

Deed For Auld Kirk Property As Registered In 1837

The wording of the deed for the transfer of land, from Mr. and Mrs. John Faris to the Presbyterian Church, in 1837 makes interesting and historical reading. Reeve Percy Selby of West Gwillimbury secured a photostatic copy of the old deed as registered in the Registry Office, and read it at the ceremonies on Sunday afternoon when the memorial plaque was unveiled.

It reads as follows:

Memorial No. 2276.

This 8th day of July, A.D. 1837, at 9 O'Clock in the forenoon in LIBER D, Pages 856 and 857.

Alex M. Cagie,

Dep'ty Reg'trar County of Simcoe.

A memorial to be registered pursuant to the Statute in such case made and provided of an indenture of bargain and sales in the following words that is to say. This Indenture made the 29th day of June in the year of our Lord 1837 between John Faris of the Township of West Gwillimbury, in the County of Simcoe, in the Home District and Province of Upper Canada, Yeoman of the first part, Jane Faris of the same place, wife of the said party of the first part of second part and Andrew MacBeth of the Township of West Gwillimbury aforesaid yeoman. Robert Sutherland of the Township of West Gwillimbury aforesaid yeoman and James MacKay of the Township of West Gwillimbury aforesaid yeoman of the 3rd part — that the said party of the 1st part for and in consideration of the sum of ten pounds of good and lawful money of Upper Canada to him in hand paid by the said parties of the 3rd. part at or before the sealing and delivery of these presents sold — released and conveyed and by these presents — grant bargain set — release, convey and conform unto the said party of the third part and their successors in office in perpetual succession all that parcel or tract of land and premises situated in the Township of West Gwillimbury aforesaid containing by admeasurement one acre of land being composed of part of the south half of lot number eight in the sixth concession of the said Township of West Gwillimbury and which said acre of land hereby conveyed is butted and bounded or may be otherwise known as follows,

(Continued on page 2)

DEED FOR AULD KIRK PROPERTY AS REGISTERED IN 1837

(Continued from page 1)

that is to say commencing on the north side of the allowance for road in front of the said half lot and at the distance of six chains on a course called south 73 degrees, 30 minutes west from where a post has been planted at the south-east angle of the said half lot. Then on the said course called South, seventy-three degrees, thirty minutes west being the course of and following along the northern limit of the said allowance for road. Three chains fourteen links, then about north, sixteen degrees thirty minutes west on a course at right angles to the front of the said half lot three three chains, eighteen links, than on a course called north seventy-three degrees thirty minutes east parallel to the front of the said half lot three chains, eighteen links, than on south sixteen degrees thirty minutes east at right angles with the front of the said half lot, these chains eighteen links to the place of beginning. Together also, with the Presbyterian Church thereon erected and all other erections on the said premises of what kind or nature soever and all ways privileges, advantages and appurtenances whatsoever to the said parcel or tract of land and premises hereby conveyed belonging or in any wise appertaining. And the

profits of the said premises and every part thereof and all the estate, right, title and interest both at law and in equity of him the said party of the first part of into or out of the same premises and every part thereof. To have and to hold the said parcel or tract of land and premises hereby granted and conveyed and every part thereof with the appurtenances unto the said parties of the third part, and their Successors in office. To the only proper use and behoof of the said parties of the third part and their successors in office in perpetual succession. In — for the purpose hereinafter expressed that is to say for Trust for the Congregation of the said Presbyterian Church at West Gwillimbury aforesaid under the Synod of Canada in connection with the Church of Scotland and to be subject to such disposal and direction as the said congregation for the time being shall by their constitution or by-laws or regulations hereafter to be made and enforced from time to time declare and direct and for no other use, intent or purpose whatsoever. And the said party hereto of the second part in consideration of the sum of five shillings of like

lawful and current money as aforesaid to her in hand paid by the said parties of the third part at or before the — and delivery hereof the receipt whereof is here by also acknowledged hath — released and forever quitted claim and by these presents doth — release and forever quit claim unto the said parties of the third part and their successors in office all her right and title of or to — in the aforesaid premises, and all actions, claims and demands on account thereof and

The said party of the first part doth hereby for himself, his heirs, executors, and administrators, covenant with the said parties of the third part and their successors in office, that he the said party of the first part at the time of the sealing and delivery of these presents is lawfully seized in his own right of a good, sure and perfect estate of inheritance in fee simple in the said premises hereby granted and conveyed and hath good right to grant and convey the — in the manner aforesaid and further that the said parties of third part and their successors in office shall and may at all times hereafter peaceably and quietly have, hold — and enjoy the said premises free from all encumbrances without any hindrance or interruption from or by the said party of the first part of any person or persons claiming through or by him and lastly that he the said party of the first part shall and will at all times hereafter upon every reasonable request and occasion made do and execute all such further acts and deeds at the expense of the said parties of the third part an

opening the said premises unto them the said parties of the third part and their successors in office as by their council in the law shall be required. And it is hereby declared and agreed upon by and between the said several parties, here to that upon the death of anyone or more of the said parties of the third part or their successors in office and while holding the said office of Trustee or Trustees or the exploration of the terms of time he or they may have been elected for or if any one or more of the said parties of the third part or their Successors in Office shall remove that place of residence part of the district of the Congregation aforesaid or claim to be a member or members of the Church aforesaid or for any other cause or reason which is or hereafter may be provided against by the Constitution and by laws of the said Congregation, that in any of the said cases the said Office of Trustee or Trustees as the case may be shall become vacant and it shall and may be lawful for the said Congregation

according to their Constitution and by laws to nominate and appoint a successor or successors and henceforth the person or persons so nominated and appointed Trustee or Trustees shall be the legal successor or successors of Trustee or Trustees so incapacitated or vacating — and shall have in perpetual Succession the — rights and duties as are given to the said above named Trustees in authentic Indenture and the above premises shall become vested in such new Trustee or Trustees — with such — remaining Trustee or Trustees upon the same Trustee as are here in before expected — said Indenture as to the execution thereof by the said parties of the first, second, and third parts,

is witnessed by Rev. William M. Killican of the Township of West

Gwillimbury aforesaid Minister of the aforesaid Presbyterian Church and Alexander M. Cagie of the Township of West Gwillimbury aforesaid gentleman. And is hereby required to be registered by the said John Faris the Grantee.

Witness his hand and seal at West Gwillimbury the Twenty-seventh day of June in the year of our Lord one thousand, eight hundred and thirty-seven.

Signed and Sealed in the Presence of:

Wm. M. Killican

Alex M. Cagie

Home District

John Faris

TO WIT;

Alexander M. Cagie of the Township of West Gwillimbury in the said Home District, Gentlemen.

That he was personally present and did the Indenture of which the written is a memorial duly signed sealed between and executed by and between John Faris of the first part Jane Faris of the second part and Andrew McBeath, Robert Sutherland and James Mackay of the third part. The parties thereto and also that he was personally present and did in the written memorial duly signed and sealed by the said John Faris for the Registry thereof and further that he this Deponent is a subscribing witness to both Instruments

I certify that I have duly administered the above Oath to Alex M. Cagie the said wherof for proof accounting to the Statute this 29th day of June A.D. 1837.

George Lount

Reg. County of Simcoe.