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Certified Copy
W. Smithe
CCGLW.

(1)

This Indenture made the 25th day of July 1885 **Between** Edward Davis Heatley of the City of San Francisco and State of California, Merchant, of the first part, The Honorable William Smithe Chief Commissioner of Lands and Works of the Province of British Columbia acting on behalf of the Government of the said Province of the second part, and Her Most Gracious Majesty, Queen Victoria of the third part.

Whereas by Indenture dated the 30th day of November 1865 entered into between Joseph William Trutch the then Chief Commissioner of Lands and Works and Surveyor General of British Columbia acting on behalf of the Government of British Columbia of the first part, and the British Columbia and Vancouver Island Spar Lumber and Sawmill Company Limited, thereinafter with their Successors and assigns called the said grantees of the other part **It Was Witnessed** for the consideration therein mentioned the said Joseph William Trutch did grant and demise unto the said grantees inter alia certain lands situate on the South side of English Bay and on the North Arm of Fraser River containing by admeasurement 5254 acres and 2897 acres respectively and upon the plan attached to the

Said Indenture colored blue for the purpose of cutting timber and manufacturing spars and lumber and carrying on the spar and lumber trade generally and otherwise as therein mentioned for the term of 21 years from the date of the said Indenture at a rental of one half penny sterling per annum.

And Whereas by divers deeds of assignment the estate and interest in the unexpired term of years granted by the said Indenture of Lease has become vested in the said Edward Davis Heatley.

And Whereas the said William Smithe has in the Public interest, requested the said Edward Davis Heatley to forthwith surrender to the Crown his rights under the aforesaid lease to the portion of the lands thereby demised which is distinguished by the color blue on the map or plan hereto annexed and which is hereinafter more fully described, and upon such surrender being affected and in consideration thereof doth herby on behalf of the Government of British Columbia agree to grant to the said Edward Davis Heatley his Executors or administrators or the person or persons who immediately preceding the expiration of the term granted by the hereinbefore in part recited Indenture of Lease shall appear on the Register of charges kept in the office of the Deputy Registrar General at New Westminster as the Registered owner of such Lease, a lease for timber purposes

Who shall appear

of the portion of the lands demised by the hereinbefore in part recited Indenture of Lease which is distinguished by the colors red and green on the aforesaid map or plan, with the exclusive right to cut timber thereon during the continuance of such lease or such part of the said land as for the time being shall be held under the said Lease at the annual rental of ten cents per acre; as to the part of the said land so distinguished by the color red for the term of two years. And as to the part thereof so distinguished by the color green for the term of five years such terms to be computed from the termination of the term granted by the hereinbefore in part recited Indenture of Lease, and to grant to the said Edward Davis Keatley his executors or administrators or other the person or persons aforesaid the free and uninterrupted use of the two existing roads which are distinguished by dotted lines on the said map or plan for the purpose of conveying to the salt water logs and timber over the lands to be surrendered as aforesaid during the continuance of the term granted by the hereinbefore in part recited Indenture of Lease and during the whole of the term of the proposed new Lease. And also the free and uninterrupted use of one acre of ground situate on the salt water at the

termination of each of the two last mentioned roads and distinguished by the color yellow on the said plan during the terms aforesaid, and the buildings thereon erected for the purpose of enabling the said Edward Davis Heatley his executors or administrators or other the person or persons aforesaid to transfer any timber and logs to the salt water, and for the use of the men engaged in the business of logging or otherwise in the employ of the said Edward Davis Heatley his executors or administrators or other the person or persons aforesaid, and will also grant to the said Edward Davis Heatley his executors or administrators or other the person or persons aforesaid the free and uninterrupted use during the terms aforesaid of the road now used by the said Edward Davis Heatley for logging purposes and running across the land hereby agreed to be surrendered to the North East portion of lot 192 and distinguished by dotted lines on the said plan, To which the said Edward Davis Heatley has assented.

Now This Indenture Witnesseth that in consideration of the premises the said Edward Davis Heatley doth hereby assign surrender and yield up to Her said Majesty Her Heirs and Successors all that portion of the lands demised by the hereinbefore in

him done omitted or knowingly suffered
he now hath power to assign and surrender
all the said premises unto Her said Majesty
Her Heirs and Successors free from incum-
brances. And that he and every other person
claiming through or in trust for him will
at all times execute and do all such assurances
and things for further or better assuring all or
any of the said premises unto Her said Majesty Her
Heirs and Successors as by Her said Majesty Her
Heirs ~~and~~ or Successors shall be reasonably required.

[illegible] the parties hereto

him done omitted or knowingly suffered he now hath power to assign and surrender all the said premises unto Her said Majesty Her Heirs and Successors free from incumbrances. And that he and every other person claiming through or in trust for him will at all times execute and do all such assurances and things for further or better assuring all or any of the said premises unto Her said Majesty Her Heirs and Successors as by Her said Majesty Her Heirs ~~and~~ or Successors shall be reasonably required.

In Witness Whereof the parties hereto

Royal Arms

HER BRITANNIC MAJESTY'S CONSULATE

SAN FRANCISCO.

To all whom these presents shall come,

I, George Edward Stanley, Her Britannic Majesty's Consul for the ~~State of California~~ and Oregon, and for Washington Territory, do hereby certify that.

Edward Davis Heatley

well known to me to be the individual named and described in the annexed Instrument, ~~personally~~ appeared before me and executed the same by affixing his Signature and Seal thereto, and thereupon acknowledged that he did so of his own free will for the purpose therein set forth.

In testimony whereof I have hereunto set my Hand and Seal of Office, in San Francisco the twenty first day of August A. D. One thousand eight hundred and Eighty five

(Sgd) G. E Stanley

H. B. M. Consul

37412 5s.

CONSULAR FIVE SHILLING HER BRITANNIC MAJESTY'S CONSULATE SAN FRANCISCO.

1885