

## Extract of the Respondent's Case.

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The Appellant became the purchaser, at a Sheriff's Sale, of land situated in the Township of Inverness, Megantic, which was sold, separately, under the following description:—" *The North-West half of lot number twelve—the whole of lots numbers thirteen and fourteen, on which said lot, number thirteen, there is a mill site, called the Falls of Inverness, in the County of Megantic, in the District of Quebec, together with all such houses, barns, stables, and other buildings and improvements as are on the said above described lots and half lots of land, and all the rights, members and appurtenances to the said premises belonging or in any way appertaining.*" This property was adjudged to the Appellant, in the above terms, for £400, which he subsequently paid to the Sheriff. After the return of the writ of execution the *Adjudicataire*, the present Appellant, appeared before the Court, in the character of a petitioner, and prayed for a diminution of the price to the extent of one-fourth of the whole;—the grounds set forth in his Petition are.—

1st.—That the lands in Inverness, above described, together with lot number nine, in another township, viz., in the adjoining township of Nelson, were known as one farm, with a house, barn and stable, and other dependencies necessary for farming it, and that the above description of the Sheriff is, to use the language of the Petition "*incomplète, irrégulière et incorrecte, en ce que dans l'étendue sus-décrite et adjugée au dit Thomas William Lloyd, ne se trouve point de fait la maison, grange, etc., dépendant de la dite ferme.*"

2dly.—That some of the buildings, used with the said farm, were upon Lot Number 9, in Nelson, which was sold, separately, at the same time, without its being stated in the advertisement that there were any buildings upon it.

*Ergo*, states the Appellant, I am entitled to a reduction of the price.