

This Indenture made the thirtieth day of June one thousand eight hundred and thirty five Between John Batman of Bentlemond in Van Diemen's Land Esquire of the first part and Charles Swanston Joseph Rice Gellibrand and James Simpson all of Hobart town Esquires of the second part Whereas the said John Batman is seized or otherwise well entitled by two certain Deeds of Feoffment bearing date on or about the sixth day of June instant and made by Sagajaga Sagajaga Sagajaga the principal Chief and also Cooloolock Bungaroo Ganyan Merhip and Mommamalar Chiefs of the Native tribe called Dubigallan situate at Port Philip on the South West Coast of New Holland of two several tracts of Land situate at Port Philip and hereafter more particularly mentioned are called Geelong and containing about one hundred thousand acres of Land and the other called Dubigallan and containing about five hundred thousand acres of Land And whereas the said John Batman of Thomas Barnister John Robertson and William Robertson John Thomas Colvill of Hobart town Esquires and also of Henry Arthur James Hilder Wedge John Sinclair Anthony Cottrell William George Sains and Michael Connolly of Launceston Esquires and also of George Mercer of the City of Edinburgh Esquire in certain shares and proportions And whereas by a certain Indenture bearing date the twenty ninth day of June instant and made between the said John Batman of the one part and the several other persons before mentioned certain stipulations and agreements were made and entered into for the occupation of the said several tracts of land and for the agistment of Sheep and Cattle thereon and for the establishment of a Settlement at Port Philip and also for procuring a confirmation or Grant from the Crown of the said tracts of land and for the future division of the said Land into separate shares and proportions and for the Conveyance of the said tracts of Land in such shares to the several persons hereafter to be intitled thereto And whereas in order to provide against any contingency or impediment that may arise by the illness or death of the said John Batman before such Conveyances can be properly made It hath been proposed and agreed by the said John Batman to convey and assure the said two tracts of Land to the said Charles Swanston Joseph Rice Gellibrand and James Simpson and their heirs and assigns Upon the trusts aforesaid and in consideration of five shillings of lawful money of Great Britain by the said Charles Swanston Joseph Rice Gellibrand and James Simpson to the said John Batman in hand well and truly paid also before the execution of these presents the receipt whereof is hereby acknowledged He the said John Batman doth grant bargain sell release and assure unto the said Charles Swanston Joseph Rice Gellibrand and James Simpson and their heirs All that tract and indented Head of Land situate lying and being at the Bay of Port Philip in New Holland called or known by the native name of Geelong extending from Geelong Harbour about due South ten miles to the Heads of Port Philip taking in the whole neck of Land and containing about one hundred thousand acres of Land be the same more or less And also all that other tract of Land situate and being at Port Philip running from the branch of the River at the top of the Port about seven miles from the mouth of the River forty miles South East and from thence West forty miles across Francis Downs a Plains and from thence South West across Mount Pelammarnarke to Geelong Harbour at the head of the same and containing five hundred thousand acres more or less Together with all timber growing thereon ways rights members and appurtenances to the said several tracts of land belonging or appertaining all which said tracts of Land are now in the possession of the said Charles Swanston Joseph Rice Gellibrand and James Simpson To hold the said tracts of Land with their and every of their rights members and appurtenances but subject to the payment of the annual tribute therein respectively reserved and made payable to the Chief of the said Tribe for ever unto and to the use and behoof of the said Charles Swanston Joseph Rice Gellibrand and James Simpson their heirs and assigns for ever Upon the Trusts nevertheless and to and for the ends intents and purposes and subject to the several rights shares equities and interest expressed and declared of and concerning the said tracts of Land in and by the said in part recited Indenture of the said twenty ninth day of June and for no other trust intent or purpose whatever And the said Charles Swanston Joseph Rice Gellibrand and James Simpson do and each of them doth hereby covenant to and with the said John Batman his heirs and assigns that they the said Charles Swanston Joseph Rice Gellibrand and James Simpson and the survivors and survivor of them and the heirs of such Survivor shall and will make do and execute from time to time such Conveyances and assurances as shall fully and effectually carry into full effect the trusts and conditions mentioned and contained in the said recited Indenture In Witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written //

John Batman
C Swanston

J. F. Gellibrand

Signed Sealed and Delivered
by the within named John Balam
Charles Swanton and Joseph Rice
Jellison in presence of

[Signature]
Ch. to W. Jellison

Dated 30th June 1785.

John Balam Esq^r

to

Charles Swanton
Esq^r and others.

This Indenture made the twenty ninth day of June
in the year of our Lord one thousand eight hundred and
thirty five Between John Balam of Burlington in
his own right and Charles Swanton
Joseph Rice Gellibrand and James Simpson all of
Burlington Esquires of the other part Whereas the said
John Balam in hand paid by the said Charles Swanton
Joseph Rice Gellibrand and James Simpson also upon the
execution of these presents the receipt whereof is hereby
acknowledged and for other good causes and considerations
then hereunto moving He the said John Balam doth
grant bargain and sell unto the said Charles Swanton
Joseph Rice Gellibrand and James Simpson their executors
administrators and assigns All those the hereditaments
mentioned on the other side of this skin of parchment and
intended to be immediately after the execution of these
presents conveyed and conveyed unto the said Charles Swanton
Joseph Rice Gellibrand and James Simpson their heirs and
assigns for ever To have and to hold the said
hereditaments with the appurtenances unto the said Charles
Swanton Joseph Rice Gellibrand and James Simpson their
executors administrators and assigns from the day next before
the day of the date hereof for and during and unto the full
and term of one year yielding and paying for the
same during the said term unto the said Charles Swanton
Joseph Rice Gellibrand and James Simpson their executors
administrators and assigns the yearly rent of one shilling
and six pence lawfully demanded In Witness whereof the said
parties to these presents have hereunto set their hands and
seals the day and year first above written.

Signed Sealed and Delivered
in presence of

[Signature]

