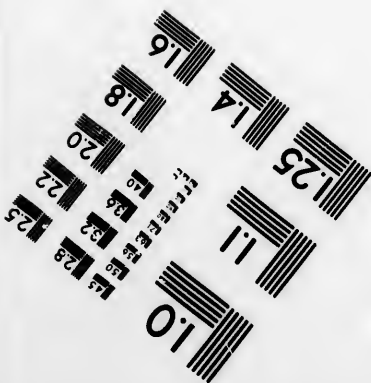
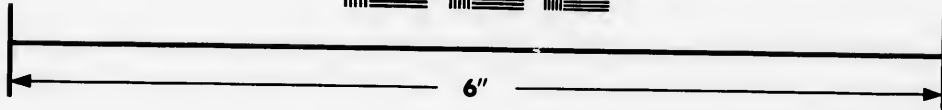
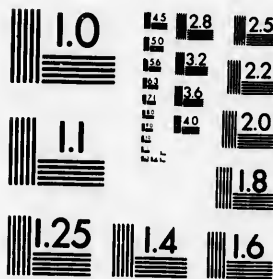


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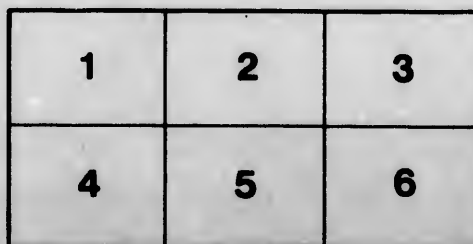
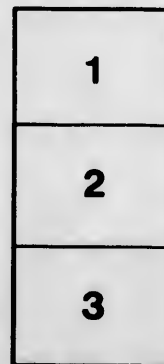
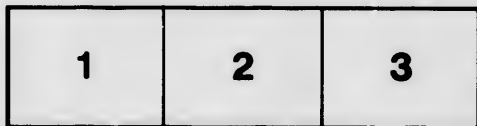
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TRUST DEEDS

— OF THE —

First Presbyterian Church of Vancouver Island.

This Indenture, made the nineteenth day of January, one thousand eight hundred and sixty-six, between David Cameron, Esquire, the late Chief Justice of Vancouver Island, John Wright, of Victoria, Vancouver Island, Architect, and John Martin, of Victoria aforesaid, Saddler, of the first part ; George Parkes, Acting Registrar General of Vancouver Island, of the second part ; and the said David Cameron, John Wright, John Martin, the Trustees of the First Presbyterian Church of Vancouver Island, nominated and appointed for the purposes hereafter mentioned, of the third part.

Whereas, by an Act of the House of Assembly of Vancouver Island, passed September fifth, eighteen hundred and fifty-nine, entitled a " Bill for the passage of an Act respecting the property of religious institutions in the Colony of Vancouver Island," it was amongst other things enacted that when a Religious Society or Congregation of Christians in the Colony of Vancouver Island, desire to take a Conveyance for the uses therein mentioned, It should be lawful to appoint Trustees, to whom, and their successors to be appointed in such manner as should be specified in the Deed of Conveyance of such land, the land requisite for all or any of the purposes therein mentioned, should be conveyed, and such Trustees and their successors in perpetual succession, by the name expressed in such Deed, should be capable of taking, holding and possessing such land, and of commencing, and maintaining an action or actions in law or equity, for the protection thereof, and of their property therein : *And whereas*, on the third day of February, eighteen hundred and sixty-two, a number of persons who have been educated and brought up as Presbyterians in their native country, met together in Smith's Hall, Victoria, aforesaid, and organized themselves into a Congregation, under the name or style of " The First Presbyterian Church of Vancouver Island," availing themselves, in the mean time of the pastoral services of the Reverend John Hall, Missionary from the General Assembly of the Presbyterian Church of Ireland, and subsequently, at a meeting held on the eighth day of September, eighteen hundred and sixty-two, the parties of the first part were authorized to purchase a site for the erection of a Church and other buildings ; And whereas, the said parties have, in pursuance of such authority, purchased a lot of land at the corner of Pandora and Blanchard Avenues, and built a church and other buildings thereon ; *And whereas*, the Congregation desiring that the title to the said land and hereditaments should be vested in Trustees, under the provisions in the said recited Act, have nominated and appointed the said David Cameron, John Wright and John Martin, as and to be the first Trustees for the purpose of taking a Conveyance of the said lands and hereditaments for the uses, and also for the purposes hereinafter mentioned ; *And whereas*, for the purpose of carrying the desire of the said Congregation into effect, the said parties hereto of the first part, have agreed to convey the said land and hereditaments to the said party hereto of the second part ; subject, nevertheless, to a certain Indenture of Mortgage, granted by the said parties of the first part to Thomas Moffatt, of Victoria, Miner, as a security for moneys advanced to complete the erection of the said Church, and the principal and interest moneys thereby secured upon Trust, by Indenture of even date herewith, and to be endorsed thereon, to convey the same land and hereditaments, subject as aforesaid, unto the said Trustees, to be held by them upon and subject to the Trusts in the last mentioned Indenture expressed and set forth.

Now this Indenture witnesseth, that for the consideration hereinbefore expressed, and in consideration of the sum of Five Dollars (\$5) of the lawful currency of Vancouver Island, now paid by the said party of the second part to the said parties of the first part, the receipt whereof is hereby acknowledged; they, the said parties of the first part, do by these presents, grant unto the said party of the second part, his heirs and assigns forever, all that piece or parcel of ground forming part of lot number five, (5) Victoria Town, and more particularly described as commencing at the south-west corner of the said lot, thence running East along Pandora street ninety-nine (99) feet, thence at right angles northerly along the piece of land belonging to Edward Henry Jackson, one hundred and twenty (120) feet ; thence at right angles ninety-nine (99) feet : thence at right angles southerly one hundred and twenty (120) feet, to the place of beginning, all of which several dimensions are a little more or less ; together with all rights, easements, privileges and appurtenances thereunto belonging, or with the same or any part thereof therewith usually held, occupied or enjoyed ; and all the estate, right, title and interest, either at law or in equity, of them, the said parties of the first part therein or thereto.

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To have and to hold the same land and hereditaments, with the appurtenances thereunto belonging, or in anywise appertaining unto the said party of the second part, his heirs and assigns, to be held by him and them, subject to the said Indenture of Mortgage, and the principal and interest moneys now due and to accrue due thereon, UPON TRUST, by Indenture, of even date herewith, and to be endorsed hereon, to convey the same unto the said Trustees upon trusts, hereinbefore mentioned or referred to ; and each of them, the said parties, hereto of the first part, doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree, to and with the said George Pearkes, his heirs and assigns, in manner following : that is to say, that he hath not at any time heretofore made, done, committed, omitted or permitted, or been party or privy to, the doing of any act, deed, matter or thing whatsoever, whereby or by reason or means whereof, the land, hereditaments, and premises hereby granted and conveyed, or intended so to be, or any part thereof, are, is, can, shall, or may be, or become charged or encumbered, or prejudicially affected in any way whatsoever. And moreover, that they, the said parties of the first part, and each of them, and his heirs, and every person claiming any estate, right, title or interest, in the land, hereditaments, and premises hereby granted and conveyed, or intended so to be, by, from, through, under, or in trust for them, or any of them, shall and will, from time to time, and and at all times hereafter, make, do and execute, or cause to be made, done and executed, all such further and other acts, deeds and assurances in the law, for the further, better, or more satisfactorily assuring all or any of the land, hereditaments, and premises hereby granted and conveyed, or intended so to be, unto, or to the use of the said George Pearkes, his heirs and assigns, as he, or his, or their Counsel in the Law shall advise, devise, or require.

In witness whereof, the said parties of the first part, have hereunto set their hands, and affixed their seals, the day and year first above written.

DAVID CAMERON, [L.S.]
JOHN WRIGHT, [L.S.]
JOHN MARTIN, [L.S.]

By his Attorney-in-fact, Alexander Wilson.

Signed, sealed and delivered, by the within-named David Cameron, John Wright, and John Martin, the word "lost," in the third line from the top having been first struck out in the presence of

JNO. C. PRATT,
Clerk to Messrs. Drake & Jackson,
Victoria, V. I.
H. B. W. AIKMAN,
View Street, Victoria, V. I.,
Clerk.

This Indenture, made the nineteenth day of January, in the year of Our Lord one thousand eight hundred and sixty-six, *BETWEEN* George Parkes, the Acting Registrar General of Vancouver Island, of the first part, and the Trustees of the First Presbyterian Church of Vancouver Island, nominated and appointed for the purposes hereinafter mentioned, of the second part.

Whereas, the land, hereditaments, and premises granted by the within written Indenture, were conveyed to the said party hereto of the first part, subject as therein mentioned, upon Trust, to convey the same to the said parties hereto of the second part, subject as therein and hereinafter mentioned, to be held by them, upon and subject to the Trusts hereinafter expressed or set forth.

NOW THIS INDENTURE WITNESSETH, that in consideration of the premises, and in consideration of the sum of Five Dollars (\$5) of the lawful currency of Vancouver Island, now paid by the said parties of the second part, to the said party of the first part, the receipt whereof is hereby acknowledged, and for the purpose of performing and discharging the Trusts so reposed in him, the said party of the first part, as aforesaid. He, the said party hereto of the first part, *doth*, by these presents, grant unto the said parties of the second part, their successors and assigns for ever, all the land, hereditaments and premises, granted by the within written Indenture, to hold the same unto the said parties of the second part, their successors and assigns, subject, nevertheless, to the Indenture of Mortgage within mentioned, and the principal and interest moneys due, and to accrue due thereon, *UPON* the Trusts hereinafter expressed, or set forth, that is to say: to stand seized and possessed of the said land, hereditaments and premises, for the sole use and benefit of the Congregation of the First Presbyterian Church of Vancouver Island, and such other Presbyterians professing adherence to the confession of faith as approved by the General Assembly of the Church of Scotland, in the year of our Lord sixteen hundred and forty-seven, and ratified by Acts of the Scottish Parliament in the years of our Lord sixteen hundred and forty-nine, and sixteen hundred and ninety, and maintaining a Church discipline and doctrinal principles as ratified by the said Acts of Parliament; and as it has been the earnest wish of the founders of the said Congregation to promote a brotherly union amongst Presbyterians of every sect and party, and of every country, and to induce them on their arrival here, to become members. It is hereby provided and declared that the property so held in Trust as aforesaid, shall not revert to any particular sect or denomination of Presbyterians, but the said parties of the second part and their successors, shall stand seized and possessed of the said land, hereditaments and premises, for the use, enjoyment, and benefit of every denomination of Presbyterians, desiring to merge minor differences, and to cooperate as a congregation on the broad basis of the confession of faith; and that the said parties of the second part and their successors, shall at all times hereafter permit any minister or preacher (he being duly authorised to perform Divine Service in that behalf and approved by the Congregation) to officiate in the said Church according to the rights and discipline of the Presbyterian Church, and it is hereby declared to be the true intent and meaning of these presents that full number of the Trustees of the said Trust shall continue to be three and that when one or any more of the above named Trustees or their successors in the said Trust shall die or cease to be a member of the said Church or if any Trustee or Trustees shall leave this Colony or shall be desirous of being relieved from the Trusts in him or them reposed, or shall have become incapable to act therein, the vacant place or places shall be filled up with a successor or successors (he or they being duly qualified, by being members of the said Congregation and in full communion with the said Church) to be nominated and appointed as herein after mentioned and provided also that it shall be competent for the members of the Congregation when acting under and in accordance with the rules and regulations thereof at any meeting duly called for that purpose and any one or more of the said Trustees for the time being for misconduct in the execution of his Trust to a move or remove from his or their office of Trustee, and another Trustee or Trustees in his or their place to appoint or elect as in other vacancies in the Trust, that is to say the new Trustee or Trustees shall be nominated and appointed by a meeting of the members of the Congregation of the said Church duly called such nomination and appointment being duly made according to its then recorded regulations and the person or persons so nominated shall be the legal successor or successors of the said Trustee or Trustees, so dying or ceasing to be Trustees, and such Trustee or Trustees shall have in perpetual succession the same capacities powers rights and duties as are under or by virtue of these presents and by force of the said Statute in that behalf given to or vested in the said parties of the second part.

Provided always and it is hereby further declared that the receipt or receipts of the Trustees for the time being acting under or by virtue of these presents for any monies received by him or them in that capacity shall be a sufficient and effectual discharge or discharges for the same respectively or so much thereof in such receipt as shall be expressed or acknowledged to be received, and it is hereby declared that there shall be kept separate from the other records of the Church, a book in which book the Trustee or Trustees for the time being shall cause to be recorded minutes of all matters concerning or relating to the Trusts hereby created and also of every act or deed of the said Congregation or of the said Trustees in or about the several matters aforesaid, which said last mentioned books shall be kept by the officer appointed to keep the other

Church Books, and the entries therein shall be *prima facie* evidence of the due nomination and appointment of any person or persons to be a Trustee or Trustees, in the said Trust and of the removal of any Trustee or Trustees from office, and the said George Pearkes doth hereby for himself his heir's executors and administrators covenant promise and agree to and with the said Trustees of the second part their successors and assigns in manner following that is to say, that he hath not at any time heretofore made done committed omitted or permitted or been party or privy to the doing of any act deed matter or thing whatsoever whereby or by reason or means whereof the lands hereditaments and premises hereby granted and conveyed or intended so to be, or any part thereof are, is, can, shall or may be or become charged, encumbered or prejudicially affected in any way whatsoever.

In witness whereof the said party of the first part has hereunto set his hand and seal the day and year first within written.

GEORGE PEARKES,

Actg. Regr. Genl.

Signed, sealed and delivered by the said George Pearkes, the word "heirs," in the twelfth line from the top having been first struck out, and the word "in," in the forty-second line from the top having been first inserted in the presence of

H. B. W. AIKMAN,

View Street, Victoria, Clerk.

