**SDC Vol 6 Fol 238-241 Indenture Peter Germon Tessier Anne Catherine Weston to John White 20-12-1884**

**Peter Germon Tessier**

**and**

**Anne Catherine Weston his Wife**

**To**

**John White**

This indenture made at St. John’s in the Island of

Newfoundland this Twentieth day of December A. D.

eighteen hundred and eighty four Between Peter \_\_\_

Germon Tessier of St. John’s aforesaid Merchant and

Anne Catherine Weston his wife of the one part and John

White of Ferryland in the Southern District Merchant

of the other part. Whereas the said Peter Germon Tessier

executed a certain deed called a declaration of trust

dated the twenty sixth day of April A.D. Eighteen

hundred and seventy eight whereby he declared that

he stood possessed of certain lands and properties for and

subject to the purposes and trusts therein created And

whereas it was provided in and by the said deed that

should be the said Peter Germon Tessier as Trustee as

aforesaid and the said Anne Catherine Weston be

desirous of selling the said lands properties shares

portions or any part thereof they shall be at

liberty so to do and after such sale and the

execution of a deed of conveyance of the same to the

purchasers thereof by him and the said Anne

Catherine Weston the said purchasers shall hold

the same wholly barred from all claim and demand

whatsoever of and from him and of and from the said

Anne Catherine [sic[[1]](#footnote-1)] and the said children his and their

exors. admors. and assigns and all and any person or

persons claiming under him and them And he the

said Peter Germon Tessier his exors. & admors. shall stand

possessed of all monies to arise from such sale or sales

and conveyances and all the proceeds thereof to pay all

expenses attending the same and the management

of the Trust Estates hereby created and to invest

the residue upon good security at interest to the

same uses and trusts as are hereinbefore men-

-tioned with respect to the said Lands properties

and estates Provided also that should the said

lands properties shares portions and premises not be

sold during the lifetime of the said Anne

Catherine Weston it shall be lawful for him the

said Peter Germon Tessier as Trustee as aforesaid

and he doth hereby reserve full power if he shall

deem it expedient for the interest of the cestuis

que trusts so to do without their consent to sell

and dispose of the said lands properties shares

portions and estates or any part of the Trust\_\_

Estate hereby created and to sign seal and execute

good and valid conveyances thereof to the pur-

-chasers shall hold the same barred from all claim

of or from him and of and from all the cestuis que

trusts being his said children his and their Exors.

admors. and assigns or any person claiming \_\_\_

under him or them and as purchaser under or

by virtue of the powers contained in this deed

shall be liable for the misapplication or non-application

of the purchase money And he the said Peter Germon

Tessier his Exors. and admors. shall stand possessed of

monies to arise from such sale and conveyance

to pay all expense attending the same and the

management of the trust Estate hereby created

and to invest the residue upon good security at

interest to the same uses and trusts as are hereinbefore

mentioned with respect to the said Lands properties

and estates. And whereas the contingency therein \_\_

referred to has now arisen and the said Peter \_\_\_\_

Germon Tessier and the said Anne Catherine Weston

are desirous of selling the land hereinafter more

particularly described which said land is a portion

of the land referred to in the said declaration

of Trust and the said John White has agreed to

purchase the same Now therefore this Indenture

witnesseth that in pursuance of the power of

sale reserved in the said deed or declaration

of Trust and in consideration of the sum of

Forty three dollars and thirty four cents to the

said Peter Germon Tessier and Anne Catherin

Weston in hand well and truly paid at or before

the sealing and delivery of these presents the

receipt whereof is hereby acknowledged they the

said Peter Germon Tessier and Anne Catherine

Weston have and each of them hath bargained

sold assigned and conveyed and by these presents

do bargain~~ed~~ sell assign and convey unto the

said John White his Exors. admors. and assigns

All the Estate right title and interest both at

law and in equity of the said Peter Germon

Tessier and Anne Catherine Weston in and to all

that piece or parcel of land situate at Ferryland

aforesaid and at present in the occupancy of the

said John White which is bounded as follows

on the North by land of the said John White

on the South by a room formerly occupied by

Richard Sullivan on the East by the waters of the

said harbor and on the West by a flake belonging

to the said John White together with all rights ways \_\_\_

privileges and appurtenances to the same belonging or in

anywise appertaining (subject nevertheless to the reservation

hereinafter contained. To have and to hold the same unto

the said John White his Exors. admors. and assigns for

ever (subject to a right of way by the Estate of William Carter

and tenants of fishing rooms lately in the occupancy

of Sullivan and tenants of the “Flag Staff Rooms” at

all times over the beach to the waters of the said \_\_\_

harbor) free from the said Trusts created in and by

the said deed or of any claim of the said Peter

Germon Tessier his Exors. admors. and assigns or the said

Anne Catherine Weston her Exors, admors. or assigns or of

others the Cestuis que Trusts mentioned in the said

deed Covenant for good title. Covenant for further

assurance. Covenant for quiet possession. In witness

whereof the said parties to these presents their hands and

seals have hereunto subscribed and set the day and

year first before written. Peter Germon Tessier [LS]

Anne C. W. Tessier [LS], Signed sealed and delivered

in presence of Geo. LeMessurier – Newfoundland St. John’s

to wit. George LeMessurier of St. John’s aforesaid Barrister at

law maketh oath and saith that he was present and

did see Peter Germon Tessier and Anne Catherine

Weston his wife the grantors named in the foregoing

Indenture duly sign seal and execute the same.

Geo. LeMessurier. \_\_ Sworn before me at St. Johns \_\_

aforesaid this 30th [[2]](#footnote-2)day of December AD 1884 \_\_\_\_\_\_\_

Geo. J. Adams Commr. Proved upon the affidavit

of Geo. LeMessurier this 30th day of December AD 1884

at 1:30 P.M. Before me Geo. J. Adams Commr.

1. Surname accidentally omitted. [↑](#footnote-ref-1)
2. Although the indenture as written in the ROD volume clearly gives the date twice as 30th day of December A.D. 1884, this is not consistent with the title in the ROD index which gives the date as 20th day of December A.D. 1884 and is also inconsistent with the date of the matching document conveying property to James Carter (same as the index), the two of which were undoubtedly enacted on the same date. So I suspect that the dates in this document are incorrect and should be the 20th. [↑](#footnote-ref-2)