

Beauport 23rd Feb
1848

Province of Canada

~~Allegiance~~

Victoria by the Grace of God of the United Kingdom of
Great Britain and Ireland Queen Defender of the Faith

To all to whom these presents shall come or whom the same may concern
Greeting

Fiat

Enrolled in the Office of
Enrollments, at Montreal
on Friday the Twenty fifth
day of February 1848.

LL

Whereas Our loving subject Bartholomew Conrad Augustus

Guy of the City of Montreal, in the Province of Canada Esquire, by his petition in that behalf
hath humbly represented unto Us to grant unto him the said Bartholomew Conrad Augustus Guy
and to his heirs and assigns for ever a lot or piece of land beach, and premises, situate lying and
being in the County and District of Quebec, in the said Province hereinafter described.

And whereas Our Governor General and Our Executive Council of Our said Province having
suly and maturely considered the said petition have adjudged it to be reasonable and advisable that
We should grant unto the said Bartholomew Conrad Augustus Guy and to his heirs and assigns
for ever the said lot or piece of land beach and premises - Now Know Ye that We having taken
the premises into Our Royal consideration and judging the petition of the said Bartholomew
Conrad Augustus Guy to be reasonable and therefore being willing to grant to the said Bartholomew
Conrad Augustus Guy the Lot or piece of ground beach and premises aforesaid, of Our especial grace

certain Knowledge and mere motion, have given, granted and confirmed and by these presents, for Us
Our Heirs and Successors do give grant and confirm unto the said Bartholomew Conrad Augustus
Guy his heirs and assigns the said lot or piece of ground, beach and premises being "All that certain
" lot or parcel of Beach situate on the north shore of the River Saint Lawrence in front of the
" Domain Farm, belonging to Bartholomew Conrad Augustus Guy Esquire, situate in the Seigniorie
" of Beauport, in the County and District of Quebec, to wit, "On the north by high water mark in the
" River Saint Lawrence, on the south by the beach, on the west by the Easterly border of the River Beau-
" port, and on the east by the prolongation of the easterly boundary line of the property of the said
" Bartholomew Conrad Augustus Guy. Beginning at high water mark aforesaid at the easterly,
" side of the mouth of the River Beauport aforesaid as at the point A on the annexed plan,
" thence running along high water mark aforesaid as it winds and turns easterly to the north easterly

boundary

" boundary line of the property of the said Comau farm, belonging to the said Bartholomew
" Conrad Augustus Gagy as at B on the aforesaid plan. Thence or prolongation of the said line
" magnetically south ten degrees East, one thousand feet French measure, as at C on the aforesaid
" plan, thence south eighty degrees west, three thousand six hundred and sixty nine feet more
" or less to the easterly border of the said River Baupat as at D on the aforesaid plan
" thence westerly along the said River to the place of beginning. The said lot containing one
" hundred and forty two arpens more or less."

To have and to hold the said lot tract or parcel of land beach and premises of Us
Our Heirs and Successors unto the said Bartholomew Conrad Augustus Gagy his heirs and assigns
to his end there our proper use and behoof for ever in free and common socage by fealty and at
the irredeemable annual rent of thirty four pounds lawful current money of Our said Province to
be paid yearly and every year at the Feast of Saint John the Baptist to Our Receiver General
of Our said Province for the use of Us Our Heirs and Successors in lieu of all other rents,
services, dues and duties whatsoever in like manner as lands are now holden of Us in free and
common socage in that part of the United Kingdom of Great Britain and Ireland called England
And We do hereby grant to the said Bartholomew Conrad Augustus Gagy his heirs and assigns
for ever full power and liberty to use, occupy and enjoy the said lot, tract or parcel of Land, beach
and premises in any manner that he or they shall think fit by erecting a wharf or wharves store
or stores, or other buildings thereon, and to apply the produce or profits thence arising to his and
their own use and benefit paying only to Us, Our Heirs and Successors the rent aforesaid.

Provided always and then presents are upon this express condition that Our said Grantee, his
heirs and assigns do and shall within three years from the date hereof erect and build or cause
to be erected and built on the said lot, tract or parcel of land, beach and premises heretofore
granted or on some part thereof an open public wharf or wharves for the greater convenience and
accommodation of ships and vessels resorting to and lying in Our Port of Quebec and for the more
safe and easy loading and unloading of goods, wares, and merchandises at any such wharf or wharves
in and upon and from and out of any such ships or vessels. And provided also that such wharf
or wharves shall be constructed of proper materials, in a workmanlike manner, and be so loaded
as to be capable of resisting any pressure to which such wharf or wharves may be exposed and shall
be faced all round with substantial timber of proper quality so as to prevent the loading from
escaping into the river, and shall be kept in a complete and proper state of repair.

And that it shall and may be lawful for all and every person or persons whomsoever to use the said
wharf or wharves for the purposes of moorage, and wharfage and to moor and fasten ships and
vessels thereto and to load and unload any goods, wares and merchandises at any such wharf or wharves
and also to use any crane or cranes erected thereon upon payment of a reasonable rate and rates as and
for moorage, wharfage and Crannage to be assessed and allowed to the Proprietor or wharfinger of such
wharf or wharves by and under the authority and in manner hereinafter mentioned.

And We do hereby for Us Our Heirs and Successors grant to the said Bartholomew Conrad Augu-
tus Gagy his heirs and assigns that it shall and may be lawful for the said Bartholomew Conrad
Augustus Gagy

Augustus Gagy his heirs and assigns being proprietors of the wharf or wharves to be erected on the said lot, tract or parcel of land beach and premises to demand have and receive to and for their use from every person or persons whom the same shall or may concern such reasonable rate or rates as and for moorage for all ships or vessels which shall be moored or fastened to the said wharf or wharves and as and for wharfage for all goods wares and merchandises shipped off, laden or unladen at the said wharf or wharves, and as and for cruage for the use of any crane or cranes to be erected on the said wharf or wharves as shall from time to time be asessed and allowed by the Governor, Lieutenant Governor, or person administering the Government of the said Province of Canada by and

with the advice and consent of Our Executive Council of Our said Province.

Provided always, and We do hereby reserve to Us Our Heirs and Successors and to all Our liege subjects for their respective benefit and advantage from time to time and at all times hereafter at their respective will and pleasure by night and by day to go return pass and repass through along and over the aforesaid described lot or piece of ground and premises and over any wharf or wharves erected or to be hereafter erected thereon for the purpose of towing of boats, barges, rafts, scows and other vessels up and down the said River Saint Lawrence when and so often as they shall have occasion so to do.

Provided also that if Our said grantee, his heirs and assigns do not nor shall within the aforesaid term of three years from the date of these presents erect and build or cause to be erected and built an open public wharf or wharves in manner above mentioned on the said lot or piece of ground and premises hereby granted and keep and maintain the same in a complete and proper state of repair as above mentioned then and in such case this Our grant and every thing herein contained shall cease and be absolutely void and the said lot or piece of ground and premises shall revert and escheat to Us Our Heirs and Successors and become the absolute property of Us or them in the same manner as if these presents had never been made any thing herein contained to the contrary in any wise notwithstanding.

Provided further and We do hereby reserve to Us Our Heirs and Successors a free public road or highway of a breadth not exceeding thirty six feet through such parts of the said land and premises hereby granted as are lying and being on the border of the said River Saint Lawrence, to wit, between high and low ^{water} mark where the said road may be most advantageously laid out for the public uses and convenience. Provided further and We do hereby also expressly reserve to Us Our Heirs and Successors, full power, right and authority, upon giving twelve months previous notice to Our said grantee his heirs and assigns in possession of the said lot or piece of ground beach and premises to reserve for public improvements the possession of the said lot or piece of ground beach and premises on payment to him or them of a reasonable indemnity in that behalf for the amelioration and improvements which may have been made on said lot or piece of ground, beach and premises, to be ascertained and determined by experts to be nominated and appointed by Our Governor of Our said Province for the time being and Our said grantee, his heirs or assigns, respectively in default

of

of an offer of the fair value of the same being accepted.

Provided further nevertheless and We do hereby reserve to Us Our Heirs and Successors full power and authority to erect and build one or more battery or batteries or any other works of Military defence upon the said lot or piece of ground hereby granted or any part thereof whenever Our or their service may require the same

And We do hereby direct and appoint that within six months from the date of these presents a copy of these Our Letters Patent shall be registered in Our Registrar's Office in Our City of Montreal in Our said Province and that in default thereof the whole premises hereby granted shall revert and escheat to Us, Our Heirs and Successors and become the absolute property of Us or them in the same manner as if these presents had never been made any thing herein contained to the contrary in any wise notwithstanding

And We do moreover of Our especial grace, certain knowledge and mere motion consent and agree that these Our Letters Patent being registered shall be good and effectual in Law to all intents, constructions, and purposes whatsoever against Us, Our Heirs and Successors notwithstanding any misreciting misbounding misnaming or other imperfections or omissions of or in any wise concerning the above granted or hereby mentioned or intended to be granted lot or piece of ground and premises or any part thereof

In Testimony Whereof We have caused these Our Letters to be made Patent and the Great Seal of Our said Province of Canada to be hereunto affixed Witness Our Right Trusty and Right Well beloved Cousin James Earl of Elgin and Kincardine Knight of the Most Ancient and Most Noble Order of the Thistle Governor General of British North America, and Captain General and Governor in Chief in and over Our Provinces of Canada, Nova Scotia, New Brunswick and the Island of Prince Edward and Vice Admiral of the same &c. &c. &c.
At Montreal in Our said Province this Twenty third day of February in the year of Our Lord one thousand eight hundred and forty eight and in the Eleventh year of Our Reign.

By Command

W. H. L. J.

