

1 Before The Honourable Commissioners
2 Of The General Land Office

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4 Newman of Boston } Involving lot 3
5 vs } in Block 24 in the
6 William Lewis } town of Edmund 07.

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8 On appeal from the decision of the
9 Honourable Town Site Board No. 207
10 in the above entitled cause,
11 Notice of Appeal

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13 Comes now the above William
14 Lewis the petitioner by his attorney
15 A H. Chassey and appeals from
16 the decision of the Honourable Town
17 site board and assigns the fol-
18 lowing reasons there for.

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20 First, There is error in said decis-
21 ion in holding that Newman of
22 Boston is a qualified applicant
23 for lot 3 in Block 24 in the village
24 of Edmund, as the evidence will
25 show he was not an applicant
26 until after the town site had been
27 entered by the board.

28 Second, There is error in said
29 decision in permitting Newman
30 of Boston to dispute the title or
31 claim of his land lord Will-
32 iam Lewis, as the choir

1 mean of the board in a short
 2 but strong opinion dissents, as fol-
 3 lows, "I dissent from the findings
 4 of fact and law by the board in the above
 5 exhibited case. It is my opinion that William
 6 Dennis according to the evidence, made
 7 sufficient improvements on said lot to
 8 shew good faith, and that he was a tenant
 9 in the same, Newman J. Boston as to view the
 10 evidence entered up on the exhibited piece
 11 is and occupied the house of Dennis as
 12 tenant, paid rent as his tenant and
 13 is therefore estopped from disputing the
 14 title or claim of his land lord for the
 15 said lot. This principle of law is well
 16 settled to require argument or citation.
 17 It is my opinion in as much as Dennis
 18 entered up in lot three in person, erected
 19 a habitable house there in which he oc-
 20 cupied for a time, and continued to
 21 occupy same through a tenant
 22 that he Dennis is entitled to a deed
 23 for said lot. The occupancy of the
 24 tenant in my judgment upholds the
 25 occupancy of the land lord."

26 In connection with the above I wish
 27 to cite the case of Winfield vs Merino
 28 11 of Mass page 120.

29 Third That said decision
 30 is contrary to the law and evi-
 31 dence.

32 In view of the fact that

1 that the principles of law in this
2 case were so well settled and
3 the evidence so clear I did not
4 deem it necessary to submit an
5 argument and brief to the Honourable
6 Law Officers, and for the
7 same reasons do not attach
8 an argument or brief to this appeal.

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10 A. H. Cassen
11 Attorney for William Dennis,
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