwyddy Viddy Lane in St. Johns aforesaid and containing by estimation about one Hundred Acres **To have and to hold** the said Messuage or farm with the out houses edifices buildings Yards Gardens and appurtenances to the said Messuage or farm belonging, and also those several enclosures and parcels of Ground therewith belonging, together with all ways Paths Passages Water and Water Courses, now or hereafter held occupied and enjoyed by the said Thomas Skinner and all the rights and privileges to them, respectively belonging unto the said Thomas Stabb and William Carter, their Executors Administrators and Assignes, to their own proper use and behoof and as their own proper Estate and Chattels for ever **provided** and upon this condition, that if the said Thomas Skinner his Executors Administrators and Assignes shall and do well and truly pay or cause to be paid unto them the said Thomas Stabb and William Carter, their Executors Administrators and Assignes, the sum of Five hundred pounds with Interest of seven and a half per cent of annum thereon on or before the Twentieth day of November which shall be in the Year of our Lords one thousand eight hundred and thirteen, then this present Indenture, and every matter clause and thing herein contained shall cease determine and be void and of no effect to all intents and purposes whatsoever. **and** the said Thomas Skinner for himself his Executors Administrators and Assignes, doth hereby covenant

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Provide and agree to and with the said Thomas Stabb
 and William Carter, their Executors Administrators and Assigns, that the
 said Thomas Skinner, his Executors Administrators and Assigns
 shall and will well and truly pay, or cause to be paid unto
 the said Thomas Stabb and William Carter, the said sum of
 Five hundred pounds, with the Interest of seven annis half
 p. Cent annum thereon at the day and time before mentioned
 for the payment thereof according to the true intent and
 meaning of these presents. **and also** that they the
 said ~~Thomas Stabb~~ and William Carter, their Executors Ad-
 ministrators and Assigns, shall and may after default shall
 be made in the performance of the proviso or condition herein
 contained, peaceably and quietly enter into and take possession
 of, have hold, occupy possess and enjoy, the said messuages
 tenements or houses and all and every thing now enclosed
 and parcels of Grounds, with the Houses Edifices and Building
 to them respectively belonging as aforesaid, without the least
 trouble hindrance molestation interruption or denial of mine
 the said Thomas Skinner his Executors Administrators and Assigns
 or any other person or persons claiming the same or from or
 under him or them, or by or through his or theirs acts means
 or procurements **and further** that the said Thomas Skinner
 hath in himself good right full power and lawful authority to
 sell demise and grant the said bargain'd premises unto them
 the said Thomas Stabb and William Carter their Executors Adminis-
 trators and Assigns, in manner and form aforesaid.
and furthermore that the said Thomas Skinner
 his Executors Administrators and Assigns, at any time after
 within the space of six Months after breach of the proviso
 before mentioned upon the reasonable request of them the said
 Thomas Stabb and William Carter

their Executors
 tenement or
 yards, Gardens,
 now belonging,
 Ground therewith
 by the name
 north side of
 containing by
 have and to hold
 pieces buildings
 usage or farm
 and parcels of Ground
 passages Water
 and enjoyed by
 privileges to
 Stabb and William
 to their own
 Estate and
 that if the said
 Assigns shall and
 into them the said
 Administrators
 with Interest of
 on or before the
 the Year of our
 then this present
 in contained shall
 all interests and
 Skinner for himself
 the hereby Covenant

their Executors Administrators and Assigns, shall make do acknowledge and execute all and every such further acts Matters and things Conveyances and assurances in the law whatsoever for the further and more effectually perfecting the possession & enjoyment of all and singular the premises herein before mentioned and intended to be hereby granted and confirmed so as such further acts Conveyances and assurances for the doing thereof the person or persons who shall be required to do the same, shall not be compelled or compellable to go out of or travel from his or their places of abodes **In Witness** whereof the parties above named their Hands and Seals have set at Saint Johns in the Island of Newfoundland the day and years first above written.

Thos Skinner (IS) Thos Stabb (IS) Wm Carter (IS)

Signed sealed and Delivered in the presence of us the words "other part" between the fourth and fifth lines of the first sheet and "shall not" between the fourteenth & fifteenth lines of the last sheet being first interlined.

Peter McCarter. Geo Lilly. Not. Pub.

Newfoundland. In the Supreme Court.

Personally appeared Geo Lilly of St. Johns, one of the subscribing Witnesses to the annexed deed of Mortgage & made oath, that he was present & did see Thomas Skinner of St. Johns sign seal & in due form of law, deliver the annexed deed of mortgage and did also see Thomas Stabb & Wm Carter sign seal and execute the same in the presence of this deponent. P. McCarter.

Sworn to, before me the 19th Sept 1811

Wm Kemble

Geo Lilly

Subscribed

Let this Instrument be enrolled in His Majesty's Supreme Court Saint Johns Newfoundland 19th September 1811

BB folios 115. 116. 117 & 118.

Wm Kemble

Notary

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 Thos Skinner
 Thos Stabb
 Wm Carter

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In the Supreme Court Newfoundland.

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Know all Men by these presents that I Thomas Skinner of St. Johns in the Islands of Newfoundland Esquire am held and firmly bound to Thomas Stabb and William Carter of St. Johns aforesaid Esquires in the Sum of Five hundred Pounds of good and lawful money of Great Britain to be paid to the said Thomas Stabb and William Carter their Executors Administrators or Assigns for which payment well and truly to be made, I bind myself my Executors Administrators and Assigns jointly by these presents, dated at St. Johns the twenty ninth day of August One thousand Eight hundred and Eleven.

The Condition of this obligation is such, that if the above bound Thomas Skinner, his Executors Administrators or Assigns do well and truly pay, or cause to be paid unto the above named Thomas Stabb and William Carter, their Executors Administrators or Assigns the full sum of Five hundred Pounds of lawful money of Great Britain with Interest of seven and a half per cent of annum thereon. On or before the Twentieth day of November which shall be in the year of our Lord One thousand eight hundred and thirteen. then this obligation to be void, but if default shall happen to be made in the payment of the money above mentioned with Interest as aforesaid, then this obligation to be and remain in full force and virtue Signed Sealed and Delivered

in the presence of } Tho: Cooke }
Geo Lilly }
Thos Skinner (S)

Wond
Thos Skinner
Thos Stabb
Wm Carter

to acknowledge in
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whatsoever for
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assurances for the
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whom, the parties
said being in the
above written.

Carter (S)
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Geo Lilly

Magist's Supreme Court
1811
Geo Lilly

Newfoundland
In the Supreme Court

Saint John's
to wit

Personally appeared to wit of St. John's
and under oath that he was present and did see
Thomas Skinner of St. John's aforesaid. Esq. sign
Seal & in due form of law execute and deliver the
aforesaid Deed in the presence of this Deponent
& of Thomas Coote the other subscribing Witness

Sworn to before me the
19th Sept 1811
Wm Kemble
Judge

To wit
to wit

Let the within instrument be enrolled in His
Majesty's Supreme Court St. John's Newfoundland
19th Sept 1811. BB folios 119 & 120
Wm Kemble
Judge

Attorney
Thos. Skinner
to
Thos. Stoble
Mr. Carter

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In the Supreme Court. Newfoundland

Attorney
Thos. Skinner
to
Thos. Stubb
Wm. Carter

Know all Men by these presents that I
Thomas Skinner of St. Johns in the Island of Newfoundland
Esquire for divers good causes and considerations me hereunto
moving have made ordained constituted and appointed
and by these presents do make ordain constitute and appoint
Thomas Stubb and William Carter of St. Johns aforesaid Esqrs
jointly and severally my true and lawful Attorneys for me
and in my name place and stead, and for my use to
ask, demand and receive all and every Rent sum and
sums of money now due, or which hereafter shall or may
grow due to me from any person and persons whatsoever, who
have been now are, or hereafter shall or may be tenant or
tenants of any Messuages, or tenement, and premises, in Newfoundland
belonging to me, and of and from all and every other person
and persons liable to or impowered to pay the same, and upon
receipt thereof, or of any part thereof, acquittances or other sufficient
discharges for me and in my name, ^{or in their own names} to make and give for
what they shall so receive, and upon non payment of such
Rent or Rents or any part thereof to enter into and upon all
or any of the Messuages or tenements lands and premises liable
to the payment thereof, and distrain for the same. And likewise
to ask, demand, sue for, recover and receive all and every debt
and debts sum and sums of money due, or to grow due and
payable to me from any other person or persons for any other
matter cause and thing whatsoever, and upon receipt thereof
or any part thereof, in my name or in their own name to
make and give proper discharges for the same. and also
for me and in my name to take settle and adjust all

By of St. Johns
and did see
vid. Esq. sign
and deliver the
of this Deponents
being witness

Pilly

alled in His
Newfoundland

Wm. Carter

and every account and accounts open, unsettled and depending with all and every person and persons with whom I have had any transaction or dealings. And also for me and in my name to sell and dispose to such person or persons who may be inclined to purchase, and for the utmost and best price that can be reasonably got for the same. all or any part of Goods Chattels, Effects of any kind to me belonging within the Island of Newfoundland. And in Case any tenant or tenants of any Messuage or tenements, lands and premises wherein I have any right or interest, shall quit or leave the premises by them respectively holden, then and in that Case, I do hereby give and grant unto my said Attornies full power and authority to demise let and let the same respectively, or any part thereof to such person or persons, or for such Term or Terms, and for such term or time and under such Covenants, and agreements as my said Attornies shall think fit, and also, in their own names to sign Seal and as their act and deed deliver any deed of assignment or other Instrument of writing for the perfecting the sale of any Goods Chattels and effects of any kind. and executing leases for any lands or tenements belonging to me in Newfoundland aforesaid. And generally to do all lawful acts and things whatsoever concerning the premises as fully in every respect as I myself might or could do, if I were personally present, and an Attorney or Attornies under them for the purposes aforesaid to make and at their pleasure to revoke, hereby ratifying allowing and confirming all and whatsoever my said Attornies or either of them shall lawfully do or cause to

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be done in and about the premises by virtue of these presents.

In Witness

whereof I have hereto set hand and seal subscribed and set this ~~fourteenth~~ ~~day of August~~ in the year of our Lord one thousand eight hundred and eleven

Thos. Skinner (L.S.)

Signed Sealed and Delivered
in the presence of us

Thos. Coates
Geo Lilly

Newfoundland In the Supreme Court.

St. Johns
to wit

Personally appeared Geo Lilly of St. Johns and made Oath that he was present and did see Thomas Skinner of St. Johns aforesaid Esq. sign Seal and in due form of Law execute and deliver the annexed Letter or power of Attorney, in the presence of this deponent & of Thos. Coates the other subscribing witness thereto.

Sworn to before me
the 19th Sept - 1811

Wm Kemble
Magistrate

Let this instrument be enrolled in His Majesty's Supreme Court of St. Johns Newfoundland and 19th September 1811

B.B. folios 121, 122 & 123.

Wm Kemble
Magistrate